

STAFF REPORT  
September 20, 2005

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**No. 05OA009 - Ordinance Amendment - A request by the City of Rapid City to consider an application for an Ordinance Amendment defining "Microcell" Wireless communication antenna by adding Section 17.04.484 of the Rapid City Municipal Code** **ITEM 5**

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GENERAL INFORMATION:

|                     |                                                                                                                                                                                                                                                   |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PETITIONER          | City of Rapid City                                                                                                                                                                                                                                |
| REQUEST             | <b>No. 05OA009 - Ordinance Amendment - A request by City of Rapid City to consider an application for an Ordinance Amendment defining "Microcell" Wireless communication antenna by adding Section 17.04.484 of the Rapid City Municipal Code</b> |
| DATE OF APPLICATION | 6/17/2005                                                                                                                                                                                                                                         |
| REVIEWED BY         | Karen Bulman                                                                                                                                                                                                                                      |

RECOMMENDATION: Staff recommends that the Ordinance Amendment - A request by the City of Rapid City to consider an application for an Ordinance Amendment defining "Microcell" Wireless communication antenna by adding Section 17.04.484 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.** 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. **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. No other changes have been made to this report.** 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. Further direction was provided by the Planning Commission on July 21, 2005.

STAFF REVIEW: 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

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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.

The subject Ordinance Amendment (05OA009) adds the definition of Microcell Wireless Communication Antennas to the definition section of the Zoning Code. The definition states that antennas are individual panels or whips that are attached or mounted to a pole, building or structure.

Staff has reviewed the definition of Microcell Wireless Communication Antennas and prepared an ordinance adding Chapter 17.04.484 to the Rapid City Municipal Code. Staff recommends that the Ordinance Amendment be approved.