



# Modena Way Neighborhood Meeting on Small Cell

August 10, 2020

# City Staff Introduction and Meeting Objectives

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- City Staff
  - Bob Murdoch, Public Works Director
  - Jeff Werner, Engineering Services Manager
- Meeting Objectives
  - Provide information to concerned residents regarding small cell technology, Federal requirements, and the City's small cell regulations and permitting process.
  - Provide information and status update related to Individual Site Permit (ISP) application 19-07227
  - Listen to resident concerns and answer questions regarding ISP application 19-07227

# Meeting Agenda

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1. Small Cell Technology
2. Federal Requirements
3. Local Policies and Regulations
4. Installation of Small Cell Equipment on City Owned Facilities
5. Permit Requirements
6. ISP application 19-07227
7. Q&A

<http://www.elkgrovecity.org> – Small Cell Telecommunications Facilities Web Page

# Small Cell Technology

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- What is a “small cell”?
  - Smaller version of traditional cellular telecommunication (cell phone) antennae/radio.
  - May be installed on light poles, buildings, or small power/telephone poles.
  - Can operate with either the current 4G/LTE technology, or the newer 5G technology

# Small Cell Technology

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Small Cell



Traditional "large" Cell Sites



# Federal Requirements

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- Federal Communications Commission (FCC)
  - FCC Order 18-133 (5G Deployment Order)
    - Intended to streamline the roll-out of advanced 4G and 5G services nationwide
    - Limits regulatory authority
  - Restrictions on cities' regulatory authority
    - Cities may not regulate small cells in such a manner that has the effect of prohibiting or materially inhibiting cellular service.
    - Cities may not regulate the placement, construction, and modification of small cells based on health effects of radio frequency emissions
      - RF emissions must comply with FCC limits
    - A wireless carrier is not required to show a gap in coverage in an area.
    - A city could be found in violation of the Order if a city unduly restricts a carrier's ability to densify a wireless network, introduce new services, or otherwise improve service capabilities.

# Local Policies and Regulations

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- Elk Grove Municipal Code, Title 23 “Zoning”
  - Updated September 11, 2019 to establish land use criteria and required entitlements for the deployment of small cell
    - Table 23.27-1
  - Small cell facilities in non-industrial zoning districts (i.e. residential and commercial) require a conditional use permit or a minor conditional use permit.
  - Additional restrictions:
    - No small cell shall be placed within five hundred (500' 0") feet of another small cell
    - No small cell facility shall be located immediately adjacent to, nor immediately across the street from, a **front yard** of any residential dwelling.
  - Small cell facilities consistent with a Master License Agreement between the applicant and the City shall be a permitted use.

# Installation of Small Cell Equipment on City Owned Facilities

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- Master License Agreement (MLA)
  - Establishes requirements for the installation of small cells on Municipal Facilities in the public right of way
    - City streetlights
    - Aesthetic and structural considerations
    - Power and electrical connections (SMUD)
    - Fees
  - Locations/streetlights identified in the MLA are **approved** small cell sites
  - Locations/streetlights not identified in the MLA at the time of City Council approval must be added in the manner defined in the MLA and must conform to the Zoning Code.
    - Example: New locations in residential district must obtain a minor conditional use permit before being added to the MLA by the City Manager.



# Permit Requirements

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- Individual Site Permit (ISP)
  - Ensures conformance with MLA
  - Confirms available power supply
- Encroachment Permit
  - Allows physical work within the public right-of-way
  - Provides for the review of traffic control plans, final electrical connections, and streetlight pole structural capacity.

# ISP Application 19-07227

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- Application received 12/13/2019
  - 5 locations, all pre-approved with the MLA
- Current status
  - Denied due to incomplete bonds and insurance
  - Once complete application is received, City has 45 days to review/approve the application
  - Construction not expected until 2021