

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
ESTABLISH REGULATIONS FOR SMALL AND MICRO-WIRELESS FACILITIES

DRAFT 5-11-2020

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Section 15-15 (Basic Definitions and Interpretations) of the Carrboro Land Use Ordinance is amended by adding fifteen new definitions and modifying two existing definitions, “public utility service complex” and “tower,” as shown below, and by renumbering the entire section in alphabetical order.¹

ANTENNA ELEMENT REPLACEMENT. The replacement of any part or all of an antenna or antenna array with a model of the same manufacturer and model type or close specification.

APPLICABLE CODES. The N.C. State Building Code uniform fire, building, electrical, plumbing or mechanical codes adopted by a recognized national code organization together with State, Orange County or Town of Carrboro amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons.

BASE STATION. A station at a specific site authorized to communicate with mobile stations, generally consisting of radio receivers, antennas, coaxial cables, power supplies, and other associated electronics.

COLLOCATION. The placement, installation, maintenance, modification, operation or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, Town utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities.

COMMUNICATIONS FACILITY. The set of equipment and network components, including wires and cables and associated facilities used by a communications service provider to provide communications service.

COMMUNICATIONS SERVICE. Cable service as defined in 47 U.S.C. § 522(6) (The one-way transmission to subscribers of video programming, or other programming service and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service), and information service as defined in 47 U.S.C. § 153(24). (The term “information service” means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service), and telecommunications service as defined in 47 U.S.C. § 153(53) (The term “telecommunications service” means the offering of telecommunications for a fee directly to the public.)

¹ All of the definitions are from N.C. Gen. Stat. § 160A-400.51 (As of Aug. 1, 2021 160D-931).

COMMUNICATIONS SERVICE PROVIDER. A cable operator as defined in “Communications Service” and 47 U.S.C. § 522(5); a provider of information service, as defined in “Communications Service” and 47 U.S.C. § 153(24); a telecommunications carrier, as defined in “Communications Service” and in 47 U.S.C. § 153(51); or a wireless provider.

ELIGIBLE FACILITIES REQUEST. A request for a modification of an existing wireless tower or base station that involves collocation of new transmission equipment or replacement of transmission equipment but does not include a substantial modification.

EQUIPMENT COMPOUND. An area containing accessory equipment surrounding or near the base of a wireless support structure within which a wireless facility is located.

MICRO WIRELESS FACILITY. (See Section 15-176). A small wireless facility that is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

SMALL WIRELESS FACILITY. (See Section 15-176). A wireless facility that meets both of the following qualifications:

- (1) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements, if enclosed, could fit within an enclosure of no more than six cubic feet.
- (2) All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. (For purposes of this subdivision, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.)

SUBSTANTIAL MODIFICATION. (See Section 15-176). The mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the criteria listed below:

- (1) Increasing the existing vertical height of the structure by the greater of (i) more than ten percent (10%) or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet.
- (2) Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure the greater of (i) more than 20 feet or (ii) more than the width of the wireless support structure at the level of the appurtenance.
- (3) Increasing the square footage of the existing equipment compound by more than 2,500 square feet.

TOWN RIGHT-OF-WAY. A right-of-way owned, leased, or operated by a town, including any public street or alley that is not a part of the State highway system.

TOWN UTILITY POLE. A pole owned by a town in the town right-of-way that provides lighting, traffic control, or a similar function.

WIRELESS FACILITY. Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless communications and (ii) radio transceivers, antennas, wires, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. Also refers to Wireless Telecommunications Facility. The term shall not include any of the following:

- (1) The structure or improvements on, under, within, or adjacent to which the equipment is collocated.
- (2) Wireline backhaul facilities.
- (3) Coaxial or fiber-optic cable that is between wireless structures or utility poles or city utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.
- (4) Amateur radio antennas. See also, Section 15-150(5) Towers and antennas constructed on residential property and G.S. § 160A-400.51.

