



City of Maricopa

Legislation Text

File #: RES 18-04, **Version:** 1

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting Small Wireless Facilities Terms and Conditions, Schedule of Fees, Site License, and Design Standards to comply with Arizona Revised Statutes (ARS) Title 9, Chapter 5, Article 8 relating to compliance with the use of public rights of way by wireless providers and authorizing the City Engineer to update and modify the design standards as appropriate. Discussion and Action.

Small Wireless Facilities (SWF) are part of a macro-micro cellular communication coverage umbrella enabling data flow between traditional cell sites and SWF. This architecture provides higher quality of service and increased capacity to a dedicated geographic location. SWF are a fraction of the size of traditional cellular facilities and serve a smaller area than traditional cellular sites. The reduced size allows SWF to attach to existing street lights and similar assets.

In March 2017, the Arizona State Legislature approved and the Governor signed into law House Bill 2365, which amended Title 9, Chapter 5, Article 8 of the Arizona Revised Statutes relating to wireless services. State Law allows wireless providers to install, operate and maintain SWF and related equipment in city, town, and county rights-of-way and public easements as a matter of right. Electrical District No. 3, Salt River Project, Arizona Public Service, and the City of Yuma are exempt from the new legislation. The amended law requires Cities to adopt corresponding standards and regulations or default to industry telecommunications industry standard processes. To comply with these changes to State Law, City staff has prepared processes and standards to accommodate SWF.

SWF must conform to equipment definitions set forth in State Law. The SWF installations will generally fall into three categories:

Collocation on existing streetlights, traffic signals, intelligent transportation systems (ITS) monopoles, or other utility poles in the rights-of-way; Collocation on vertical elements that must be replaced to accommodate the structural or concealment nature of the SWF equipment;

Installation of a new freestanding monopole, subject to setback, fall zone, and concealment requirements such as a faux tree/cactus or a solar paneled streetlight. Industry has the option to submit alternative monopole concealment designs as approved by the City.

The City, in conjunction with other cities in the area, developed standard Terms and Conditions, a Site License, and an Application that set forth the rights-of-way use requirements and authorize the installation, operations, and maintenance of SWF, including applicable permitting. The City likewise developed Engineering Standards and Details to accommodate the design and construction of small wireless facilities and standard fees in compliance with revised statutes.

Approval of this Resolution will also authorize the Public Works Director/City Engineer to update and modify the design standards as appropriate.

This item will be presented by Public Works Director/City Engineer William P. Fay.

Staff recommends approval of the Resolution approving and adopting Small Wireless Facilities Terms and Conditions, Fees, Site License, and Design Standards.