

ORDINANCE NO. 2153

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING  
THERE TO A NEW SECTION 19.70.015 TO INCLUDE THE  
REGULATION OF SATELLITE DISHES WITHIN MONTGOMERY

The City Council of the City of Chula Vista does ordain  
as follows:

SECTION I: That Title 19 of the Chula Vista Municipal  
Code is hereby amended by adding thereto a new Section 19.70.015  
to read as follows:

Sec. 19.70.015 Regulation of Satellite Dishes

- A. In addition to the zoning regulations of the County of San Diego in the Montgomery area which have been adopted by the City Council of the City of Chula Vista, placement of satellite dishes within Montgomery shall comply with the satellite dish regulations outlined in this section. "Satellite Dish Antenna" is defined as a device or instrument designed or used for the reception of television or other electronic communications, signal broadcast or relayed from an earth satellite. It may be a solid, open mesh or bar configured structure, typically 8-12 feet in diameter, in the shape of a shallow dish or parabola.
- B. Satellite dishes are permitted within all use regulations which allow residential use types subject to compliance with the follow conditions:
1. It is ground mounted.
  2. It is not located in a front yard or exterior side yard, said yard to be measured from any portion of the building to the front or exterior side property line.
  3. It complies with setback requirements of the underlying zone for accessory buildings.
  4. It does not exceed twelve (12) feet in height above existing grade.

5. It shall be located on lots where at least a 5-foot high solid wall or fence is installed between the dish antenna and adjacent properties.
6. It shall be adequately screened from any adjacent residential zone, right-of-way, or private street easements, at horizontal grade level to the satisfaction of the Zoning Administrator.
7. Only one satellite dish antenna shall be permitted per lot.
8. Satellite dish antennae with diameter measuring less than one (1) meter any be installed in a manner consistent with typical television antennae.
9. Satellite dish antennae shall be used for private, non-commercial purposes.
10. All satellite dish antennae, in any zone constructed and erect4d prior to the effective date of the ordinance codified herein, which do not conform to the requirements of the provisions of this title for the particular zone in which they are located, shall be accepted as non-conforming antennae for a period of 3 years to expire January 1, 1989. Thereafter, the satellite dish antennae shall be subject to immediate abatement via removal or through modification or relocation to comply with the standards of the ordinance.
11. Replacement of an existing non-conforming antenna with another satellite dish antenna, or removal of a non-conforming antenna for a period longer than 60 days, shall constitute abandonment of the non-conforming antenna, and is subject thereafter to the standards of this ordinance.
12. A building permit shall be required.

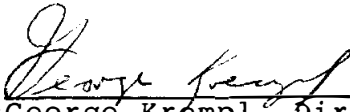
C. Satellite dishes are permitted within use regulations which allow commercial and industrial use types subject to compliance with standards 1 through 8 and 10 through 12 outlined in Subsection B. Roof mounted satellite dishes may be permitted subject to approval of a minor use permit granted by the Zoning Administrator for the City of Chula Vista, and in compliance with the following standards or conditions:

1. These dishes shall be screened, using appropriate matching architectural materials or parapet walls.
2. Dishes shall be of a neutral color, match the building or as otherwise approved by the City.
3. A building permit shall be required.
4. No advertising material shall be allowed on the satellite dish antenna. Satellite dish antenna containing advertising material shall be considered a sign.

SECTION II: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented by

Approved as to form by

  
\_\_\_\_\_  
George Kreml, Director of  
Planning  
1622a

  
\_\_\_\_\_  
Charles R. Gill, Assistant City  
Attorney

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE  
CITY OF CHULA VISTA, CALIFORNIA, HELD June 10, 19 86, AND  
FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD June 17,  
19 86, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen Moore, Campbell, Cox, Malcolm  
NAYES: Councilmen None  
ABSTAIN: Councilmen McCandliss  
ABSENT: Councilmen None

Gregory R. Cox  
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,  
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of  
Ordinance 2153, and that the same has not been amended or repealed.

