

STAFF REPORT
May 26, 2005

No. 05OA003 - Ordinance Amendment to the Rapid City Municipal Code, Chapter 17 Zoning, to allow microcell antennas on existing utility poles and facilities

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GENERAL INFORMATION:

PETITIONER	Faulk & Foster for Western Wireless
REQUEST	No. 05OA003 - Ordinance Amendment to the Rapid City Municipal Code, Chapter 17 Zoning, to allow microcell antennas on existing utility poles and facilities
DATE OF APPLICATION	5/12/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION: Staff recommends that the Ordinance Amendment to the Rapid City Municipal Code, Chapter 17 Zoning, to allow microcell antennas on existing utility poles and facilities be continued to allow the Planning Commission to hold a separate public hearing to fully discuss the proposed amendments for Microcell Communication facilities.

GENERAL COMMENTS: Faulk & Foster for Western Wireless has submitted an application to amend the Rapid City Municipal Code, Chapter 17, to allow microcell antennas on existing utility poles and facilities. Western Wireless seeks to construct additional antennas in Rapid City. Western Wireless is proposing to utilize existing poles and facilities for their cellular equipment in order to minimize the construction of additional towers within the community.

Freestanding towers are specifically allowed as a Conditional Use only in a portion of the Park Forest Zoning District, generally located along the Skyline Drive ridge and as a Conditional Use in General Commercial, General Agriculture and Public Zoning Districts.

On September 17, 2001, the City Council approved an Ordinance Amendment defining microcell communications facilities and allowing microcell communication facilities as a permitted use in the Central Business, General Commercial, General Agriculture, Public, Hotel-Motel, Civic Center and Business Park Zoning Districts. The Ordinance further allows Rooftop microcell communications facilities with a Conditional Use Permit in the Central Business, General Agriculture, Hotel-Motel, Public, and Civic Center Zoning Districts. On August 18, 2003, the City Council amended the High Density Residential Zoning District to allow microcell cellular communications facilities with antennas no larger than eight feet in height or one foot in width, mounted on the sides of buildings greater than or equal to forty-five feet or five stories provided such antennas do not exceed building height or project more than eighteen inches from the side of the building as a Conditional Use.

STAFF REVIEW: Staff has reviewed the ordinance amendment application submitted by Faulk and Foster to amend Chapter 17.04.483 "microcell" cellular communications facilities to allow:

- the addition of facilities on existing utility poles, telephone poles, utility facilities or

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- light poles,
- to change the dimension of the antennas from six square feet to eight and one half square feet,
 - to extend the projection of the façade or side mounted antenna from eighteen inches to twenty four inches,
 - to allow six antennae and related structures on rooftops instead of the two currently allowed,
 - to allow six antennae and related structures on poles, and
 - to include language stating microcell facilities and related structures may be allowed on multi-family dwellings if the building height is greater than or equal to thirty feet or three stories, but would not allow the microcell facilities and related structures on single family dwellings, two family dwellings or townhouse dwellings.

The ordinance further proposes to amend the Conditional Use section of the Park Forest, Low Density Residential, Medium Density Residential, High Density Residential, General Commercial, Neighborhood Commercial, Light Industrial, Heavy Industrial, SC-1 Community Shopping Center, SC-2 Community Shopping Center, Mobile Home Residential, Office Commercial, Mining and Earth Resources Extraction, and Business Park Zoning Districts within the Municipal Code to accommodate the revised language and allow the addition of facilities on existing utility poles in those districts.

The ordinance further amends the Permitted Use section of the Light Industrial, Office Commercial, and Mining and Earth Resources Extraction Districts to accommodate the revised language and to allow the addition of facilities on existing utility poles in the identified districts.

Staff believes that although the revised language will accommodate the applicant's desire to expand the locations where these facilities may be located there are some issues that remain unresolved. The use of existing utility poles for new antennas would serve to eliminate the need for additional towers; however, the supporting mechanical equipment would require the construction of an eighteen square foot, five foot high equipment box. The location of these large equipment boxes in rights-of-way and utility easements could negatively impact other utility providers, as well as residents, homeowner and business owners. Further, the boxes could significantly impact the aesthetic appearance of all the zoning districts.

Because of the far reaching nature of the proposed amendments and the number of proposed changes, staff recommends that the Planning Commission hold a separate continued public hearing to discuss the issue. Staff feels that this would allow more extensive public input of the issues and allow the Planning Commission to discuss the issues and provide staff with direction.