

SMALL CELL COMMUNICATIONS

ORDINANCE 2019-07

NEW CODE WILL REGULATE 5G FACILITIES







CODE TEXT AMENDMENT

- Federal Communications Commission - FCC 18-133
 - September 26, 2018 approval
 - FCC removes barriers to wireless infrastructure deployment by clarifying scope of Sections 253 and 332 and establishing shot clocks for small wireless facilities
- Utah State Legislature passed Senate Bill 189
 - Small wireless facilities are now a permitted use in public right of ways.
 - The City has the ability to establish reasonable design standards.
 - The supporting equipment to the antennas may be required to be placed underground.
 - A statewide fee schedule has been adopted for application fees and leasing fees
 - A statewide approval schedule has been adopted.

WHAT CAN WE REGULATE

- Design
 - Streetlight poles design standards
 - Freestanding poles
 - Utility poles
 - Support equipment
- Development Standards
 - Burial of support equipment
 - Location of support equipment
- Process
 - Staff or committee approval
 - Approval time limits are required

PROPOSED CODE

- Franchise agreement required
- Co-locate
- Install, operate, modify, maintain or replace
 - Restrictions apply adjacent to residential uses
- Allowed in any zone

PROPOSED CODE

- Have minimal visual impact
- Support equipment must be buried or covered with a bench
- 20' height limit along local streets
- 25' height limit along collector and arterial streets
- 30-day review period for application completeness
- Colocation - 60-day review for approval or denial
- New, modified, or replacement poles – 105-day review for approval or denial
- If the City does not approve or deny in the allowed time the application is deemed approved

POSSIBLE FINDINGS

- Federal and State requirements require the City to adopt a code if the City wishes to regulate small cell communication facilities
- The General Plan promotes careful consideration of improvements along Main Street and in the entire community
- The City can establish reasonable design standards
- Small cell communications will benefit residents, tourists and businesses in Midway