



PLANNING COMMISSION STAFF REPORT

MEETING DATE: April 24, 2023

AGENDA ITEM TITLE: Amendments to Chapter 16 of the Salida Municipal Code regarding Small Cell Facilities

AGENDA SECTION: Public Hearing

BACKGROUND:

In September of 2018 the Federal Communications Commission (FCC) adopted a declaratory ruling and order (“Small Cell Order”) that limited the ability of local governments to regulate the siting and placement of Small Cell Facilities. In addition to limiting local governments’ ability to regulate the actual siting and placement, the Small Cell Order also limited the recovery of fees and costs and went on to establish a presumptively valid fee schedule.

The Small Cell Order is slightly in conflict with the state statutes, so to create clarity for the City, the amendments are proposed.

Within the attached Ordinance are the proposed amendments to Chapter 16 of the Code, as it relates to creating a procedure for the application, review and siting of small cell facilities and the variance approval criteria.

The public hearing on Ordinance 2023-05 with the City Council is scheduled for May 2nd, 2023.

STAFF RECOMMENDATIONS:

Staff is recommending that Planning Commission recommend City Council approve the proposed text amendments included in Ordinance 2023-05.

RECOMMENDED MOTIONS:

- A. “I make a motion to recommend that City Council approve the proposed text amendments to Chapter 16 of the Salida Municipal Code regarding Small Cell Facilities.”

Attachments:

Ordinance 2023-05
Proof of Notice