



# Pinellas County

## Staff Report

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File #: 17-448A, Version: 1

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### **Subject:**

Ordinance amending the County Land Development Code by revising Section 170-266 relating to placement of vertical structures for the mounting of antennae, revising Section 170-267 relating to utility work definitions, and creating Section 170-277 relating to wireless communication facilities.

### **Recommended Action:**

Adopt the proposed ordinance, following public comment, amending the County Land Development Code by amending Section 170-266 relating to placement of vertical structures for the mounting of antennae, revising Section 170-267 relating to utility work definitions, and creating Section 170-277 relating to wireless communication facilities.

It is further recommended that should approval of the proposed ordinance be delayed, then approval of the proposed resolution be exercised to extend the moratorium an additional six (6) months.

### **Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

### **Summary:**

The Board of County Commissioners approved a six (6) month moratorium on October 25, 2016, and a request for authority to advertise the proposed ordinance on March 7, 2017. Staff has developed criteria for the placement of cellular towers, antennae, antenna systems, and wireless communication facilities within County rights-of-way (including requirements of state and federal laws, any applicable design criteria for roadways, the safety of structures located near the proposed tower/antenna site, and zoning restrictions upon any adjacent parcels) for inclusion in the County Code.

### **Background Information:**

In order to better align with the Federal Communications Act, County staff proposes to amend the existing ordinance to provide meaningful criteria with which to evaluate applications for the placement of cellular towers, antennae, antenna systems, or wireless communication facilities within County owned or controlled rights-of-way. The Federal Communications Act allows telecommunications providers the opportunity to place towers and antenna systems in government rights-of-way in order to close a gap in service or establish new service. Changes in technology have led to a need for more towers and antennae, as well as a wider variety of these types of items.

This proposed amendment regarding tower and antenna placement in County rights-of-way will include clear criteria for providers in submitting applications while ensuring the applications can be reviewed within a reasonable timeframe.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Rahim Harji, P.E., Director of Public Works

**Partners:**

N/A

**Attachments:**

Proposed Ordinance

Proposed Ordinance - blackline version

Proposed Resolution