

Attachment B – What’s Changed Since the August 14 Wireless Communications Facilities draft?

Since August 21, the draft has been further modified to address comments:

- **Section 16.1.1 – Intent and Purpose.**
 - First paragraph - Replaces language “in consideration of the public health, safety, and general welfare...” with that from subsection A stating: “...that accommodates the communication needs of residents and businesses, protects the public, health, safety, and general welfare of the community, and minimizes adverse impacts,” (deletes similar language from subsection A).
 - In A, Purpose sections 6, 8 - clarifies that the purpose and this language applies to all “WCFs” not just towers.
 - In A, Purpose section 10 - clarifies that “small cell facilities” not all WCFs may be in the right-of-way.
 - In B.1, Applicability - removes “macro cell facilities” which are a subset of towners and alternative tower structures and not in the definitions.
 - In Section C.1, Permit Required – adds “or right-of-way permit” as a possible requirement.
 - In Section D, Severability – adds, “or by federal or state statute or regulation...”
- **Section 16.1.2 – Where Allowed.**
 - Table 16.A – includes minor changes. Deletes “eligible facilities” from first column. Adds cross reference to Table 16.B for procedures.
- **Section 16.1.3 – Operational Standards for WCFs.**
 - Section A, Federal “and State” Requirements – adds “state” requirements so that all federal and state regulations apply. Adds a note requiring applicants to comply with federal ADA requirements.
 - Section D, Abandonment and Removal – Slightly modifies language noting that county may not approve a new application until the applicant has removed an abandoned WCF or made payment. This section is otherwise consistent with later submittal requirements.
- **Section 16.1.4 – Design Standards.**
 - Section A.c – Note: keeps the 30% setback requirement for all other property adjacencies to incentivize collocation on structures but could remove it if Planning Commission thinks it will be challenging in commercial districts.
 - Section B.1.a. – Adds “growth management area” to section noting camouflage design importance.
 - Section B.6, Fire Protection (new) - adds standards reflecting feedback from a fire district regarding standards for fire-detection and extinguishing systems and defensible space, access, and possible approved water supply in a wildfire hazard area.
 - Section B.8, Residential Buildings – carries forward a similar provision from current code prohibiting WCFs on buildings used principally for residential purposes. (Note: definitions for structures and principal residential purpose exist in current Code.)
 - Section C.5.b, Design Standards for Small Cell Facilities in the Right-of-Way - notes that the Master License Agreement includes preferred locations for siting facilities on streets, support structures, and their general placement. (See Attachment D.)
- **Section 16.1.5 – Administrative Waiver.** No changes suggested.

- **Section 16.1.6 – Review Procedures.**
 - Table 16.B
 - adds a row for “Building Permit Only” for “eligible facilities requests” which had included under the Site Plan process.
 - Public Site Plan – Adds a “30% threshold” for concerned neighbors to send item to Board of County Commissioners (BCC) and clarifies a longer timeline if going to BCC.
 - Adds a row for the Master License Agreement (MLA)
 - Notes that building permit is required in addition to planning approval.
 - Section A.1, Pre-Application Conference – clarifies it is not required but helps answer questions and ensure the correct process and application.
 - Section A.2, Application and Completeness - Clarifies application approach and completeness to be consistent with Section 12.1.A of the Code.
 - Section A.5, Appeal – Clarifies that written application for appeal must be submitted within 10 days of a decision in order to meet shot clock requirements. Cross references Section 22.2.2 of the Code.
 - Section C, Review Procedures for Eligible Facilities Requests – add... “or change the land use classification of the structure.”
 - Section C.4, Tolling – clarifies the timeline relative to complete application and reset pursuant to FCC guidelines.
- **Section 16.1.7 - Application Requirements.**
 - Section C - notes that “other requirements may be identified on the current application form,” so this section doesn’t have to be amended when new needs are identified.
 - Section C.4 – includes an exception for small cell facilities for photo simulations.
 - Section C. 8, Radio Frequency Emissions Letter – adds that WCFs “shall be monitored to ensure ongoing compliance.”
 - New Section C.15 – adds that properties in floodplain/wetlands require a drainage report submission.
 - New Section C.16 – adds that for properties with federally or significant historic or environmental features, they must satisfy NEPA requirements.
 - New Section C.17 – adds that building permit application will be submitted concurrently. This is to meet shot clock requirements.
- **Section 16.1.8 – Definitions.**
 - Adds definitions for Master License Agreement and Microcell