

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2014-13 Passed FEBRUARY 3, 2015

AN ORDINANCE AMENDING SECTION 1139.02(b) SPECIAL USES IN THE HIGHWAY SERVICE (HS) DISTRICT AND SECTION 1169.04(I) TO INCLUDE WIRELESS TELECOMMUNICATION FACILITIES AS A SPECIAL USE IN THE HIGHWAY SERVICE (HS) DISTRICT.

WHEREAS, the Council of the City of Brookville, Ohio desires to amend its zoning code to establish a new Special Use in the Highway Service (HS) District for Wireless Telecommunication Facilities; and

WHEREAS, after the Public Hearing on this amendment to the zoning code of the City of Brookville, Ohio as required by Section 4.11 of the Charter, and upon recommendation of the Planning Commission, Council hereby adopts this Ordinance to amend the zoning code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

SECTION I: Section 1139.02(b) Special Uses for the Highway Service (HS) District is hereby amended to add the following Special Use:

Section 1139.02(b)(4) Wireless Telecommunication Facilities

SECTION II: Section 1169.04(I) Construction Standards in Industrial Districts is hereby amended as follows:

Section 1169.04(I) Construction Standards in Industrial Districts and Highway Service Districts. Wireless telecommunication facilities are Special Uses in the I-1, I-2, PI and HS Districts, and shall be subject to the following construction standards:


- (1) The tower height shall not exceed 200 feet.
- (2) The tower shall meet all setback and yard requirements of the Industrial District or Highway Service District in which it is located.
- (3) No tower shall be located such that the distance from the tower to a residentially zoned property or residential use is less than 500 feet.
- (4) All equipment shelters, located above ground, shall meet the required setback and yard requirements for the Industrial Zoning District or Highway Service Zoning District in which it is located.

SECTION III: This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this 3rd day of February 2015.

ATTEST:


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor

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CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2014-13, passed by the Council of the City of Brookville, Ohio, on the 3rd day of February, 2015.

Sonja M. Keaton
Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2014-13 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 5th day of February, 2015 to the 6th day of March, 2015, both days inclusive.

Sonja M. Keaton
Sonja M. Keaton, Clerk