WIRELESS SUPPORT STRUCTURE. A new or existing structure, such as a monopole, lattice tower, or guyed tower, that is designed to support or capable of supporting wireless telecommunications facilities, radio or TV antennas. A utility pole is not a wireless support structure.

PUBLIC UTILITY SERVICE COMPLEX. A development consisting of a combination of offices and one more of the following types of uses, all of which are operated or conducted by a “public utility” as that term is defined in Section 62.3 of the N.C. General Statutes: motor vehicle repair (use classification 9.400), parking or storage (use classification 10.300), and towers and wireless support structures (use classification 18.000). (AMENDED 10/25/83)

TOWER. A structure whose principal function is to support one or more antennas. See also Wireless Support Structure. (AMENDED 02/18/97)

Section 2. Section 15-146, (Table of Permissible Uses) is amended by expanding the description of the subcategories of use classification 18.000 “Towers and Related Structures,” to read as follows:

18.000 Towers and Wireless Support Structures

18.100 Towers and antennas fifty feet tall or less.

18.200 Towers and antennas that exceed 50 feet in height; substantial modifications, that are not regarded as accessory to residential users under 15-150(c)(5).

18.300 Antennas exceeding 50 feet in height attached to wireless support structures other than towers; substantial modifications (other than accessory uses under 15-150(c)(5)).

18.400 Publicly-owned towers, wireless support structures and antennas of all sizes that are used in the provision of public safety services.

Section 3. Section 15-146, (Table of Permissible Uses) is amended by adding a new use classification 18.500 “Small and Micro Wireless Facilities; with or without associated Utility Pole or Wireless Support Structures”² by adding the letter “Z” opposite this use classification under all zoning district columns to indicate that this use is permissible in all districts with a zoning permit as noted further in section 15-176 Towers, Antennas, and Wireless Facilities, including Small and Micro Wireless Facilities.

Section 4. Section 15-147, (Use of the Designations Z, S, C in the Table of Permissible Uses) is amended by adding a new subsection (t) to read as follows³:

(t) For use classification 18.500 small and micro wireless facilities; with or without associated utility pole or wireless support structures see Section 15-176(d) for application and development standards and Article II of Chapter 7 for encroachment agreements.

Section 5. Section 15-150(c)(5) is amended to modify the reference to the setback requirement from subsection 15-176(2) to subsection 15-176(b)(2).

Section 6. Section 15-176 Article XI (Supplementary Use Regulations) is rewritten to include small and micro wireless facilities, as follows:

Section 15-176 Towers and Antennas, and Wireless Facilities including Small and Micro Wireless Facilities (AMENDED 02/18/97, REPEALED & AMENDED 11/19/13)

(a) Towers and antennas, and wireless facilities are subject to the regulations outlined in this section, pursuant to the definition of each facility described in Article II of this chapter. The term “tower” includes wireless support structures.

In addition to other applicable provisions of this chapter, towers, antennas attached thereto that exceed 50 feet in height (use classification 18.200) shall be subject to the requirements in subsections (a), and (b) and (c) below. Additional standards applicable to small and micro-wireless facilities (use classification 18.500) are provided in subsection (d). **(AMENDED 11/19/13)**

- (1) A tower may not be located within 1,500 feet of another tower (measured in a straight line and not by street distance).
- (2) As set forth in subsection 15-184(q), the base of the tower shall be set back from a street right-of-way line and every lot boundary line a distance that is not less than the height of the tower.

² G.S. § 160A-400.54; G.S. § 160A-55; G.S. § 160A-56.

