



Personal Wireless Service Facilities Amendments Sections 158.200 and 158.201

Planning and Zoning Board Regular Meeting
May 21, 2013



Amending Section 158.006 Definitions Adding

- Adverse visual impact
- Antenna
- Backhaul network
- Collapse zone
- Co-location
- Distributed Antenna System (DAS)
- Personal Wireless Facility and Provider
- Planning and Zoning Official
- Unlicensed wireless service



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Adds Purpose and Intent
- Hierarchy of personal wireless service facility preference;
 1. Antenna located on or in an existing building
 2. Co-location of antenna on an existing non-building structure or facility.
 3. Facilities primarily mounted on utility poles (DAS)
 4. Camouflaged tower located on town owned land
 5. Camouflaged tower on other than town-owned land



Amending Section 158.200 & 201 Personal Wireless service facilities and standards:

- Prohibited personal wireless service facilities
 - Self supporting lattice towers, guyed towers, and all uncamuouflaged towers are prohibited.



Amends Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Facilities requiring site plan review and special exception
 - Camouflaged Towers



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Priority determination;

- If proposed facility is not one of the top priorities, then a detailed explanation is required along with technical justification as to why each of the higher priority facilities is not selected, including but not limited to the hardship that would be incurred by the applicant if the application were not granted for the personal wireless service facility proposed.

- An applicant may not bypass facilities of higher priority based solely on the cost of locating and erecting the proposed facility



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Priority determination; how would it be applied?
- An applicant would need to demonstrate for the first and second priorities that there are no viable locations for antennas on existing buildings or for co-location on antennas on existing facilities such as existing towers.
 - The showing for antennas would be a demonstration that there are no buildings or other facilities within the proposed service area that would be a viable location for a roof mounted antenna or attachment to an existing antenna.



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Priority determination; how would it be applied?
- An applicant would need to demonstrate for the third priority that a Distributed Antenna System (DAS) or similar system using a series of small distributed antennas is technically unfeasible to build.
 - The showing for a DAS or similar system would be a demonstration that technically the system cannot serve the proposed service area due to constraints in the technology or similar reason, stating that the cost of the system is too high is not a legitimate reason for not using a DAS system.



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Priority determination; how would it be applied?
- An applicant would need to demonstrate for the forth priority that a camouflaged tower on Town owned property would not work.
 - The showing for a camouflaged tower on Town owned property would not work would be technical analysis demonstrating the no Town owned site can provide the necessary service or the sites cannot be developed due to zoning constraints.



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Priority determination; how would it be applied?
- To review the technical analysis's provided by an applicant to support their application, the Town will hire a “expert” at the applicants expense to review all information and provide the Town with an objective review of the information.
- Staff would use the “expert analysis” as the basis for their review and recommendation to the P & Z Board and the Town Commission



Amending Section 158.200 & 201 Personal Wireless service facilities and Standards:

- Code Technical requirements;
 - Stipulated timelines
 - Application requirements
 - Specific development requirements for each facility type
 - Removal of a Tower
 - Insurance requirements
 - Consultant requirements and payment