



REPORT TO:  
STILLWATER PLANNING COMMISSION No. TXT18-02

ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT - STILLWATER, OKLAHOMA

**Date of Meeting:** May 1, 2018

**Subject:** Text Amendment, Small Cell Site Facility

**Purpose of Report:** Review and Recommendation of a Text Amendment to the Land Development Code, Article V, Section 23-96 and Section 23-113

**Background:** New telecommunication technology has required communities to update their ordinances to reflect the changing industry. The State of Oklahoma has also addressed this by passage of SB1388 which was sent to the Governor for signing on April 23, 2018.

**Application Processing Information:**

Applicant – City of Stillwater  
Notice – Newspaper of general circulation  
Assigned Planner – Paula J. Dennison

**Processing Track:**

Planning Commission – May 1, 2018  
City Council - May 14, 2018

**Applicable City Plans/Policies:**

Land Development Code, Telecommunication Facilities: Article V, Section 23-96 and Section 23-113

**Discussion:** Within the Land Development Code, there are two areas in need of being updated in order to address the changing technology for the mobile communication industry. New forms of telecommunication facilities have emerged recently that require an ordinance update in order to regulate the placement of the new “small cell” facilities within the public right-of way and on private property.

The attached draft ordinance specifies the proposed changes. The following definitions will be modified or added to the Definition section of the Land Development Code: Telecommunications tower, Utilities, Collocation, Small Cell Facility and Utility Pole. The Use Categories and Limitations section of the Land Development Code will be modified to address the placement, conditions, specific local regulations, federal restrictions, and application requirements for telecommunication towers and for small cell telecommunication facilities.

**Findings:**

1. New technologies in the mobile communication industry have made it necessary to update the ordinance to address the changes.
2. Revise definitions that reflect the new facility categories and federal restrictions.

3. Regulations and restrictions are a power of local government through the zoning statutes to govern the placement, conditions, and application requirements of the new technology within the public right-of-way and on private property.

**Alternatives:**

1. Accept findings and recommend that the City Council approve the text amendment as presented in the draft ordinance.
2. Accept findings and recommend that the City Council approve the text amendment with identified changes to the draft ordinance.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

<b>Prepared by:</b>	Lanc Gross
<b>Reviewed by:</b>	Paula J. Dennison
<b>Date of Preparation:</b>	April 12, 2018
<b>Attachments:</b>	Draft Ordinance