
Sec. 94-332. - Approval process.

- a. *Wireless communication permit level I and level II.* The approval of a level I or a level II wireless communication permit is subject to administrative review as provided in this section and shall be governed by the following process:
 1. The planning division shall review the application, and submitted documents for compliance with all requirements of this article, including the regulations for the applicable permit level and the criteria contained in section 94-333. The city may, at its discretion, obtain additional third party technical assistance to review and assess the technical merits of the documents.
 2. If the planning division determines that the application meets all of the requirements of this article, the city shall approve the application package and the applicant may proceed to request a building permit.
 3. If the planning division determines that additional information or documentation is necessary to complete the review in accordance with the requirements of this article, then the city shall provide written notification to the applicant as to the supplemental information or documentation requested for review. The applicant shall provide to the city any requested materials for review. This process shall continue until the city has sufficient information to approve or deny the application.
 4. If the planning division determines the application and documentation fails to meet the intent and requirements of this article, the city may deny the application. All such denials shall be in writing.
 5. Appeals from a decision made by the planning division shall be to the zoning board of appeals for area outside the downtown; to the downtown action committee for area within the downtown; and to the historic preservation board for locally or nationally designated properties.
- b. *Wireless communication permit level III and level IV.* The approval of a level III or level IV permit is subject to special use permit as identified in the table in section 94-323 and shall be governed by the following process:
 1. If the planning division determines that additional information or documentation is necessary to complete the review in accordance with the requirements of this article, then the city shall provide written notification to the applicant as to the supplemental information or documentation requested for review. The applicant shall provide to the city any requested materials for review. This process shall continue until the city has sufficient information for the review process.
 2. The application shall follow the process for the appropriate special use permit pursuant to section 94-36 of this Code.
 3. The application shall be reviewed for compliance with all requirements of this article, including the regulations for the applicable permit level, the criteria contained in section 94-333, and the standards for a special use permit contained in section 94-36 of this Code. The city may forward the submittal package to a third party consultant for review of the materials.
 4. The approving bodies, in determining whether a wireless communications facility is in harmony with the area or the effects and general compatibility of a wireless communications facility with adjacent properties, may consider the aesthetic effects of the tower as well as mitigating factors concerning aesthetics.
 5. The approving bodies may disapprove an application on the grounds that the wireless communications facility's aesthetic effects are unacceptable, or may condition approval on changes in tower height, design, style, buffers, or other features of the wireless communications facility or its surrounding area. Such changes in non-broadcast installations need not result in performance identical to that of the original application.

(Ord. No. 4549-15, § 2(94-342), 6-8-2015)