³ *Id.*

- (3) Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. To the extent allowed by the FAA, strobes shall not be used for nighttime lighting. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.
- (4) Towers and antennas shall be constructed and operated so as not to disturb or interfere with the use or operation on adjoining or nearby properties of radios, televisions, telephones, or similar equipment.
- (5) Commercial messages may not be displayed on any tower.
- (6) The output from the tower may not exceed federally approved levels for exposure to electronic magnetic force (EMF). The applicant shall be required to submit documentation with the application verifying compliance with this standard.
- (7) If the tower is up to 180 feet in height, the tower shall be engineered and constructed to accommodate at least one additional telecommunication user. If the tower exceeds 180 feet, the tower shall be engineered and constructed to accommodate at least two additional telecommunication users. Furthermore, the site plan must show locations for accessory buildings necessary to accommodate a minimum of two users, even if the tower is proposed for a single user.
- (8) The base of the tower and each guy anchor shall be surrounded by a fence or wall at least eight feet in height and constructed of material that cannot be easily climbed or penetrated, unless the tower and all guy wires are mounted entirely on a building at least eight feet in height.
- (9) The base of the tower, any guy wires, and any associated structures, walls, or fences shall be surrounded by a Type A screening. The site developer shall have the option of (i) providing the screening around the tower base and associated items individually, or (ii) providing the screening around the perimeter of the entire site.
- (10) Outdoor storage shall not be permissible on tower sites.
- (11) In addition to other information that must be submitted with the application, the application for a tower must contain the following information:
 - a. Identification of the intended user(s) of the tower.
 - b. Documentation provided by a registered engineer that the tower has sufficient structural integrity to accommodate more than one user.
 - c. Documentation by the applicant that no suitable existing facilities within the coverage area are available to the applicant. Documentation may

include maps, letters from adjacent tower owners, or calculations. Facilities include other towers, or other buildings or structures.

- d. A statement indicating the owner's intent to allow shared use of the tower and how many other users can be accommodated.
- (12) The recipient of a permit for a tower shall be required as a continuing condition on the validity of the permit, to submit to the Zoning Administrator by January 31st of each year documentation, including but not limited to an FCC license, that the tower is being utilized. Towers which are not used for a period of 6 months or more shall be removed by the owner within 90 days thereafter. A statement of financial responsibility and performance security shall be posted for each tower to guarantee compliance with this requirement.⁴
 - (13) In any residential zone, associated buildings or other buildings located on the same lot and owned or used by the applicant, its associates, or any co-users shall not be used as an employment center for any worker. This subsection does not prohibit the periodic maintenance or periodic monitoring of instruments and equipment.
 - (14) The tower shall be constructed with a grounding system that provides adequate protection from destruction or damage by lighting.
 - (15) **REPEALED (11/19/13)**
 - (16) In addition to the considerations for conditional or special use permits found in Section 15-54 of this ordinance, the approving bodies in determining whether a tower is in harmony with the area of a tower on the value of adjoining or abutting properties may consider the aesthetic effects of the tower as well as mitigating factors concerning aesthetics, and may disapprove a tower on the grounds that such aesthetic effects are unacceptable. Factors relevant to aesthetic effects are the protection of the view in sensitive or particularly scenic areas and areas specially designated in adopted plans such as unique natural features, scenic roadways and historic sites; the concentration of towers in the proposed areas; and whether the height, design, placement or other characteristics of the proposed tower could be modified to have a less intrusive impact.
- (b) A request for a modification of an existing cell tower, base station or wireless support structure that involves the collocation of new transmission equipment or the removal or replacement of transmission equipment but that does not substantially change the physical dimensions of the cell tower or base station shall be approved by the administrator as an insignificant deviation (see Section 15-64). For purposes of this section, a substantial change in physical dimensions would occur if: **(AMENDED 11/19/13)**

⁴ From FCC order.

- (1) The proposal is a “substantial modification” as defined in Article II of this chapter. Substantial modifications include⁵:
- a. The proposed change would increase the existing height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater (may exceed these size limits if necessary to avoid interference with existing antennas);
 - b. The proposed change would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater (except where necessary to shelter the antenna from inclement weather or connect the antenna to the tower via cable); or
 - c. The proposed change would enlarge the square footage of the existing equipment compound by more than 2,500 square; or
 - d. The proposed change would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or
 - e. The proposed change would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site.

