

**CITY OF SANIBEL**

**ORDINANCE 14-006**

**AN ORDINANCE AMENDING THE SANIBEL CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126 ZONING, ARTICLE XVII TELECOMMUNICATIONS DEVICES, DIVISION 4., STANDARDS AND REQUIREMENTS, SECTION 126-1589, GENERAL STANDARDS AND REQUIREMENTS, SUBSECTION 126-1589(2) COLOR, BY ADDING A NEW SUB-SUBSECTION C., TO REQUIRE REFLECTIVE TAPE WRAPPING TO BE INSTALLED ON ALL NEW TELECOMMUNICATIONS SUPPORT STRUCTURES GREATER THAN 75 FEET ABOVE GROUND LEVEL; PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City has adopted a Land Development Code to implement the goals, objectives and limitations of the Comprehensive Land Use Plan; and

**WHEREAS**, the maximum above ground level height for telecommunication support structures is 149 feet and artificial lighting, marking or painting by the Federal Aviation Administration (FAA) is not required; and

**WHEREAS**, reflective tape wrapping can assist low-flying aircrafts, particularly those used by emergency services, Coast Guard, police agencies, and the Lee County Mosquito Control District, to visually identify telecommunications towers during power outages and at night; and

**WHEREAS**, a procedure has been established to revise and amend regulations contained in the Land Development Code in a manner consistent with the Comprehensive Land Use Plan; and

**WHEREAS**, the City Council deems it necessary to make such revisions, as contained in this ordinance; and

**WHEREAS**, all required public notices and public hearings for such revisions have been properly given and held; and

**WHEREAS**, such revisions have been referred to the Planning Commission for a recommendation as to the consistency of such revisions with the Comprehensive Land Use Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Sanibel, Florida:

**SECTION ONE.** The Code of Ordinances, Subpart B Land Development Code, Chapter 126 Zoning, Article XVII., Telecommunications Devices, Division 4., Standards and

Requirements, Section 126-1589, General Standards and Requirements, Subsection 126-1589(2) Color, is hereby amended with underlining indicating added language as follows:

**Land Development Code Section 126-1589 General standards and requirements**

The standards and requirements of this section and the standards under section 126-1596, pertaining to protection of historic sites and structures, section 126-1597, pertaining to collocation, and section 126-1598, pertaining to visual compatibility standards, are applicable to all telecommunications facilities and devices, unless the text clearly indicates otherwise.

...

(2) *Color.*

- a. Antennas or antenna arrays and mounts shall be placed and colored to blend into the architectural detail and coloring of the host structure.
- b. Telecommunications devices not requiring Federal Aviation Administration painting or marking shall have either a nonreflective galvanized finish or be colored to blend in with the background against which they are seen from the public view. The mount and all attachments shall be a single color, either light gray where visible against the sky or the color of the background against which they are viewed.
- c. All new telecommunications support structures, greater than 75 feet above ground level, shall install reflective tape wrapping to assist in their visibility by low-flying aircraft, including those used by emergency medical services, Coast Guard, police agencies, and the Lee County Mosquito Control District, during power outages and at night. The reflective tape wrapping shall be:
  1. 3M™ Diamond Grade VIP Reflective Sheeting, series 3990” brand or an equivalent product;
  2. Installed beginning 20 feet above ground level at ten-foot intervals; and
  3. Overlapped by one inch to ensure a proper seal.

**SECTION 2. Codification.**

This ordinance shall be an amendment to the Code of Ordinances of the City of Sanibel.

**SECTION 3. Conflict.**

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

**SECTION 4. Severance.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

**SECTION 5. Effective date.**

This ordinance shall take effect immediately upon adoption.

**DULY PASSED AND ENACTED** by the Council of the City of Sanibel, Lee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2014

AUTHENTICATION:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

Vote of Council Members:

Ruane \_\_\_\_\_

Congress \_\_\_\_\_

Denham \_\_\_\_\_

Harrity \_\_\_\_\_

Jennings \_\_\_\_\_

Date filed with the City Clerk: \_\_\_\_\_

First Reading: \_\_\_\_\_

Publication Date: \_\_\_\_\_

Second Reading: \_\_\_\_\_