

Legislation Details (With Text)

File #: 2019-2746 **Name:**

Type: Public Hearing - Sworn **Status:** Agenda Ready

File created: 2/4/2019 **In control:** City Council - Regular Session

On agenda: 6/18/2019 **Final action:**

Title: Continued Public Hearing: Application #PL2019-058 - Unified Development Ordinance (UDO) Amendment #4 - Article 6 Use Standards - Division III Special Use Permits - Subdivision 2 Specified Special Uses - amendment to the regulations for telecommunication towers/antennas; City of Lee's Summit, applicant.
(NOTE: This item was continued from June 4 and June 18, 2019 per staff's request.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. PC Minutes, 3. Staff Memo, 4. Proposed Amendment

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|--------------------------|--------|
| 6/18/2019 | 1 | City Council - Regular Session | continued | Pass |
| 6/4/2019 | 1 | City Council - Regular Session | continued | Pass |
| 5/9/2019 | 1 | Planning Commission | recommended for approval | Pass |
| 2/13/2019 | 1 | Community and Economic Development Committee | recommended for approval | Pass |

Continued Public Hearing: Application #PL2019-058 - Unified Development Ordinance (UDO) Amendment #4 - Article 6 Use Standards - Division III Special Use Permits - Subdivision 2 Specified Special Uses - amendment to the regulations for telecommunication towers/antennas; City of Lee's Summit, applicant.
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Issue/Request:

Development Services and Legal staff have identified three areas of our telecommunications ordinance that could be improved; these include, amateur radio towers, the co-location definition and our general liability insurance requirements.

Background:

Recent changes to the state statutes for wireless communications have prompted staff to examine our existing standards in the UDO. The first area addresses amateur radio towers. Currently the ordinance does not restrict the placement of an amateur radio tower if it is under 70 feet in height. Staff is proposing the towers also meet a setback requirement equal to their height to abutting structures. This protects the character of our established neighborhoods while allowing a full 70' tower on larger lot properties.

The second change is a re-write of our co-location requirements. The content has not changed, rather the title was changed from Administratively Approved Uses to Co-location and it was reorganized to clarify what constitutes a co-location.

Finally, a sentence was added to our requirement for general liability insurance further protecting the City from damages.

Hector Soto Jr., Planning Manager

Recommendation: Staff recommends **APPROVAL** of the UDO amendment to Article 6 as presented.

Committee Recommendation: On a motion by Mr. Funk, seconded by Mr. Sims, the Planning Commission unanimously voted on May 9, 2019, to recommend APPROVAL of Appl. #PL2019-058 - Unified Development Ordinance (UDO) Amendment #4 - Article 6 Use Standards - Division III Special Use Permits - Subdivision 2 Specified Special Uses - amendment to the regulations for telecommunication towers/antennas; City of Lee's Summit, applicant.