



# **Zoning Code Article 412 Telecommunication Facilities Text Amendment (TXT16-02)**

Draft Process & Amendment Highlights

January 17, 2017 | City Council Work Session

Presenter: Ryan Wozniak, Planner



# Broad Policy Directives

- General Plan
  - "Update and consistently enforce the community's development codes, including zoning, subdivision, and related regulations."
- Zoning Code
  - Allows P&Z Commission to initiate Text Amendments
  - Initiated on July 25, 2016



# Basis for Staff Assessment

- Current Zoning Code
  - Effective since December 5, 2014
  - 14 unique applications for cell tower upgrades
  - Administering Article 412
    - Challenges of “Substantial Change”
    - Definitions
    - Processes



# Goals of this Amendment

- Reinforce Sec. 412.01 *Purpose* and the directives therein:
  - ✓ *Minimize visual effects*
  - ✓ *Encourage co-location*
  - ✓ *Protect against the adverse impact on the community*
  - ✓ *Enhance the ability for services to be provided quickly, effectively, and efficiently*
- Reformat or revise language (or links) of provisions in effort to improve clarity



# Minimizing Visual Effects

- Sec. 412.03.I – Design Standards now create an expectation that any building (including at least one façade face) should integrate with the screen wall.
- Sec. 412.04.B – Clarifies and Emphasizes the exceptions to maximum height and additional towers per lot.
  - Regulation was not amended (only format)

# Encourage Co-Location

- Sec. 412.02.E.1 – Equipment with a valid use permit (even facilities regarded legal non-conforming may be expanded upon).
- Sec. 412.03.L – Clarifies standards for Administrative Review or Conditional Use Permit Review.
  - Table establishes modification thresholds based on industry standards / staff experience



# Encourage Co-Location

- Sec. 412.04.B – Further emphasize greater height flexibility in Industrial Zoned Districts
- Sec. 412.06 – Expansion of Non-Conforming Towers with a valid Use Permit... new antennas exceeding the standards of new towers where pre-existing capacity allows... if all other conditions of the Article are met. (i.e. setbacks from residential uses)
  - this is also echoed in Sec. 412.08.A concerning Pre-Existing Non-Conforming Towers.

# Planning & Zoning Commission

- On December 12, 2016, the Commission took action recommending City Council approve Text Amendment case # 16-02, subject to the conditions of approval stated in this staff report.
- Commissioners voted 7-0 in favor.





# City Council Scheduled Action

- This item is tentatively scheduled for City Council action on February 7, 2017.
- Public Hearing Process
  - If it pleases the Mayor and Council:
    - Open & continue PH tonight - Regular Agenda
    - Close PH Feb 7 prior to taking action



# Questions?

