

TOWN OF PARADISE VALLEY

**Small Wireless Facilities Ordinance
Study Session
July 11, 2017**



Cell Service

- Purpose – PC review the proposed ordinance amendment to comply with new State statute in a manner consistent with the SOD.
- Key Question – What edits to the draft ordinance would the Planning Commission like to make?



SWF Ordinance

- The ordinance is broken into 2 main sections
 - Section 1 – Amends Town Code 2-5-2 and adds a subsection I “Small Wireless Service Facilities Located in the Rights-of-way”
 - Section 2 – Amends 1102.2(E)-Utility Poles of the Zoning Ordinance. This is the Special Use Permit Section of the zoning code.



SWF Ordinance

- Section 1
 - An administrative process if meets “Objective Design Standards,” “Undergrounding,” “Stealth and Concealment”
- Section 2
 - A legislative process requiring an SUP if proposal does not meet standards.



SWF Ordinance

- Structure of Section 1 of the Ordinance, Subsection I of the Code:
 - Table of contents
 - I-1 and I-2 are Purpose and Definitions
 - I-3 thru I-6 are Process, Siting & Design Standards
 - I-7 and I-8 RF, Noise and Environmental Standards
 - I-9 thru I-12 are Requirements and Limitations



SWF Ordinance

- Subsection I-3: General Requirements
 - Master License Agreement
 - Creates an Administrative SWF Permit
 - Process
 - Submit a complete application using list in I-10
 - Review the site location with staff
 - Determine if ASWF Permit or an SUP Permit
 - If ASWF Permit, then staff and PC Review (75 days, 30 fix)
 - If SUP, then staff, PC, Council review (180 days)



SWF Ordinance

- Subsection I-3: General Requirements (cont.)
 - Overview of the Objective Design Standards
 - 24' faux cactus
 - Demonstrate technical reasons can't meet faux cactus
 - Alternative design is 56th and Lincoln
 - If no existing pole – onto SUP



SWF Ordinance

- Subsection I-4: Siting Standards
 - Safety – sight triangle, away from sidewalk, fall zone
 - Appearance – “blend into area”; **did not specify size and type of landscaping; did not require on property line**
 - Strength – 115 mph winds per IBC



SWF Ordinance

- Subsection I-5: Faux Cactus Design Standards
 - Spec the New Path faux cactus or equivalent
 - Standard detail is in application not ordinance
 - All ground mounted equipment and connections must be buried
 - Question on disconnect switch



SWF Ordinance

- Subsection I-6: 56th & Lincoln Design Standards
 - Technical reason can't do faux cactus
 - Coverage/capacity measurements (RSRP, RSRQ, CINR)
 - Or, adequate coverage and capacity issue for a quarter mile by quarter mile



SWF Ordinance

- Subsection I-6: 56th & Lincoln Design Standards
 - Pole must support SWF and existing items (lights)
 - Max height 6' above existing pole
 - All antenna and pole mounted equipment in pole or canister
 - All ground mounted equipment buried
 - Specs in the application not the ordinance



SWF Ordinance

- Subsection I-7: Radio Frequency (RF)
 - Can't limit, Demonstrate meets FCC
 - 2 illustrations showing compliance
 - w/in 90 days of operation measure RF and certify
 - If FCC changes, 60 days to come into compliance
 - If Town has evidence not complying, 30 days to analyze and present, then 60 days to comply
 - No interference with other SWF's



SWF Ordinance

- Subsection I-8: Noise and Environmental Standards
 - 50 dba
 - NEPA if required by Feds
- Subsection I-9: Co-location and Limitations



SWF Ordinance

- Subsection I-10: Submittal Requirements
 - Master Site Plan
 - Landscape Plan
 - Photos, Diagrams, and Simulations
 - Siting Elevations
 - Design Submittals
 - Executed License Agreement



SWF Ordinance

- Subsection I-10: Submittal Requirements(cont.)
 - RF Performance Submittals
 - Noise Performance Submittals
 - Environmental Submittals
 - Determination of Complete Application & Time Requirements [do we want to add to ordinance]?



SWF Ordinance

- Subsection I-11: Permit Limitations
 - Permit good for 10 years
 - Facility must be constructed in 180 days
 - If expires, must remove and restore
 - License Agreement Pre-empts
 - Maintenance
 - Provide copy of FCC Permit



SWF Ordinance

- Section 2: Amend Chapter 11 of Zoning Ordinance, Section 1102.2E Utility Poles and Wires
- Subsection 2 contains the factors to be considered
 - A. location and heights
 - F. aesthetics involved



Cell Service SOD

- Codify Fees to Comply
 - Annual license for ROW limited to \$50/pole/year
 - Application fee limited to \$750
 - Consolidated application limited to \$100 for first 25; \$50 for each thereafter
 - Rezoning application fee limited to \$1,000

Will be a Separate Resolution



SWF Ordinance

- Citizen Review – 7/11/17
- Public Hearing & Action - 7/25/17
- PC to complete draft amendment by 7/26/17
- Council Special Meeting on Aug 8



SWF Ordinance

- Key Question – Take Citizen Review comments and then direct staff to make edits to the draft ordinance the Planning Commission would like to make?



Questions

