



## Legislation Details (With Text)

<b>File #:</b>	20-0219	<b>Version:</b>	1	<b>Name:</b>	Update to Ch98 (Cellular Nodes)
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	5/14/2020	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	5/26/2020	<b>Final action:</b>		<b>Final action:</b>	5/26/2020
<b>Title:</b>	Consider and take action on an ordinance amending Chapter 98 of the Code of Ordinances of the City of League City entitled "Streets, Sidewalks and Other Public Places" by amending Article VII entitled, "Network Providers in the Public Right-Of-Way" to update various provisions relating to fees and permitting (Executive Director of Development Services)				

Staff recommends approval and requests first and final reading.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Data Sheet, 2. Proposed Ordinance, 3. 2020 Design Manual, 4. Redline Ordinance Changes, 5. Redline Design Manual Changes

Date	Ver.	Action By	Action	Result
5/26/2020	1	City Council	Approved	Pass
5/26/2020	1	City Council	Approved First and Final Reading	Pass

Consider and take action on an ordinance amending Chapter 98 of the Code of Ordinances of the City of League City entitled "Streets, Sidewalks and Other Public Places" by amending Article VII entitled, "Network Providers in the Public Right-Of-Way" to update various provisions relating to fees and permitting (Executive Director of Development Services)

Staff recommends approval and requests first and final reading.

In 2017, the Texas Legislature passed Senate Bill 1004 which created Chapter 284 of the Texas Local Government Code. Chapter 284 requires that cities allow private communications companies to access public rights-of-way to place wireless antennas on city light poles, traffic poles, street signs, and any other vertical surface in the right-of-way. The City of League City adopted Ordinance No. 2017-20 on August 22, 2017, in response to this house bill. This ordinance also adopted design guidelines for these small cell nodes. After being approached with permit requests from cellular providers, staff determined the ordinance and design guidelines needed to be updated.

The proposed ordinance and design guideline amendments retained much of the language in the original ordinance, but the following items were added and updated:

### Ordinance:

- All fees were moved to a consolidated section of the ordinance and a fee chart was provided that is consistent with SB 1004 requirements.

### Design Standards:

- Added a section related to permitting and required documents for an application to be deemed complete.
- Created a order of location standard that requires the applicant to demonstrate why a higher preference option is not feasible prior to the selection of a lower preference option. This would require co-location of a small cell node if possible.
- Required the applicant provide GIS files so the City can retain maps and records of all small cell nodes within

City rights-of-way.

- Added several general provisions.
- The table of contents and order of the design guidelines were changed to make them more user friendly.

Attachments:

1. Data Sheet
2. Proposed Ordinance
3. 2020 Design Manual
4. Redline Ordinance Changes
5. Redline Design Manual Changes

CONTRACT ORIGINATION: N/A

FUNDING

- { } Funds are available from Account # \_\_\_\_\_
- { } Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_
- {x} NOT APPLICABLE

STRATEGIC PLANNING

- { } Addresses Strategic Planning Critical Success Factor # \_\_\_\_\_ and Initiative # \_\_\_\_\_
- {x} NOT APPLICABLE