



MEETING DATE:	SOUTH SALT LAKE CITY COUNCIL – APRIL 13, 2022
REQUEST:	A RECOMMENDATION TO THE SOUTH SALT LAKE CITY COUNCIL TO ADOPT AN ORDINANCE ENACTING SECTION 12.61 AND AMENDING SECTION 3.11 OF THE SOUTH SALT LAKE MUNICIPAL CODE TO ENACT STANDARDS REGARDING THE SITING OF WIRELESS FACILITIES, AND WIRELESS SUPPORT STRUCTURES WITHIN CITY OWNED RIGHTS-OF-WAY, TO CONFORM THE SOUTH SALT LAKE CITY CODE WITH RECENT MANDATES IN STATE LAW AND TO ADJUST THE CONSOLIDATED FEE SCHEDULE TO ADDRESS NEW FEES RELATING TO WIRELESS FACILITIES.
APPLICANT:	SOUTH SALT LAKE CITY

**MEMO:**

The proposed ordinance amendments are part of an effort to adapt the City Municipal Code to technological changes in how wireless telecommunications companies are deploying new cell towers. The proposed ordinance clarifies how the City reviews small cell wireless facilities when towers are proposed to be placed within City owned Rights-of-way. The ordinance also introduces revised fees and new design standards for placing cell towers within a right-of-way. The proposed ordinance does not change any provisions relating to siting or design of large scale towers that are already addressed within the Code.

**BACKGROUND:**

In 2018, the State of Utah passed the Small Wireless Facilities Deployment Act, which limits the authority of the City to regulate the location of small cell wireless facilities, except for when those facilities are located within the City Right-of-Way, or the area between property lines where a street is usually located.

South Salt Lake City has developed this ordinance to help us work with wireless carriers to simplify the application process and make our review process more predictable and useable for those who wish to locate within the Right-of-Way. It is anticipated that by working with the City to identify where these antennas should be placed, and by placing new antennas on existing or upgraded light poles, we can ensure that the aesthetic look of the City will be maintained and that the wireless carriers may achieve the increased coverage that the newer technological advances require.

**PLANNING COMMISSION REVIEW:**

The South Salt Lake City Planning Commission held a public hearing regarding the proposed Code changes on April 7, 2022. The Commission voted unanimously to forward a recommendation that the Council approve the ordinance.

CODE SECTIONS	HIGHLIGHT OF CHANGES
<p><b>Creation of Title 12.61</b>            Declaration of Finding and Intent, Purpose and Goals -- Scope, Applicability, and Regulations</p>	<ul style="list-style-type: none"> <li>○ <u>New Code Section:</u> <ul style="list-style-type: none"> <li>✓ Purpose of this Chapter is to establish requirements for the siting and use of Wireless Facilities in City-owned rights-of-way in a manner that facilitates the delivery of Wireless Services within the City, while minimizing associated adverse impacts.</li> <li>✓ Establishes specific definitions relating to wireless services.</li> <li>✓ Clarifies application standards and process for wireless facilities.</li> <li>✓ Establishes License Agreements as process for placing towers within the Right-of-Way.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"><li>✓ Establishes placement and design standards for antennas to be placed in a City Right-of-Way.</li><li>✓ Allows for modification, maintenance, or other repair of equipment.</li></ul>
<b>Amending Title 3.11.040</b> Consolidated Fee Schedule	<ul style="list-style-type: none"><li>○ <u>New Fee Category:</u><ul style="list-style-type: none"><li>✓ Adds Small Wireless Facilities and Associated Fees as a new category of fees to be collected by the City.</li></ul></li></ul>