

**ORDINANCE NO. 3415**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE LOCATION OF WIRELESS FACILITIES ON BALLFIELD LIGHT POLES IN PROXIMITY TO RESIDENTIALLY ZONED AREAS IN SUBSECTION (5) OF SECTION 35-2209 OF ARTICLE XXII, CHAPTER 35 (ZONING CODE) OF THE CHANDLER CITY CODE.

WHEREAS, in accordance with A.R.S. 9-462, the legislative body may adopt by ordinance, any change or amendment to the regulations and provisions as set forth in the Chandler Zoning Code; and,

WHEREAS, this amendment, including the draft text, has been published as an 1/8-page display ad in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, date and place of public hearing; and,

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code, on December 4, 2002;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Subsection (5)/(b) of Section 35-2209, Article XXII, Chapter 35, Chandler City Code, is hereby amended to read as follows:

(b) Ballfield light poles. Notwithstanding any other requirement in this paragraph (5), where the replacement is of a ballfield light pole:

(i) the location of such facility shall meet all applicable setback requirements for the zoning district, except that where such a wireless communication facility is located on property that is adjacent to any property that either contains a residence, is zoned for residential use, or is designated for residential use in an adopted area plan, then, in addition to any other applicable setback requirements, the facility shall be set back from such adjacent property at a minimum distance of three hundred (300) feet as well as co-located on the furthest existing light pole away from said property. If the distance cannot be met, a use permit is required.

(a) An existing structure located within a distance of three hundred (300) feet cannot be expanded or moved closer to a residence, or property residentially zoned or designated without a Use Permit.

(ii) the tower shall be of substantially the same diameter as the pole being replaced;

(iii) the total height of the facility shall not exceed seventy (70) feet or the same height as the pole being replaced, whichever is greater;

(iv) no more than two (2) ballfield light poles serving a single ballfield may be used as wireless communication facilities; and

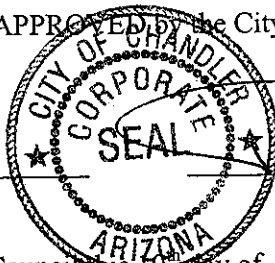
(v) no more than one (1) service provider shall locate antennas on a single ballfield light pole.

SECTION II. Each section and each provision or requirement of any section of this Ordinance shall be deemed severable and the invalidity of any portion of this Ordinance shall not affect the validity or enforceability of any other portion.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 27<sup>th</sup> day of March 2003.

ATTEST:

Marla Paddoah  
CITY CLERK

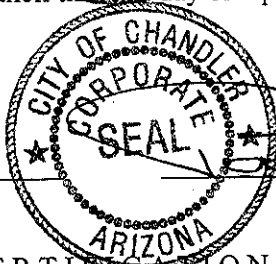


[Signature]  
MAYOR

PASSED AND ADOPTED by the City Council this 10<sup>th</sup> day of April 2003.

ATTEST:

Marla Paddoah  
CITY CLERK



[Signature]  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3415 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 10<sup>th</sup> day of April 2003, and that a quorum was present thereat.

Marla Paddoah  
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill  
CITY ATTORNEY

PUBLISHED: