

ORO VALLEY COMMUNICATION FACILITY GUIDE



ORO VALLEY **COMMUNICATION FACILITY** **PROCESS GUIDE**

This process guide contains the process narrative, submittal checklist, criteria overview, and process flow chart for Communication Facilities. Depending on the type of facility, applications are either administratively approved, approved by the Planning and Zoning Commission or by Town Council.

1.0 Communication Facilities

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1.0 COMMUNICATION FACILITY PACKAGE

PROCESS NARRATIVE

Introduction:

Communication facilities, which primarily refers to wireless communication apparatuses such as cell towers, must gain approval of the project before installation. The project is reviewed by staff and/or applicable boards to ensure the processes and standards of the zoning code are met.

The Community and Economic Development Department (CED) is here to assist you through the Town's review process. Throughout the process, you will be working closely with the Town staff to ensure the efficient processing of your application for development.

FOR SMALL CELL WIRELESS FACILITIES IN THE RIGHT-OF-WAY, PLEASE REFER TO THE TOWN'S SMALL CELL WIRELESS DESIGN STANDARDS AND GUIDELINES FOR APPLICATION AND STANDARDS.

Collocations and modifications to existing towers or structures

- Specific collocations and modifications to existing structures must be administratively approved, per Federal Law. Please refer to Section 25.1.B.5 of the Zoning Code for more information.
- All other collocations or modifications that do not fit the referenced parameters will be categorized and processed as either a Tier I or Tier II Minor Communication Facility or Major Communication Facility.

Tier I Minor Communication Facilities:

- May be administratively approved.
- Should be entirely indiscernible, appearing as a functional component of a building, structure or landscape. Tier I Minor Communication Facilities meet the following:
 - Located on existing buildings, utility poles, communication facilities or other existing structures
 - Do not add more than twenty (20%) to the original height of the existing structure up to a maximum of 80 feet or the regulated height of the existing structure.
 - Concealed within the structure and entirely camouflaged

Tier II Minor Communication Facilities:

- May be approved by the Planning and Zoning Commission, unless the proposed height exceeds the zoning district's permitted height. In this case, the Planning and Zoning Commission will provide a recommendation to Town Council for final determination.
- Should be incorporated into a building, structure or the landscape to the greatest extent possible but may be discernible. Tier II Minor Communication Facilities meet the following:

- New monopolies that are forty (40) feet or less in height.
- New monopolies that are fifty (50) feet or less in height, which may be increased to fifty (50) feet only if the site will be immediately utilized for collocation.
- Do not add more than thirty (30%) percent to the original height of an existing structure up to a maximum of 80 feet or the regulated height of the existing structure.

Major Communication Facilities

- Major Communication Facilities are those that do not meet the criteria for minor communication facilities. Major Communication Facilities require a Conditional Use Permit (please refer to the Conditional Use Permit process guide). Major Communication Facilities must meet the following criteria:
 - The height of a facility shall not exceed the height established in the criteria for minor facilities, except that they are allowed up to one hundred fifty (150) feet in C-1, C-2, and T-P Zoning Districts.
 - Meet the stealth requirements of all Tier II facilities.
 - A minimum of one (1) parking space must be provided unless specifically waived by Town Council.

Process Overview:

To better understand the approval process for Communication Facilities, please refer to the table below.

Table of Authority

Submittal Type	Staff Authority	Planning and Zoning Commission	Town Council
Tier I	Approve	No Action	Appeal
Tier II (proposed height permitted in the zoning district)	Review	Approve	Appeal
Tier II (proposed height exceeds height allowed within the zoning district)	Review	Recommendation	Approve
Major Communication Facility	Review	Recommendation	Approve

Step 1 – Pre-application meeting

Applicants are required to attend a pre-application meeting with the Development Review Committee (DRC) for a preliminary review of their proposed project to discuss the required process and broad issues related to the proposal. The Development Review Committee meetings provide applicants with preliminary feedback from Town Staff and outside reviewers. The typical issues discussed at a DRC meeting include the development process, consistency with adopted plans, zoning provisions (i.e. permitted uses, building setbacks, parking requirements, etc.), engineering, fire and building code requirements.

To initiate a pre-application meeting, applicants must submit a written request and preliminary drawings 10 working days prior to the expected meeting date. (Applicants should refer to the Pre-application Conference Process Guide for additional details). The Development Review Committee

will send a review letter identifying any broad concerns with the application and the project's development process within 3 working days following the meeting.

Step 2 – Public Participation

Pursuant to Section 22.15 of the Zoning Code, applicants may be required to hold at least two neighborhood meetings to provide an opportunity for public participation. The first meeting is an educational session to inform stakeholders of the Town's process and applicable provisions of the Zoning Code and an opportunity for the applicant to present their project and solicit feedback. The second neighborhood meeting is an opportunity for the applicant to present a revised plan and address issues and concerns. The Planning and Zoning Administrator may combine the meetings or request additional meetings as needed.

Prior to scheduling the first neighborhood meeting, applicants are required to provide a Public Outreach Plan, in accordance with Section 22.15.D of the Zoning Code, a project fact sheet and any site plans or exhibits necessary for the first neighborhood meeting.

Once the neighborhood meeting requirements have been satisfied, the applicant shall generate a Public Outreach Report, in accordance with Section 22.15.E of the Zoning Code, to be submitted with the formal submittal.

Step 3 – Formal Submittal

Following the first neighborhood meeting (if applicable), applicants may submit a formal Communication Facility submittal package, which includes the requirements listed on the Submittal Checklist (Section 1.3).

To ensure timely review, applicants should review the applicable provisions of the Zoning Code and address the comments of the pre-application review letter. Incomplete applications will not be accepted.

Step 4 – Staff Review

After receiving a complete application, staff will review the application in accordance with the applicable General Plan goals and policies, provisions of the Zoning Code, engineering standards and other areas of review authority. A review letter will be sent to the applicant within 20 working days of the submission. The plans may need to be revised and re-submitted for additional reviews to address any remaining comments on the application. When all review comments have been addressed, depending on the type of facility the application will either be administratively approved or forwarded to the Planning and Zoning Commission for consideration.

Step 5 – Planning and Zoning Commission (PZC)

The purpose of the Planning and Zoning Commission (PZC) is to advise the Town Council on planning and zoning policies, plans, amendments and regulations. Staff will prepare a report and recommendation on the application to the PZC. The application reviewed by the PZC within 15 working days of receipt of a staff recommendation. The applicant is expected to present and answer questions during this meeting.

The PZC recommendations and decisions are based on consistency with the *Your Voice, Our Future* General Plan Vision, Goals and Policies, future Land Use Map and other applicable Zoning Code sections.

The PZC is the decision making body for Tier II applications proposing a height allowed within the zoning district. A letter stating the PZC action, with any conditions will be sent to the applicant. For Tier II applications exceeding the allowed zoning district height and Major Communication Facilities the PZC will make a recommendation to Council. All PZC recommendations and findings of decisions shall be transmitted to the Town Council regardless of vote.

Step 6 – Town Council

Following PZC recommendation, a staff report is prepared and sent to the Town Council approximately 10 days prior to the Council meeting. The Town Council is the legislative body that makes the final decision to approve, conditionally approve, or deny Tier II applications exceeding the allowed zoning district height and Major Communication Facilities.

The applicant is expected to present and answer questions during this meeting. After the Town Council meeting, a letter stating the Town Council's action, with any conditions, will be sent to the applicant.

Step 7- Next Steps

Upon approval of the communication facility, the applicant may proceed with building permits (if applicable) or installation.



**TOWN OF ORO VALLEY
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**

1.2 GENERAL APPLICATION FORMOffice Use Only

OV Case #: _____

Application Type:

- | | |
|---|--|
| <input type="checkbox"/> General Plan Amendment
<input type="checkbox"/> Rezoning/PAD Amendment
<input type="checkbox"/> Planned Area Development
<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Zoning Code Amendment
<input type="checkbox"/> Conceptual Site Plan
<input type="checkbox"/> Conceptual Public Art
<input type="checkbox"/> Conceptual Architecture
<input type="checkbox"/> Final Site Plan
<input type="checkbox"/> Landscape Plan
<input type="checkbox"/> Home Occupation Permit | <input type="checkbox"/> Final Plat Amendment
<input type="checkbox"/> Pre-Application
<input type="checkbox"/> Zoning Verification
<input type="checkbox"/> Sign Criteria
<input type="checkbox"/> Sign - PAD Exemption
<input type="checkbox"/> Master Sign Program
<input type="checkbox"/> Communication Facility – Tier 1 Minor
<input type="checkbox"/> Communication Facility – Tier 2 Minor
<input type="checkbox"/> Communication Facility – Major
<input type="checkbox"/> Revised Development Plan
<input type="checkbox"/> Other _____ |
|---|--|

Subject Property Information:

Address: _____ Parcel/Tax Code: _____
 Subdivision / Commercial Center Name: _____
 Book / Page or Sequence Number: _____ Lot Number(s): _____
 Legal Description: _____
 Section/Township/Range: _____ Area of Property: _____
 Existing Land Use: _____ Proposed Land Use: _____

Applicant Information: * If more than one, attach list**Applicant *:**

Name: _____
 Firm: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email: _____

Property Owner(s) if different from Applicant *:

Name: _____
 Firm: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email: _____

Consultant*: _____ (Discipline)

Name: _____
 Firm: _____
 Address: _____

Consultant (Cont.):

City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email: _____

Project Description/Narrative (a typed attached document is preferred):

I hereby certify that I have read and examined this application and know the same to be true and correct. I am the owner of the property or the Owner's authorized representative, and if not the owner, I have obtained the owner's permission to perform stated work. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The approval of this application does not presume to give authority to violate or cancel the provisions of any other federal, state or local law for which this project may be subject to.

Notice: It is the applicant/owner's responsibility to ensure all private rules and regulations (such as Covenants, Conditions & Restrictions (CC&R's)) of the subdivision and/or commercial center are adhered to. Contact your Home Owners Association or property management to determine applicable requirements.

It is also the applicant's responsibility to coordinate with all outside agencies to secure their acceptance or clearance. Failure to do so may delay issuance of permits. See attached list of agencies.

Applicant's Signature

Print Name

Date

Important Note: All submittals received after 4:00 p.m. will be processed the next day

Submittals will be rejected if:

- There are missing items on the checklist unless otherwise approved by Planning and Zoning Administrator or Town Engineer.
- Re-submittals can not be accepted without a transmittal and a written response letter to staff comments.

1.3 COMMUNICATION FACILITY SUBMITTAL CHECKLIST

The following items are required for all communication facility applications:

- Fees (see Section 1.6)
- Written response to pre-application agency comments, if applicable **(5 copies)**
- Public Outreach Report, in accordance with Section 22.15.E –see section 1.4 of this process guide, if applicable **(2 copies)**
- A completed General Application Form with signatures for all applicants- **(2 copies)**
- Written Narrative and content (Section 2.0 of this Process Guide) – **(5 copies)**
- Site location map showing location, dimensions of all antennas, towers, equipment structures, parking and setbacks from all property lines and structures-11" x 17"- **(5 copies)**
- Photo simulations, elevations and details of antennas and ground equipment using stealth applications-8.5" x 11" -**(5 copies)**
- Native Plant Salvage and Landscape Plan (if applicable) **(2 copies)**
- PDF of entire submittal package- **(1 copy)**

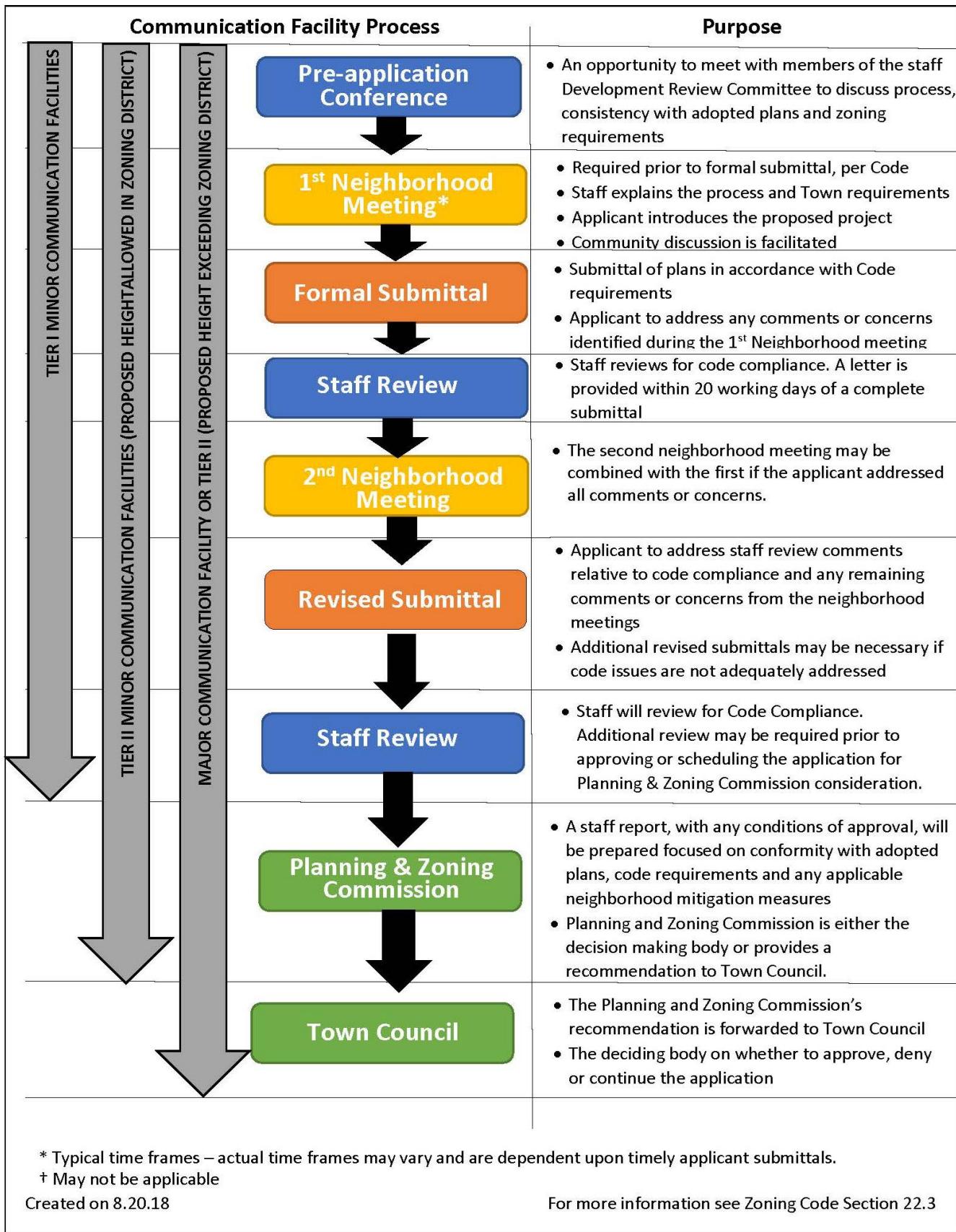
1.4 PUBLIC OUTREACH REPORT

As part of the Public Outreach process (per Section 22.15.E of the Zoning Code), the Public Outreach Report must include:

- a. A list of neighborhood meetings, noting when and where they were held; the number of people that attended; and copies of sign-in sheets.
- b. A list of meeting notification methods used.
- c. Copies of comment letters, petitions, and other pertinent information received from residents and other interested parties.
- d. A summary of the issues and concerns that were raised.
- e. A list of solutions that were agreed upon.
- f. A list of issues that were not resolved, with an explanation of why solutions were not achieved.

Please note, the Oro Valley Zoning Code is available online at: www.codepublishing.com/az/orovalley

1.5 COMMUNICATION FACILITY PROCESS FLOW CHART



1.6 FEE SCHEDULE (REVISED MAY 18, 2011)

As specified in the OVZCR, all fees must be paid in full prior to acceptance of an application. Fees identified after submittal are due as determined by the Planning and Zoning Administrator (Public Works Director for rights-of-way fees). All fees must be paid prior to the issuance of permits and/or release of assurances. Bond release inspections may be deducted from the appropriate bond if this is part of the language of the bond.

Charges for partial review of any project will be based on the stage of review and staff time already dedicated to the project. The Planning and Zoning Administrator may refund up to 80% of the fee. The Planning and Zoning Administrator may waive fees if an undue hardship has been created by the Town. All other fee waiver requests must be approved by the Town Council. Fees will not be applied to applications or events initiated or sponsored by the Planning and Zoning Commission or Town Council.

GIS fees are charged per development project. For example, GIS fees charged for a rezoning would be credited toward the GIS fees specified for a related development plan and/or plat.

Whenever independent consultant review is provided for in the OVZCR (Golf Course Overlay, Communications facilities, Riparian analysis etc.), the applicant must reimburse the Town for all consultant fees incurred.

Fees related to Communication Facilities:

Collocations and modifications	\$700
Tier I Minor Communication Facility	\$700
Tier II Minor Communication Facility	\$1,000
Tier II (if requires Town Council review)	+\$300
Major Communication Facility	\$1,800

See the Development Services fee schedule for a complete list of fees.



2.0 COMMUNICATION FACILITY SUBMITTAL PACKAGE

2.1 PLAN CONTENT

Written Narrative

1. A written narrative must be submitted (8.5" x 11") to describe the proposed facility and address the following:
 - a. Detailed description of all stealth applications used to reduce the visible impact of the facility and accompanying ground equipment
 - b. Opportunity for additional providers to collocate
 - c. Summary of site selection process
2. The following exhibits should be included with the written narrative:
 - a. Map of existing communication facilities within a 1- mile radius
 - b. Prop maps with and without the proposed facility
 - c. Photo simulations showing multiple elevations, before and after

Site Plan

3. Location of tower, antennas and equipment structures. If proposed facility is a major communication facility, show location of required parking spot as well.
4. Lease area for cell provider.
5. If collocating, show existing facility equipment.
6. Show setbacks from all property lines and residential areas.
7. Show proposed height of facility and ground equipment.
8. If proposing a new monopole or collocating on an existing monopole, show existing and proposed width of pole.
9. For new facilities and collocations, show the distance of the antenna arrays from the center point of the pole.
10. Provide detail (elevation view) of the proposed screening for ground equipment. Include color and materials.
11. Provide detail of the plaque or marker (no larger than four inches by six inches), clearly identifying the provider's name, address and emergency phone number.