(2) (Reserved)

(c) The Town shall have 45 days⁶ within which to determine the completeness of an application for a collocation or eligible facilities request, and then 45 days from the date that the application is determined to be complete within which to make its decision. An application is deemed to be complete 45 days after it is submitted unless the Town determines and notifies the applicant in writing within 45 days of submission, that (and how) the application is deficient. For other types of applications relating to wireless support structures, towers or substantial modifications, the Town shall have 90 days to determine if an application is complete and 150 days within which to decide, not including small and micro wireless facilities. **(AMENDED 11/19/13)**

(d) Small or micro wireless facilities (use classification 18.500), defined in Article II, and the height requirements in Table 1 and Table 2 below, are subject to the regulations outlined in this subsection.

Table 1. Height Requirements for Small Facilities in Public Rights-of-Way (Read top row left to right, then left-hand column.)

⁵ G.S. § 160A-400.51 (7b); § 160A-400.52. Construction of new wireless support structures or substantial modifications of wireless support structures (2013)

⁶ FCC “shot clock”; § 160A-400.50. Purpose and compliance with federal law; § 160A-400.53 (a1);.

If a Small Wireless Facility is proposed in the following Zoning District(s):	New, modified or replacement utility power Height of Utility Pole	Small wireless facility above utility pole, wireless support structure or Town utility pole	Total Height
All	50 feet above ground level	10 feet	60 feet ⁷
EXCEPTION for residential zoning districts where utilities are located underground. (The residential zoning districts are R-2, R-3, R-7.5, R-10, R-15, R-20, RR, R-SIR, R-SIR2, PUD, VMU, WR, HD, NPD ⁸	40 feet above ground level	10 feet	50 feet

Table 2. Height Requirements for Small Facilities outside of Public Rights-of-Way⁹

If a Small Wireless Facility is proposed in the following Zoning District (s)	New, modified or replacement utility power Height of Utility Pole	Small wireless facility above utility pole, wireless support structure or Tow utility pole	Total Height
B-1(c), B-1(g), B-2, B-3, B-3T, M-1, M-2, CT, O, ORMU	50 feet above ground level	10 feet	60 feet

- (1) Small wireless facilities may also be attached to existing structures including poles, provided that the height of the wireless support structure and antennae together increase the height of the existing structure by not more than ten (10) feet.
- (2) All small and micro wireless facilities shall meet the provisions of 15-176(a)(10), (11), (12) and (14), above.
- (3) All small wireless facilities shall be designed to accommodate collocations to the maximum extent that is technically feasible.
- (4) Upon request of the applicant, the administrator may waive the requirement that a new small wireless facility accommodate the collocation of the service provider if it finds that collocation at the site is not essential to the public interest, or that the construction of a shorter wireless support structure with fewer antennas will promote community compatibility, or that collocation of other service providers is technically unfeasible.
- (5) New small wireless facilities may be built no closer than 200 feet from an existing facility unless the new facility involves the replacement of an existing pole, or the new

⁷ G.S. § 160A-400.55(b)(1) and (2)⁸ G.S. § 160A-400.55(e)⁹ G.S. § 160A-400.55(b)(1) and (2)

pole takes the place of a proposed pole in a new development¹⁰.

