



Small Cell Wireless Facilities HB2365 Impacts



House Bill 2365

○ HB Constraints:

- City must now allow small cell facilities on City-owned vertical elements in the ROW;
- City may not regulate these facilities through the zoning process;
- ROW fee may not exceed \$50 per pole;
- Permit fee may not exceed \$750 per site;
- Term of agreements is 10 years with near-mandatory renewal;
- Application is subject to a “shot clock” for completeness and approval;
- No monopole bans
- 6 month to draft terms, conditions, and standards

○ HB Power Retained:

- City may adopt standards for these facilities related to public safety, objective design standards, and reasonable stealth;
- City standards may prohibit placement on specialty poles or in areas with streetscapes approved by development agreements;
- The changes apply only in the ROW—other City property is not subject to these mandates;
- Utilities such as ED-3 are specifically excluded

Procedure

- ARS Title 9, chapter 5, Article 8 requires the City to establish terms, conditions, standards, and rates within six months
- Work with other cities for uniformity:
 - Terms and conditions
 - RF safety program
 - SWF company shall send a technician within 48 hours of request
 - Manual kill switch
 - Permitting & fees
 - Engineering standards & aesthetics, including monopole standards

Small cell appearance (sample sites in other cities)

Verizon Wireless	Cox Communications	Mobilitie	ATT
 A photograph showing a small cell tower mounted on a street light pole. The tower is a silver, cylindrical unit. Below the pole, there is a decorative metal enclosure with a pattern of small holes. The background shows a clear blue sky and a street with some buildings and palm trees.	 A photograph showing a small cell tower mounted on a street light pole. The tower is a silver, cylindrical unit. Below the pole, there is a yellow, rectangular protective enclosure. The background shows a clear blue sky and a street with some buildings and palm trees.	 A photograph showing a small cell tower mounted on a street light pole. The tower is a silver, cylindrical unit. Annotations include "PROPOSED EQUIPMENT ON NEW STEEL POLE" pointing to the tower and "PROPOSED METER PEDESTAL" pointing to a small pedestal on the sidewalk. The background shows a street with a 40 mph speed limit sign and some buildings.	 A photograph showing a small cell tower mounted on a street light pole. The tower is a silver, cylindrical unit. The background shows a clear blue sky and a street with palm trees and buildings.



Questions?

