



Small Cell Wireless

Date: December 4, 2018

To: Davidson Board of Commissioners

From: Town Attorney Cindy Reid

1. OVERVIEW

Mobile data traffic is projected to increase six-fold between now and 2020. To address this increased demand for service, wireless telecommunications providers across the country and North Carolina are increasingly looking to supplement their traditional cell tower antenna sites (located on monopoles, lattice towers, or structures like water tanks) with “small wireless facilities” or “small cell” installations. Small cell installations are intended to supply additional capacity (data speeds) and additional coverage (better signals) for cell phone users.

Small cell antenna can be attached to existing (or new) streetlight poles, utility poles, traffic signal pole and buildings or placed inside buildings or venues. Equipment housed in boxes to power the sites and provide connection back to the wireless network must also be installed near the antenna (either on the poles or in separate ground level boxes).

The General Assembly passed House Bill 310, “An Act to Reform Collocation of Small Wireless Communications Infrastructure to Aid Deployment of New Technologies” in June 2017, and it became effective in July 2017. The legislation significantly limits municipal authority regarding the siting of small cell installations and opens up the public right of way for installation of these facilities.

The regulations that Davidson is permitted to enact and enforce for installations in town ROW or on private property are limited by the legislation. Therefore, amendments to the Municipal Code are required. Approval of these amendments, which include aesthetic guidelines, prior to January 13, 2019, is critical. Federal rules require aesthetic guidelines to be in place by January 13 in order to enforce compliance.

2. RELATED TOWN GOALS

N/A

3. OPTIONS/PROS & CONS

N/A

4. FYI or RECOMMENDED ACTION

An overview of the both federal and state legislation as well as a very general description of how the town may regulate small cell wireless use of town ROW will be presented at the December 4 meeting.

5. NEXT STEPS

The Municipal Code amendments will be presented at the December 11 meeting and the Board of Commissioners will be asked to approve the amendments at the January 8 meeting. Neither a planning board recommendation or public hearing are required for amendments to the Municipal Code.