

STAFF REPORT
September 20, 2005

No. 05OA007 - Ordinance Amendment - A request by the City of Rapid City to consider an application for an Ordinance amending the definition of Microcell Wireless Communication facilities by amending Section 17.04.483 of The Rapid City Municipal Code

ITEM 3

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 05OA007 - Ordinance Amendment - A request by the City of Rapid City to consider an application for an Ordinance amending the definition of Microcell Wireless Communication facilities by amending Section 17.04.483 of the Rapid City Municipal Code
DATE OF APPLICATION	6/17/2005
REVIEWED BY	Karen Bulman

RECOMMENDATION: Staff recommends that the request to consider an application for an Ordinance amending the definition of Microcell Wireless Communication facilities by amending Section 17.04.483 of the Rapid City Municipal Code be approved.

GENERAL COMMENTS: **This staff report has been revised as of September 14, 2005. All revised and/or added text is shown in bold print.** Faulk & Foster for Western Wireless submitted an application on April 29, 2005 to amend the Rapid City Municipal Code, Chapter 17, to allow microcell antennas on existing utility poles and facilities. Western Wireless proposed to utilize existing poles and facilities for their cellular equipment in order to minimize the construction of additional towers within the community. The Planning Commission heard this application at a special meeting held on June 16, 2005 and directed staff to draft ordinance amendments to Chapter 17 of the Rapid City Municipal Code to change the definition of microcell communications and to change portions of the zoning code regarding microcell communications.

STAFF REVIEW: Staff is currently drafting ordinance amendments to allow microcell antennas in accordance with the direction provided by the Planning Commission on June 16, 2005. As soon as the draft ordinances are completed and reviewed, staff will forward the information to the Planning Commission for consideration.

Staff has drafted four separate ordinance amendments in accordance with further direction provided by the Planning Commission at the July 21, 2005 Planning Commission meeting.

Ordinance Amendment 05OA007 amends the zoning definitions to define microcell wireless communications. Ordinance Amendment 05OA009 is an Amendment to the Zoning Definitions to define microcell wireless antennas. Ordinance Amendment 05OA008 establishes standards for Microcell wireless communications. And, Ordinance Amendment 05OA006 amends the various zoning districts that will allow microcell wireless antennas either as a permitted use or a conditional use.

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The subject Ordinance Amendment (05OA007) amends the definition of Microcell Wireless Communication Facilities by changing the definition of Microcell "Cellular" Communication Facilities to Microcell "Wireless" Communication Facilities. The Ordinance Amendment also removes the language regulating the installation of microcell facilities. The installation standards are placed in Chapter 17.50.400 through a proposed Ordinance Amendment (05OA008).

On September 1, 2005, the Planning Commission continued this application to the September 8, 2005 Planning Commission meeting. The Planning Commission indicated that on September 8, 2005 they would not anticipate discussing the ordinances, rather they would establish a date for a special hearing. (Revised 9-1-05) **On September 8, 2005, the Planning Commission continued this application to a special Planning Commission meeting for September 20, 2005 at 7 p.m. to allow adequate time for review and discussion of the proposed amendments. (Revised 9-14-05)**

Staff has reviewed the definition of Microcell Wireless Communication Facilities and prepared an ordinance amending Chapter 17.04.483 of the Rapid City Municipal Code. Staff recommends that the Ordinance Amendment be approved.