DATED \_\_\_\_\_

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



RESOLUTION NO. PCA-86-9

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF AN AMENDMENT TO CHAPTER 19.70 OF TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE TO INCLUDE REGULATION OF SATELLITE DISH ANTENNAS WITHIN THE MONTGOMERY ANNEXATION AREA.

WHEREAS, the City Council adopted an ordinance regulating satellite antenna dishes within Chula Vista, and

WHEREAS, the City Attorney has reviewed the ordinance with respect to the Federal Communications Commission ruling preempting local zoning regulations restricting satellite earth stations, and has determined that the ordinance is valid and enforceable, but does not apply to Montgomery, and

WHEREAS, the Montgomery Planning Committee at its meeting of May 7, 1986, voted to recommend approval of an ordinance regulating satellite dishes within the Montgomery Annexation area, and

WHEREAS, the Planning Commission set the time and place for a hearing on said amendment and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city at least ten days prior to the hearing, and

WHEREAS, the hearing was held at the time and place as advertised, namely 7:00 p.m., May 14, 1986, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed, and

NOW, THEREFORE, BE IT RESOLVED THAT FROM THE FACTS PRESENTED AT THE HEARING, THE PLANNING COMMISSION recommends the adoption of amendments to Title 19 of the Municipal Code as listed in Exhibit A, attached hereto and made a part of.

That a copy of this resolution be transmitted to the City Council.

PASSED AND APPROVED BY THE PLANNING COMMISSION OF CHULA VISTA, CALIFORNIA, this 14th day of May, 1986 by the following vote, to-wit:

AYES: Commissioners Carson, Tugenberg, Green, Guiles, Shipe and Grasser

NOES: None

ABSENT: Commissioner Cannon

\_\_\_\_\_  
Thomas L. Shipe  
Chairman pro Tempore

ATTEST:

\_\_\_\_\_  
Ruth M. Smith, Secretary

EXHIBIT A

Section 19.70.020 Regulation of Satellite Dishes

- A. In addition to the zoning regulations of the County of San Diego in the Montgomery area which have been adopted by the City Council of the City of Chula Vista, placement of satellite dishes within Montgomery shall comply with the satellite dish regulations outlined in this section. "Satellite Dish Antenna" is defined as a device or instrument designed or used for the reception of television or other electronic communications, signal broadcast or relayed from an earth satellite. It may be a solid, open mesh or bar configured structure, typically 8-12 feet in diameter, in the shape of a shallow dish or parabola.
- B. Satellite dishes are permitted within all use regulations which allow residential use types subject to compliance with the follow conditions:
1. It is ground mounted.
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  3. It complies with setback requirements of the underlying zone for accessory buildings.
  4. It does not exceed twelve (12) feet in height above existing grade.
  5. It shall be located on lots where at least a 5-foot high solid wall or fence is installed between the dish antenna and adjacent properties.
  6. It shall be adequately screened from any adjacent residential zone, right-of-way, or private street easements, at horizontal grade level to the satisfaction of the Zoning Administrator.
  7. Only one satellite dish antenna shall be permitted per lot.
  8. Satellite dish antennae with diameter measuring less than one (1) meter can be installed in a manner consistent with typical television antennae.
  9. Satellite dish antennae shall be used for private, non-commercial purposes.
  10. All satellite dish antennae, in any zone constructed and erected prior to the effective date of the ordinance codified herein, which do not conform to the requirements of the provisions of this title for the particular zone in which they are located, shall be accepted as non-conforming antennae for a period of 10 years to expire January 1, 1996. Thereafter, the satellite dish antennae shall be subject to immediate abatement via removal or through modification or relocation to comply with the standards of the ordinance.
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11. Replacement of an existing non-conforming antenna with another satellite dish antenna, or removal of a non-conforming antenna for a period longer than 60 days, shall constitute abandonment of the non-conforming antenna, and is subject thereafter to the standards of this ordinance.

12. A building permit shall be required.

C. Satellite dishes are permitted within use regulations which allow commercial and industrial use types subject to compliance with standards 1 through 8 and 10 through 12 outlined in Subsection B. Roof mounted satellite dishes may be permitted subject to approval of a minor use permit granted by the Zoning Administrator for the City of Chula Vista, and in compliance with the following standards or conditions:

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