- (6) Unless otherwise required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or the Town, the composition of new wireless support structure shall be either wood, or metal, in silver or gray, or black finish.
 - a. Where a new pole replaces an existing pole, the new pole shall be designed and constructed to match the pole it is replacing.
 - b. Concrete or reinforced concrete shall not be used.
 - c. Any new poles installed shall be environmentally “green” and not leach any volatile organic compounds or toxic materials into the ground.
- (7) Wireless installations shall be on poles that meet or exceed current National Electric Safety Code (NESC) standards and wind and ice loading requirements of ANSI 222 Version G for essential services.
- (8) No exterior lights are permitted on any small or micro facilities unless required by the Federal Communications Commission (FCC) or the wireless support structure is designed and permitted as a street light.
- (9) Wireless installations shall utilize a “concealed” design, including all cabling being inside the support structure or inside a shroud.
- (10) All radios, network equipment and batteries will be enclosed in a pedestal cabinet near the pole, or in a pole-mounted cabinet or under a pole-mounted shroud.
- (11) Equipment compounds and/or accessory equipment, including any buildings, cabinets or shelters, shall be used only to house equipment and other supplies in support of the operation of the small wireless facility. Any equipment not used in direct support of such operation shall not be stored on the site. Ground mounted accessory equipment and small wireless facilities may be secured and enclosed with fence not less than six (6) feet in height and must comply with section 15-184 of this chapter. Barbed wire, razor ribbon, concertina wire and other similar security measures shall be prohibited. The administrator may waive the fencing requirement if it is deemed that a fence is not appropriate or needed at the property location.
 - a. An equipment building, shelter or cabinet must not exceed five hundred sixty (560) square feet and twelve (12) feet in height, including the support structure for the equipment.
 - b. Equipment buildings must comply with Local, State and Federal Flood Zone Restrictions.
 - c. Exceptions to height restrictions. Upon the applicant’s request, the administrator may waive the height restrictions to allow for the stacking of

¹⁰ G.S. § 160A-400.54(d)(5)

equipment on top of each other. The administrator must find that there is a practical necessary for the stacking of the equipment and that any resulting impact on adjoining properties is minimal or may be minimized by requiring appropriate screening. The administrator or designee may waive the height restrictions where a higher support structure is needed to raise the equipment above a slope or floodplain.

- d. If the equipment compound or accessory cabinet(s) is adjacent to or visible from a residential zone, the building or shelter shall be faced with brick or other suitable material on all sides and that the compound area is surrounded by landscaping providing a screen of at least three (3) feet in height at installation. The equipment must conform to the setback standards of the applicable zone. In the situation of stacked equipment buildings, additional screening/landscaping measures may be required by the own administrator
- (12) Signs on any portion of a small wireless facility shall be prohibited unless required by the Federal Communications Commission (FCC), state of North Carolina or other government agency. A sign permit is required whenever a sign is allowed.
 - (13) Equipment compounds are not permitted in the public right-of-way.
 - (14) Unless proved unfeasible by clear and convincing evidence, in lieu of installing new poles, any wireless installation in the public right-of-way shall replace a pre-existing distributed pole, secondary pole or streetlight. Any work involving public rights-of-way shall be comply with the standards in Article II of Chapter 7 of the Town Code.
 - (15) Outside of the public right-of-way in all districts, the administrator shall have the authority to impose reasonable landscaping requirements surround the equipment compound or accessory equipment cabinet. Required landscaping shall be consistent and surrounding vegetation and shall be maintained by the facility owner. The administrator may choose to not require landscaping for sites that are not visible from the public rights-of-way or adjacent property or in instances where landscaping is not appropriate or necessary.
 - (16) All small wireless facilities located outside the public rights-of-way shall comply with the provisions of Section 15-176(a)(2), (9) and (13). The base of any tower for a small or micro facility shall be set back from a street right-of-way line and every lot boundary line a distance that is not less than the height of the tower.
 - (17) No pole of tower intended for small or micro wireless facilities may be constructed, substantially modified, including modifications relating to collocations, except in accordance with and pursuant to a zoning permit as provided for in Article IV, Part I. of this chapter and, if applicable, to an encroachment permit in accordance to Article II, of Chapter 7.

- a. Subject to the application requirements and approval process outlined in Section 15-52, construction shall begin no later than six months from the date the permit is issued.¹¹
- b. Small wireless facilities shall be activated for their intended use in no more than one year from the date a permit is issued, and shall be subject to the renewal requirements of subsection (b)(12) above. Permits shall automatically expire if these deadlines are not met¹².
- c. If a small wireless facility ceases to transmit a signal for at least 180 days, or the permittee announces that it intends to cease transmitting signals, the facility shall be deemed abandoned on the earlier of the two dates¹³.
 - 1. If the owner/provider does not remove the facility in 180 days from the date of abandonment, the Town may remove the facility and bill the owner for the costs of removal.
 - 2. The provider of the facility may receive an extension if the provider provides reasonable evidence that the provider is diligently working to return the facility to service.
- d. Substantial modifications are subject to the provisions of Section 15-176(b) above.

