



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#16-0122

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: February 2, 2016

TITLE: An Ordinance Amending the Code of Ordinances of the City of Fort
Lauderdale to Create a New Article entitled "Communications Facilities in
the Public Rights-of-Way"

Recommendation

It is recommended that the City Commission adopt an ordinance amending Chapter 25, Streets and Sidewalks, Code of Ordinances of the City of Fort Lauderdale, to create a new Article XII, "Communications Facilities in the Public Rights-of-Way".

Background

On September 3, 2014 the City Commission passed Ordinance C-14-34, which placed a temporary 180 day moratorium on the submittal and approval of DAS Telecommunications Facilities constructed in the Public Rights-of-Way (R.O.W.) in the City. The moratorium has been extended and is due to expire on February 16, 2016.

The imposition of the moratorium allowed time for City staff to review, consider, and modify processes for adoption and implementation of regulations pertaining to the deployment of DAS telecommunications towers and to evaluate the extent that the existing regulations are effectively regulating the deployment of such telecommunications towers.

The ordinance was written to reduce the impact of these facilities on City neighborhoods and promote colocation of facilities, where feasible. Some of the important details outlined in the ordinance are the following: creation of design standards for facilities, creating requirements to incorporate stealth design, creating standards for colocation, creating standards for separation distances, creating standards for restoration of public R.O.W., providing insurance, providing indemnification obligations, and providing maintenance obligations.

Some of the design highlights of the amendment include the following standards and mitigation of impact requirements such as promoting Stealth Design, which is a design method of camouflaging the Communications Facility to enhance compatibility with adjacent land uses and be as visually unobtrusive as possible, adding a requirement for a full color photo-simulation showing the proposed site of the Communications Facility with photo-realistic representations as it would appear from adjacent properties and the Public

R.O.W., modifying height limitations for Communications Facilities, and adding the inclusion of LED street lighting into pole design at the City's option to enhance the neighboring area and promote safety.

Some of the maintenance highlights of the amendment include standards and requirements for maintenance and graffiti removal, emergency maintenance, imposition of reasonable conditions attached to permits, fines for violation of maintenance plan, and removal requirements for abandoned Communications Facilities.

City Staff has distributed the draft amendment to industry representatives for comments.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included in the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 5: Be a community of strong, beautiful, and healthy neighborhoods.
- Objective 2: Enhance the beauty, aesthetics, and environmental quality of neighborhoods.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Prosperous*.

Attachment

Exhibit 1 – Ordinance

Prepared by: Alex Scheffer, Interim City Engineer (Urban Design Engineer)

Department Director: Jenni Morejon, Department of Sustainable Development