

Attachment B –

What’s Changed Since the June Wireless Communications Facilities draft?

The Planning Commission reviewed a draft of the WCF regulations for the June 19 hearing. Since that time staff and consultants have made some changes to the draft, and to aid in understanding what changed and why, the list below summarizes the changes.

- **Overall** – Cleans up and reorganizes the draft to achieve better consistency of terms and style with other sections of Land Use Code (e.g., lower case terms vs. upper case). Note that definitions are now more consistent with state regulations (i.e., small cell facility vs. small wireless facility), as well as definitions for towers and bases stations. Definitions are used more consistently throughout the chapter.
- **Section 16.1.1 – Intent and Purpose.**
 - o Adds a Severability clause (Subsection D) to note that if any section of the regulations is found unconstitutional, the remainder would not be affected.
 - o Removes former “Section 16.1.2 – Classification of WCFs” to be more consistent with other sections of the code.
- **Section 16.1.2 – Where Allowed.**
 - o Zoning District Table. Simplifies and removes redundancies with procedures and standards (i.e., removes reference to requirement for permits for all facilities, which appears in Section 16.1.1 C; removes minimum setbacks requirements from table because they appear in the design standards section; and removes other design standards which appear later).
 - o Carries forward similar height limits from the current code for certain zoning districts (i.e., AP – Airport ≤ 40 feet high, B business and RFLB ≤ 80 feet high) rather than unlimited heights in most districts, for further discussion at the work session.
- **Section 16.1.3 – Operational Standards.**
 - o Clarifies executing a master license agreement for facilities in the right-of-way.
 - o Moves “Notification in GMA” to later procedures section with neighborhood notification.
- **Section 16.1.4 – Design Standards.**
 - o Overall, clarifies which standards apply to specific types (i.e., all, attached, alternative towers) and small cell facilities in or out of the right-of-way, and removes some redundancies.
 - o (former Section 16.1.4) Minimum Setbacks moved to Design Standards
 - Clarifies that setbacks do not apply to facilities in the right-of-way.
 - Carries forward the current setback of 30% of tower height for facilities that are not adjacent to residential or rights-of-way.
 - Clarifies that building height limits of the zoning district apply for structures.
 - o Moves definition of “readily apparent” to definitions section.
 - o Colocation. Clarifies that it is not required when it would compromise the camouflage design intent.
 - o Groups the design standards for small cell facilities (e.g., heights, spacing) to make easier to follow.
 - o Clarifies that monopoles rather than lattice structures are preferred tower types.
 - o Recommends the higher standard for landscaping in the GMAs and otherwise retention of trees and landforms of site and landscaping that is compatible with the site and camouflage or concealment technique.

- **Section 16.1.5 – Administrative Waiver.** No changes
- **Section 16.1.6 – Review Procedures.**
 - Table 16.B is reworked to reference the review procedures and timeframes and removes design standards such as heights.
 - Reorganizes the section to follow the same organization as the design standards section with procedures for towers, procedures for facilities in the right of way, then eligible facilities requests procedures.
 - Includes the “shot clock” timing requirements up front.
 - Cross references the relevant review sections of the code which set forth the review bodies and procedures and criteria for each type (i.e., site plan, public site plan, minor special review, and special review).
 - Removes redundant design standards for facilities in the right of way that are in the previous section.
 - Under eligible facilities section, removes the section entitled “failure to act.”
 - Adds a note about changes necessary in Chapters 4 and 12 to achieve consistency with this chapter.
- **Section 16.1.7 - Application Requirements.**
 - Clarifies and removes some redundant sections.
 - Carries forward a requirement that the owner sign the application.
 - Includes a new abandonment and removal affidavit section.
 - Fixes typographical error in “non-interference” letter requirement.
 - Carries forward a landscaping agreement requirement.
 - Carries forward the FAA letter requirement that was left out of the former draft.
- **Section 16.1.8 – Definitions.**
 - Cleans up definitions (towers and base stations).
 - Modifies small cell facilities definition.
 - Adds readily apparent definition.
 - Adds toll and tolling definition.