

Presentation regarding the Implementation of Senate Bill 1004 (Small Cellular Antennas)

Denton City Council

August 22, 2017



Topics for Discussion:

- Purpose/Background of SB 1004 (small cell)
- Highlights of SB 1004
 - Key provisions of the law
- Implementation Plan



Purpose/Background – Senate Bill 1004

- Authored by Senator Hancock in the 85th Legislative Session
 - Signed by Governor Abbott in early June
 - Establishes Chapter 284 of the Local Gov't Code
 - Goes into effect on September 1, 2017
- Allows the cellular industry to install small antennas/nodes within the City's rights-of-way



Purpose/Background – Senate Bill 1004

- Its purpose was to:
 - Increase cellular network coverage across the state
 - Update state law regarding new technologies
 - Meet customer demand
 - Easier rollout of new 5G technology and beyond
- Requires compliance by all cities
 - One size fits all approach
 - Baseline approval processes, timelines, and fees
 - Including certain design elements



Purpose/Background – Senate Bill 1004

What does a small cell node look like?



Examples of Small Cell Equipment

Radios



HxWxD: 18.1" x 10.5" x 5.5"
Weight: 22 lbs



HxWxD: 7.87" x 7.87" x 3.94"
Weight: 11 lbs

Antenna



H x Diam: 24.7" x 10"
Weight: 19 lbs

Note: These are typical examples of small cells. The actual equipment that will be installed by AT&T may vary from these.

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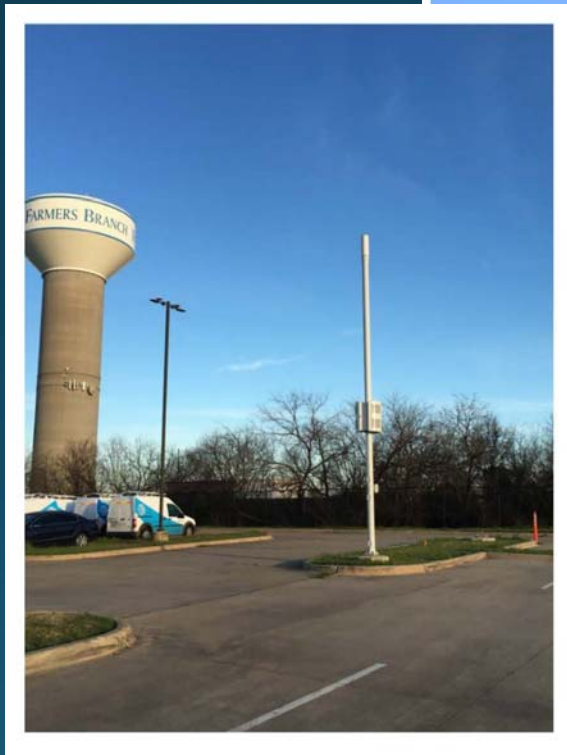
Purpose/Background – Senate Bill 1004

Examples of what a small cell node looks like:



Purpose/Background – Senate Bill 1004

Examples of what a small cell node looks like:



Purpose/Background – Senate Bill 1004

Who are players in this field?



Highlights of SB 1004

Key Provisions of SB 1004; Chapter 284 LGC

- Mandates that small cell nodes and poles to be installed in the City's rights-of-way
 - Includes use of existing utility and traffic poles
 - Yes, even DME's poles
- Establishes City permit requirements
- Establishes time line (shot clock) for City approval
- Establishes maximum fee structure the City can charge



Highlights of SB 1004

Key Provisions of SB 1004; Chapter 284 LGC

Permit shot clock requirements:

	Company files application	City deadline to review for completeness	If complete, City's deadline to approve or deny application
Node	Day 1	Maximum of 30 days Day 31	Maximum of 60 days Day 61
Transport facility	Day 1	Maximum of 10 days Day 11	Maximum of 21 days Day 22
New Pole	Day 1	Maximum of 30 days Day 31	Maximum of 150 days Day 151

Fee structure:

- \$500 for up to 5 network nodes; \$250 for each additional node
- Annual node site rental: \$250 per node
- \$1,000 for a new pole; \$250 annual pole rental
- Monthly rental: \$28 for each network transfer facility



Highlights of SB 1004

Key Provisions of SB 1004; Chapter 284 LGC

- Defines zoning restrictions of node and pole installations
 - Municipal parks
 - Residential areas
 - Historical and Design districts
- Allows for certain design elements
 - Maximum size of node; pole height
 - Allows for enclosures and camouflaging of nodes and support infrastructure



Highlights of SB 1004

Key Provisions of SB 1004; Chapter 284 LGC

Design elements:

Various Concealment Solutions



City's Implementation Plan

- Meetings with cell providers to understand their plans
- Drafting new ordinances
- Drafting design standards
- Drafting license and application forms
- Staff attending information sessions at NCTCOG
- Receiving/sharing information with other cities



City's Implementation Plan

- Sent Informal Staff Report to City Council on July 28, 2017
- Presented to:
 - Planning & Zoning Commission: August 9
 - Public Utility Board: August 14
 - Historic Landmark Commission: August 14
- Seeking approval of ordinance by City Council: August 22
- Post information on City website: August 23
- Begin receiving applications: September 1



Recommendation

That the City Council approve the following ordinances to implement Senate Bill 1004

- Design Manual Ordinance
- Fee Ordinance
- Service Pole Agreement Ordinance
- MOU Pole Attachment Ordinance



In Conclusion

- SB 1004 goes into effect September 1, 2017
 - Is very favorable to the cellular industry
- Requires that cities approve small cell deployments in the city's right-of-way
- All cities in Texas are affected
 - It's one size fits all
 - This is a work in progress
- It directs the processes/methodology/pricing for cities
- Provides very limited options for regulating