Section 7. Section 15-185(e) amended to include small and micro wireless facilities, as follows:

(d) Towers, antennas, and wireless facilities, including small and micro wireless facilities shall not be subject to the maximum height limitations set forth in this section but shall be governed by the restrictions inherent on the definitions of such uses as well as the other provisions of this chapter applicable to use classification 18.000. The height of a tower or antenna attached to a structure other than an antenna shall be the vertical distance measured from the main elevation of the finished grade at the front of the building or structure to which the tower is attached to the top of the tower (or antenna, if the antenna extends above the tower). Pursuant to Section 15-176, the height of a small or micro wireless facility on a new, modified or replacement utility pole shall be measured from the ground to the top of the pole. **(AMENDED 02/18/97)**

Section 8. Section 15-52, (Zoning Permits) is amended with the addition of a new Subsection (f) to read as follows:

(e) An application for a zoning permit to collocate small and micro wireless facilities in public rights-of-way on new, existing or replacement utility poles or wireless support structures; or

¹¹ G.S. § 160A-400.54(d)(8)

¹² G.S. § 160A-400.54(d)(8)

¹³ G.S. § 160A-400.54(d)(8) and (g)

outside public rights-of-way are subject to the approval process required by N.C. Gen. Stat. Chapter 160A, Art. 19, Part 3E. Wireless Telecommunications Facilities, as incorporated into this ordinance.

- (1) In addition to the requirements of section 15-176, and Chapter 7, Streets and Sidewalks, an application for a small wireless facility must include a sworn, notarized affidavit that the small wireless facility shall be:
 - a. activated for use by a wireless services provider to provide service no later than one year from the permit issuance date, and
 - b. collocation shall commence within six months of the permit issuance date, and
 - c. if not, the permit may be revoked.¹⁴
- (2) Review and processing shall be completed within forty-five (45) days of the Town's receipt of a completed application. The Town shall provide written notice that an application is incomplete within thirty (30) days of the receipt of the application.¹⁵
- (3) Applications for zoning permits for small wireless facilities shall be reviewed for conformance with this ordinance, including the applicable site plan and State Building code requirements.
- (4) The Town may deny an application for a small wireless facility only on the basis that it does not meet any of the following¹⁶:
 - a. the Town's applicable ordinance;
 - b. Town ordinances that concern public safety, objective design standards for decorative utility poles, Town utility poles, or reasonable and nondiscriminatory stealth and concealment requirements, including screening or landscaping for ground-mounted equipment;
 - c. public safety and reasonable spacing requirements concerning the location of ground-mounted equipment in a right-of-way; or
 - d. the requirements of any historic district.
- (5) Applicants may file for a consolidated application for no more than 25 separate facilities and may receive a permit for the collocation of all the small wireless facilities meeting the requirements of this ordinance. The Town may remove small wireless facility collocations from a consolidated application and treat separately small wireless collocations (i) for which incomplete information has been provided, or (ii) that are denied. The Town may issue a separate permit for each collocation that is approved.¹⁷
- (6) Applications for small wireless facilities to be in Town rights-of-way shall meet the requirements of Chapter 7, Streets and Sidewalks.
- (7) No zoning permit application or fee is required for the suspension of micro wireless facilities between existing utility poles by or for a communications service provider;

¹⁴ G.S. § 160A-400.54(d)(6) and (8)

¹⁵ G.S. § 160A-400.54(d)(3) and (4)

¹⁶ G.S. § 160A-400.54(d)(5)

¹⁷ G.S. § 160A-400.54(h)

for routine maintenance; or for the replacement of small wireless facilities with small wireless facilities. An encroachment permit may be required as provided in Chapter 7, Streets and Sidewalks.¹⁸

Section 9. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed.

Section 10. This ordinance is effective upon adoption.
