

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

April 21, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-170**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 8-0

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

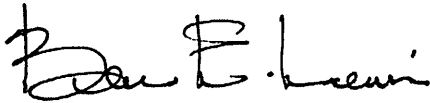
Jordan Elsbury Aye

Joshua Garrison Aye

Jason Porter Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendations on:

ORDINANCE 2022-170

AN ORDINANCE AMENDING SECTION 656.1516 (REGISTRATION AND REPORTING REQUIREMENTS), SUBPART A (WIRELESS COMMUNICATIONS FACILITIES), PART 15 (COMMUNICATION TOWER AND ANTENNA REGULATIONS), CHAPTER 656, ORDINANCE CODE, TO CLARIFY REGISTRATION REQUIREMENTS UPON TRANSFER AND TO PROVIDE SIGNAGE FOR PUBLIC TO HAVE CELL TOWER CONTACT INFORMATION; AUTHORIZING THE PLANNING AND DEVELOPMENT DEPARTMENT TO REVISE APPLICATIONS TO INCLUDE ADDITIONS; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

The bill amends Chapter 656 (Zoning Code), Ordinance Code, to require cell towers provide the tower owner as well as the service carrier's name, address and phone number on a sign at the base of the tower.

II. EVALUATION

A. The need and justification for the change

This bill clarifies the registration and reporting requirements for cell tower owners and the service carriers.

B. The relationship of the proposed amendment to the Comprehensive Plan and the work of the Department with appropriate consideration as to whether the proposed amendment will further the purposes of the Zoning Code and Comprehensive Plan.

This bill is consistent with the spirit and intent of both the Comprehensive Plan and the Zoning Code by making local and state regulations consistent.

III. RECOMMENDATION

The Planning and Development Department recommends that **Ordinance 2022-170** be **approved**.

1 Introduced by Council Member Boylan:
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4 **ORDINANCE 2022-170**

5 AN ORDINANCE AMENDING SECTION 656.1516
6 (REGISTRATION AND REPORTING REQUIREMENTS),
7 SUBPART A (WIRELESS COMMUNICATIONS FACILITIES),
8 PART 15 (COMMUNICATION TOWER AND ANTENNA
9 REGULATIONS), CHAPTER 656, *ORDINANCE CODE*, TO
10 CLARIFY REGISTRATION REQUIREMENTS UPON TRANSFER
11 AND TO PROVIDE SIGNAGE FOR PUBLIC TO HAVE CELL
12 TOWER CONTACT INFORMATION; AUTHORIZING THE
13 PLANNING AND DEVELOPMENT DEPARTMENT TO REVISE
14 APPLICATIONS TO INCLUDE ADDITIONS; PROVIDING AN
15 EFFECTIVE DATE.

16
17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Amending Section 656.1516 (Registration and**
19 **reporting requirements), Subpart A (Wireless Communications**
20 **Facilities), Part 15 (Communication Tower and Antenna Regulations),**
21 **Chapter 656, Ordinance Code.** Section 656.1516 (Registration and
22 reporting requirements), Subpart A (Wireless Communication
23 Facilities), Part 15 (Communication Tower and Antenna Regulations),
24 Chapter 656 (Zoning Code), *Ordinance Code*, is amended, in part, to
25 read as follows:

26 **CHAPTER 656**

27 **ZONING CODE**

28 * * *

29 **PART 15. COMMUNICATION TOWER AND ANTENNA REGULATIONS**

30 * * *

31 **SUBPART A. WIRELESS COMMUNICATIONS FACILITIES**

* * *

Sec. 656.1516. Registration and reporting requirements.

(a) Annual registration. On or before June 1 of each calendar year, the owner of every wireless communication tower within the City shall file with the Coordinator a declaration as to the continuing operation of the facility, as well as the name and address of the tower owner, the service provider's tower identification number, the address of the tower (if no numerical address then general site location), and the real estate number for the subject parcel, including identification of all wireless communication service providers located on the tower, complete with names, addresses, and phone numbers of the respective contact persons and the service provider's tower identification number.

(b) Transfer of wireless communication tower ownership; declaration. Should there be a transfer of tower ownership or lease, within 30 days of the transfer, the new wireless communication tower owner shall file with the Coordinator a declaration with the updated name and address of the tower owner, the service provider's tower identification number, the address of the tower (if no numerical address then general site location), and the real estate number for the subject parcel.

~~(b)~~ (c) Certification of structural integrity. Every five years after issuance of the initial permit, or as otherwise requested by the City, the owner of every wireless communication tower within the City shall file with the Coordinator a "Certification of Structural Integrity." This certification shall be prepared by a licensed professional engineer, who shall attest that a thorough and complete inspection of the tower was conducted and that the tower and accessory structures are continuing to perform as originally designed.

~~(c)~~ (d) Noncompliance. Failure to timely file ~~either the annual declaration, transfer declaration,~~ or Certification of Structural

1 Integrity shall result in a presumption that the tower is either
2 unused or unsafe, thereby subjecting the tower to removal under the
3 abandonment provisions of this Subpart.

4 (e) Signage for public contact information on the base of the
5 wireless communication tower. Each wireless communication tower owner
6 shall place on the tower compound fence, facing a public right of way
7 or private road, a permanent sign, no higher than five (5) feet and
8 no lower than four (4) feet in height from the base of the ground,
9 which provides for the name and address of the wireless communication
10 tower, the name and phone number of a point of contact at the wireless
11 communication tower, and the service provider's tower identification
12 number. The sign area for the sign must be at least 24 inches wide
13 and at least 18 inches tall, or be clearly visible and legible to an
14 individual standing no more than 15 feet from the sign, but no greater
15 in sign area than 6 square feet. The purpose of this signage is to
16 provide the public with contact information for the wireless
17 communication tower owner and a point of contact who can assist the
18 public with questions regarding the wireless communication tower.

19 * * *

20 **Section 3. Authorizing the Planning and Development**
21 **Department to update application and forms to include additions.** The
22 Council authorizes the Planning and Development Department, upon the
23 effective date of this legislation, with the authority to update
24 application materials and forms related to wireless communications
25 facilities consistent with this Ordinance Code change.

26 **Section 4. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

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Form Approved:

 /s/ Paige H. Johnston

Office of General Counsel

Legislation Prepared By: Paige H. Johnston

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