

MINUTES
PLANNING COMMISSION WORK SESSION
Tuesday, May 26, 2015
5:00 – 7:00 p.m.

I. PLANNING COMMISSION WORK SESSION

Location: NDS Conference Room, Charlottesville City Hall, 2nd Floor

Members Present: Commissioners Dan Rosensweig, Tanea Dowell (1 hour), Kurt Keesecker, Genevieve Keller, and Jody Lahendro; UVA representative Bill Palmer

Call to Order: by Chairman Dan Rosensweig at 5:00 p.m.

Telecommunications Ordinance

Brian Haluska provided an overview of the full agenda and turned the time to Lisa Robertson for discussion of the proposed changes to the telecommunications ordinance. She provided background on the 2009 FCC declaratory timeframes for rulings on applications and the 2014 FCC orders providing additional information on “eligible facilities” and more specifics on timeframes for application review. She highlighted that the potential request notes that the height minimum is a concern with some of the new technologies and that consideration of allowing the structures to be lower if shielded from view is part of the request for consideration.

Genevieve Keller asked if future microcells would be permitted as a matter of right on a building once the first microcell is approved? Ms. Robertson noted that a detailed look at the federal regulations specific to the situation would need to take place to determine.

Kurt Keesecker asked if a visible microcell on a building means screened microcells on that same building would be by-right.

Ms. Robertson noted that if the new antenna would substantially change the first antenna, then no. There’s a certain list of circumstances where you cannot deny a co-location application.

Mr. Keesecker noted concern with certain locations being overwhelmed by microcells and pointed to the Monticello hotel roof as an example.

Ms. Robertson suggested maybe proceeding down the line of more rules on concealment, and less on what an antenna is defined as – the types of structures are continuously changing. Maybe the path is to review rules about concealment of antennas in historic districts.

Ms. Keller noted that her understanding is that health effects cannot be discussed. Does that provision have a sunset clause?

Ms. Robertson noted that this is not her area of expertise but she has not read anything that would indicate that there would be a change to this regulation.

Jody Lahendro noted that he would hope that changes would allow for smaller systems but he did not find that to be the case with the Rotunda renovation which went from 10 antennas to 50 and some were placed to block out other signals.

Ms. Robertson noted that each situation would need to be reviewed in light of the “eligible facilities” allowances.

Ms. Keller asked if a locality is required to provide a location for a new provider if no one will collocate.

Ms. Robertson noted that the federal law is set to provide incentives for collocation. New facilities require more regulation.

Dan Rosensweig asked what information is needed from the Commission. Ms. Robertson noted that guidance on the request to lower the 40 foot minimum for placing structures (if concealed). Mr. Haluska provided background on potential sites with interest in this regulation proposal.

Mr. Rosensweig asked if that lower height consideration could be placed for only certain districts. That is allowable.

Ms. Robertson will provide background information on the 2014 FCC order as well as additional information. She asked if the commission was interested in reviewing a discussion draft which would allow for a concealed structure at a lower height. Discussion continued about the placement of one structure opening the door to all others by-right.

Missy Creasy asked if there was a definition of “concealed” and it was determined that more information would be gathered to provide clarity.

Mr. Keesecker, Mr. Rosensweig, Mr. Lahendro and Ms. Dowell were okay with reviewing a draft. Ms. Keller was not interested at this time.

Ms. Robertson will work with staff to provide a discussion draft that deals with the height, concealment, and local authority in areas where not required by federal law. There are a few updates she noted would be important regardless of whether any of the provisions in the proposal were of interest.

Mr. Keesecker asked that consideration be given to having lower height by SUP and Mr. Rosensweig wanted restrictions by district considered. Ms. Robertson noted that allowance by SUP for the first facility is okay but she will need to review whether a collocation opportunity is then required.

Bike and Pedestrian Master Plan

Amanda Poncy provided an overview of the Bike and Pedestrian Master Plan document, citizen engagement process and the timeline to approval for the project.

Ms. Keller noted that additional information, including visuals, noting how this plan addresses the elderly and disabled populations would be helpful.

Mr. Rosensweig asked if there is mention of the County and how the City's plan intersects with the County. It was noted that maps provide for those connections and can be enhanced.

Mr. Lahendro asked if consideration of a County connection was made as part of the prioritization process. Staff noted that a meeting is scheduled to discuss coordination of projects along the borders.

Mr. Keesecker noted that the plan can call out those locations and acknowledge that discussions are happening. Staff highlighted that the Long Range Transportation Plan takes this relationship into account and provides guidance for regional transportation considerations. Mr. Keesecker provided information on his map overlays noting that the results of the plan support maps that he has made in the past. He noted a future measure of success of the plan could include a metric of the amount of time it takes to get from one place to another.

Ms. Keller suggested adding a paragraph explaining the relationship between biking and walking and connections to transit.

The meeting ended at 7pm.