



Planning Department

January 22, 2015

Honorable Mayor and Councilors
 City Manager
 City Attorney
 Clerk of Council

Subject: (REZN-11-15-2344) Request to amend the text of the Unified Development Ordinance (UDO) in regards to the placement of lines and facilities within the public roads and/or rights-of-way.

These changes will allow for concealed support structures designed for small cell technology to be placed within the public roads and/or right-of-way.

**UNIFIED DEVELOPMENT ORDINANCE REVISIONS
 (Explanation of Revisions)**

1. Explanation of Revisions: Changes to section 3.2.72.K.1(B)

Old – All towers shall be located at least one-third of its height from any public right-of-way.

New - All towers shall be located at least one-third of its height from any public right-of-way, unless it is a concealed support structure designed for small cell technology.

ORIGINAL ORDINANCE	PROPOSED ORDINANCE CHANGE
<p style="text-align: center;">Sec. 3.2.72.K.1(B)</p> <p>All towers shall be located at least one-third of its height from any public right-of-way.</p>	<p style="text-align: center;">Sec. 3.2.72.K.1(B)</p> <p>All towers shall be located at least one-third of its height from any public right-of-way, unless it is a concealed support structure designed for small cell technology.</p>

2. Explanation of Revisions: Create Section 3.2.72.O

New - Section 3.2.72.O – Any telegraph or telephone company that places or seeks to place lines and facilities in the public roads and highways or rights-of-way of the Columbus Consolidated Government shall provide the following information:

A. Standards

1. The name, address, and telephone number of a principal office and local agent of such telegraph or telephone company.
2. Proof of certification from the Georgia Public Service Commission of such telegraph or telephone company to provide telecommunications services in this state.
3. Proof of insurance or self-insurance of such telegraph or telephone company adequate to defend and cover claims of third parties and of municipal authorities.
4. A description of the telegraph or telephone company's service area, this shall be provided with the following information.
 - a. A construction plan, as defined herein, that describes the proposed wireless, support structure and all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment.
 - b. Evidence supporting the choice of location, including, without limitation,
 - i. Maps or plats showing the proposed location(s) of applicant's proposed wireless support structure;
 - ii. If the proposed location is on private property, a contract with an owner of real property ("Owner") upon which the wireless facility and wireless support structure are to be located and a power-of-attorney giving applicant the right to seek a permit if the application is not submitted in the owner's name; and
 - iii. A sworn statement from the individual responsible for the choice of location demonstrating that collocation of wireless facilities on an existing wireless support structure was not a viable option because collocation:
 1. Would not result in the same wireless service functionality, coverage, and capacity;
 2. Is technically infeasible; or
 3. Is an economic burden to the applicant.
 - c. The map shall describe the boundaries of the geographic area to be served in clear and concise terms.
5. A description of the services to be provided.
6. An affirmative declaration that the telegraph or telephone company shall comply with all applicable federal, state, and local laws and regulations, regarding the placement and maintenance of facilities in the public rights-of-way that are reasonable.

Applicants of complete applications will be notified within 15 business days of receipt of this application. If no such notification is given within 15 business days of the receipt of an application, such application shall be deemed complete.

Within 60 calendar days of the receipt of a completed application, the municipal authority may adopt such application by adoption of a resolution or ordinance or by notification to the telegraph or telephone company. The failure of a municipal authority to adopt an application within 60 calendar days of the receipt of a completed application shall constitute final adoption of such application.

If the telegraph or telephone company modifies its service area or provisioned services identified in the original application it shall notify Columbus Consolidated Government within 20 days prior to the effective date of such change. This notification shall contain a geographic description of the new service area or areas and new services to be provided within the jurisdiction of the affected municipal authority.

3. Explanation of Revisions: Creation of section 3.2.72.O.B Definitions and new definition.

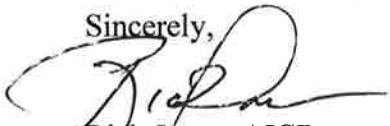
B. Definitions

New - 1.01 “new construction plan” when referring to a new wireless support structure means a written plan for construction that demonstrates that the aesthetics of the wireless support structure is substantially similar to the street lights located nearest the proposed location; includes the total height and width of the wireless facility and wireless support structure, including cross section and elevation, footing, foundation and wind speed details; a structural analysis indicating the capacity for future and existing antennas, including a geotechnical report and calculations for the foundations capacity; the identity and qualifications of each person directly responsible for the design and construction; and signed and sealed documentation from a professional engineer that shows the proposed location of the wireless facility and wireless support structure and all easements and existing structures within two hundred (200) feet of such wireless facility or wireless support structure.

“modification construction plan” when referring substantial modification of an existing wireless facility or wireless support structure means a plan that describes the proposed modifications to the wireless support structure and all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment.

The Planning Advisory Commission (PAC) considered this text amendment at their meeting on November 18, 2015. The PAC recommended **Approval**. The Planning Department recommends **Approval**.

Sincerely,



Rick Jones, AICP
Director, Planning Department