

Municipal Code 10.13 Amendment

Planning Commission

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Overview

- Background
- Proposal
- Recommendation



Background

Municipal Code

Title 10 Chapter 13

Wireless Communication
Facilities



Background

- Federal Regulations
- State Action – House Bill 25-1056
 - Amends Definitions
 - Grants approval for failure to act on an application within a specified timeframe
 - Prohibits municipalities from requiring permits for an EFR unless it is for Building Code or safety requirements

Proposal

- Municipal Code Title 10, Chapter 13, Wireless Communication Facilities modifications include:
 - Update review time clock by application type
 - Add requirements for tolling an application time clock in review
 - Town approval of applications that do not meet time clock
 - Add permit required to meet Building Code and Engineering Standards & Specifications to meet public safety

Proposal

Type	Current Review Time	Revised Review Time
EFR* – within limit	60 days	60 days
EFR* – outside limit	90 days	90 days
Small cell in right of way – new facility	90 days	90 days
Small cell in right of way – existing equipment	90 days	60 days
Cell tower, wall or roof mounted antenna	150 days	150 days

Approval Criteria – 10-7-18

- a. The proposed amendment will promote the public health, safety, and general welfare; and
- b. The proposed amendment is generally consistent with the Town's Comprehensive Master Plan and the stated purposes of this UDC; and
- c. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

Staff Recommendation

Adopt Resolution 25-14 recommending that the Town Council adopt an ordinance amending Title 10, Chapter 13 of the Erie Municipal Code to bring wireless communication facility regulations into conformance with HB 1056 that takes effect on January 1, 2026.

Questions & Discussion