

MEMORANDUM

Agenda Item 63

To: Metropolitan Planning Commission
From: Jeff Archer, AICP, Principal Planner
Tom Brechko, AICP, Principal Planner
Date: November 27, 2017
Subject: Amendment to MPC’s Administrative Rules and Procedures - WCF Administration

MPC staff recommends amending MPC’s Administrative Rules and Procedures by adding Appendix D and changing Article II, Section 5, D. This establishes administrative details needed to address WCF application review for the recently adopted City and County WCF ordinances.

In addition, staff is developing a Request for Qualifications (RFQ) for a WCF consultant that will assist in reviewing applications that both MPC and its staff are responsible for reviewing. Staff is also recommending the following fee schedule associated with WCF applications:

Level I Review *

Collocation	\$50
Small Cell	\$250
New Tower	\$600

Level II Review *

Small Cell	\$750
New Tower	\$1500

*Consultant Review Fee Currently \$1500, may change based on RFQ process.

If you have any questions, comments, or would like additional information, please feel free to contact Jeff Archer (email: jeff.archer@knoxmpc.org or phone: 215-3821) or Tom Brechko (email: tom.brechko@knoxmpc.org or phone: 215-3794).

Appendix D
Wireless Communication Facilities (WCF) Administration

SECTION 1 - PURPOSE

The purpose of the Administrative Rules and Procedures is to establish operating rules for processing applications for WCF Certificate of Appropriateness (COA).

SECTION 2 – APPLICATION

The application shall be completely filled out, including submitting all the relevant additional information as stated on the application and in the WCF ordinance. An application is considered complete only after the “Complete Application Date” section of the application is filled out by staff. Staff will notify the applicant of whether their application is complete or incomplete within 10 working days.

SECTION 4 – APPLICATION REVIEW

There are two levels of review; Level I which is reviewed by staff and Level II which is a Metropolitan Planning Commission (MPC) review. The following rules apply to these types of review:

LEVEL I REVIEW:

- Approval: If the application is approved, a COA shall be granted within 45 days of the application being complete. However, the COA is not considered official until 15 days after issuance, provided no appeals are filed.
- Denial: If the application is denied, the applicant will be notified within 45 days of the application being complete.
- Notice: Staff will post the COA on its website.
- Appeals: Appeals shall be filed within 15 days of a decision. The City of Knoxville or Knox County building official shall be notified of any appeals filed. Appeals are heard by the MPC and follow their applicable administrative rules and procedures.
- Deadline: There is no application deadline.

LEVEL II REVIEW:

- Pre-application: A pre-application meeting with staff is required.
- Approval: If approved by the MPC, a COA will be issued by staff. The COA is not official until 15 days after the MPC approval.
- Denial: If the application is denied by the MPC, the applicant will be provided notification in writing.
- Notice: Staff will post the COA on its website.
- Appeals: Appeals shall be filed within 15 days of a decision. The City of Knoxville or Knox County building official shall be notified of any appeals filed. Appeals are heard by Knoxville City Council or Knox County Board of Zoning Appeals.
- Deadline: The MPC application deadlines and notification procedures shall apply.

SECTION 4 – APPLICATION FEES

Shall be in accordance with the MPC schedule of fees.

ARTICLE II – NOTICES

SECTION 5 – NOTIFICATION BY MAIL

Existing Subsection D:

- D. For applications for wireless communication facilities level II review, methadone clinics or facilities, landfills, mining or mineral extraction, any commercial or industrial rezoning of more than 20 acres, and any use on review in the I or I-4 heavy industrial zoning districts, the notice described above shall be distributed to property owners within 500 feet of the parcel property that is the subject of the application.

Recommended New Subsection D:

- D. For applications for Level II Wireless Communication Facilities review and use on review approval for methadone clinics or facilities, landfills, mining or mineral extraction, any commercial or industrial rezoning of more than 20 acres, and any use on review in the I or I-4 heavy industrial zoning districts, the notice described above shall be distributed to property owners within 500 feet of the parcel property that is the subject of the application.