



Legislation Details (With Text)

File #: ORD 18-006 **Version:** 1 **Name:** Wireless telecommunications
Type: PH-Zoning Ordinance **Status:** Passed
File created: 4/13/2018 **In control:** City Council
On agenda: 5/22/2018 **Final action:** 5/22/2018

Title: Consider multiple Zoning Ordinance amendments related to wireless telecommunications facilities as required by amendments to the Virginia Code from the 2017 General Assembly within Article 7.2, Zoning for Wireless Communications Infrastructure. Other minor amendments are also proposed to the regulations for clarity. The regulations of Article CC only address wireless communications on privately and publicly owned parcels and do not address wireless communication facilities within public street or alley right-of-way.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Memorandum, 2. Extract, 3. Proposed Wireless Telecommunication Facilities Amendments, 4. Public Hearing Notice, 5. Surrounding Property Owners notice, 6. PowerPoint presentation, 7. 10-3-24, 8. 10-3-33, 9. 10-3-39, 10. 10-3-45, 11. 10-3-48(3), 12. 10-3-51, 13. 10-3-55(3), 14. 10-3-56(3), 15. 10-3-57(3), 16. 10-3-58(3), 17. 10-3-84, 18. 10-3-90, 19. 10-3-179, 20. 10-3-195, 21. 10-3-196, 22. 10-3-197, 23. 10-3-199, 24. 10-3-200

Date	Ver.	Action By	Action	Result
5/22/2018	1	City Council	approved on second reading	
5/8/2018	1	City Council	approved on first reading	Pass

Subject:

Consider multiple Zoning Ordinance amendments related to wireless telecommunications facilities as required by amendments to the Virginia Code from the 2017 General Assembly within Article 7.2, Zoning for Wireless Communications Infrastructure. Other minor amendments are also proposed to the regulations for clarity. The regulations of Article CC only address wireless communications on privately and publicly owned parcels and do not address wireless communication facilities within public street or alley right-of-way.

Presented By: Adam Fletcher, Director - Planning and Community Development Department

Planning Commission recommended approval (5-1) of the proposed amendments which include: amending the existing definitions of "Industrial Microcell," "Macrocell," and "Wireless Telecommunications Facility;" adding definitions for "micro-wireless facilities" and "small cell facilities;" and adding small cell facilities as a use permitted by-right within the R-1, R-2, both R-3s, R-4, R-5, R-6, R-7, MX-U, B-1, B-2, and U-R zoning districts. Although no amendments are proposed for the M-1 district, this district already recognizes that any wireless telecommunications facility is permitted by right. Additional amendments include modifications to Article CC. Wireless Telecommunications Facilities and consist of: adding exemptions for micro-wireless facilities that are suspended on cables or lines in specific situations; adding collocation, height, camouflaging, and other regulations associated with "Small Cell Facilities" for residential districts and the MX-U; adding "Small Cell Facilities" to the list of regulated facilities for B-1 and B-2 zoned properties; amending costs associated with wireless telecommunications facilities applications and adding "Small Cell Facilities" to the list of facilities requiring application submittal fees; and adding a clarifying statement

to Section 10-3-200 regarding the reporting of wireless telecommunications facilities that facilities deemed “eligible facilities” in existence prior to the original enactment of Article CC are not required to submit an annual report to the Zoning Administrator. The Zoning Ordinance Sections to be modified include: 10-3-24, 10-3-33, 10-3-39, 10-3-45, 10-3-48.3, 10-3-51, 10-3-55.3, 10-3-56.3, 10-3-57.3, 10-3-58.3, 10-3-84, 10-3-90, 10-3-179, 10-3-195, 10-3-196, 10-3-197, 10-3-199, and 10-3-200.