



AGENDA

Planning Commission

6:30 PM - Thursday, October 17, 2019

City Hall Council Chambers, Sammamish, WA

Page		Estimated Time
	CALL TO ORDER	6:30 pm
	ROLL CALL	
	APPROVAL OF AGENDA	
	APPROVAL OF THE MINUTES	
3 - 5	1. September 19, 2019 View Meeting Minutes	
	PUBLIC COMMENT - NON AGENDA <i>3 minutes per person / 5 minutes if representing an organization</i>	
	OLD BUSINESS	
6 - 47	2. Wireless Communication Facilities Code Rewrite View Agenda Item	
	PUBLIC COMMENT - AGENDA <i>7 minutes per person</i>	
	ADJOURNMENT	8:30 pm

Note: This is an opportunity for the public to address the Planning Commission. For non-agenda items, three (3) minutes are granted per person, or five (5) minutes if representing the official position of a recognized community organization. Seven (7) minutes are granted per person for agenda items.

If you are submitting written material, please supply 8 copies (7 for Planning

Commission; 1 for the record). If you would like to show a video or PowerPoint, it must be submitted or emailed by 5pm the day of the meeting to Jackie Montañana at JMontanana@sammamish.us. Please be aware that Planning Commission meetings are videotaped and available to the public.

The City of Sammamish Planning Commission is appointed and is the advisory board to the City Council on the preparation and amendment of land use plans and implementing ordinances such as zoning. Planning Commissioners are selected to represent all areas of the City and as many "walks of life" as possible. The actions of the Planning Commission are not final decisions; they are in the form of recommendations to City Council who must ultimately make the final decision.

THE COMMISSION MAY ADD OR TAKE ACTIONS ON ITEMS NOT LISTED ON THIS AGENDA.

Planning Commission meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request.

Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

Draft



MINUTES

Planning Commission

6:30 PM - September 19, 2019

City Hall Council Chambers, Sammamish, WA

Commissioners Present:

Chair Mark Baughman, Planning Commissioner, Position 6
Vice-Chair Eric Brooks, Planning Commissioner, Position 1
Larry Crandall, Planning Commissioner, Position 5
Josh Amato, Planning Commissioner, Position 4
Mark Lewis, Planning Commissioner, Position 3
Roisin O'Farrell, Planning Commissioner, Position 2
Rituja Indapure, Planning Commissioner, Position 7

Commissioners Absent:

Staff Present:

Interim Director of Community Development David Pyle
Planning Manager Kellye Hilde
Management Analyst Miryam Laytner
Office Assistant Jaclyn Montanana

CALL TO ORDER

Chair Baughman called the Sammamish Planning Commission meeting to order at 6:30 PM.

ROLL CALL

Roll was called.

APPROVAL OF AGENDA

Motion to approve the agenda for September 19, 2019 as distributed.

Motion carried with no objections.

APPROVAL OF THE MINUTES

Motion to approve the minutes for September 5, 2019 as distributed.

Motion carried with no objections.

PUBLIC COMMENT - NON AGENDA

Nancy Anderson - 26657 SE 31st St. Sammamish, WA 98075

Draft

Topic: General comments

Mary Wictor - 408 208th Ave NE Sammamish, WA 98074

Topic: GIS Layers

Paul Stickney - 22626 NE Inglewood Hill Rd Sammamish, WA 98074

Topic: Long term land use in Sammamish

NEW BUSINESS

Public Hearing and Deliberation - Site-Specific Land Use Map Amendment for Parcel 1241100042

David Pyle, Acting Director of the Department of Community Development, introduced the staff presentation.

Miryam Laytner, Senior Management Analyst, gave an informational presentation to the Planning Commission regarding the Site-Specific Land Use Map Amendment. Miryam was joined by Brittany Port, Land Use Planner for AHBL, and Michelle Brown, Senior Transportation Engineer from Heffron Transportation Inc.

Frank and Maureen Santoni, homeowners of Parcel 1241100042, gave a presentation regarding the Site-Specific Land Use Map Amendment.

Public Hearing opened.

Public Hearing resumed at 8:00pm after a 10 minute break.

Nancy Anderson - 26657 SE 31st St. Sammamish, WA 98075

Topic: Site-Specific Land Use Map Amendment

Karen Herring - 23684 SE 32nd St. Sammamish, WA 98075

Topic: Site-Specific Land Use Map Amendment

Mike Patterson - 23018 SE 8th St. Sammamish, WA 98074

Topic: Site-Specific Land Use Map Amendment

Donovan Albrecht - 22605 SE 4th St. Sammamish, WA 98075

Topic: Site-Specific Land Use Map Amendment

Scott Hamilton - 9721 NE Charisma Circle, Bainbridge Island, WA 98110

Topic: Site-Specific Land Use Map Amendment

Mary Wictor - 408 208th Ave NE Sammamish, WA 98074

Topic: Site-Specific Land Use Map Amendment

MOTION: Larry Crandall moved to extend the end time of the meeting from 8:30pm to 8:50 pm. Roisin O'Farrell seconded. Motion carried unanimously 7-0.

Kent Treen - 1825 East Lake Sammamish Parkway Sammamish, WA 98075

Topic: Site-Specific Land Use Map Amendment

Draft

Anne Pearson - 10800 Bellevue Way, Bellevue, WA 98004
Topic: Site-Specific Land Use Map Amendment

Patrick Arnesen - 23102 SE 8th St. Sammamish WA, 98074
Topic: Site-Specific Land Use Map Amendment

Paul Stickney 22626 NE Inglewood Hill Rd. Sammamish, WA 98074
Topic: Site-Specific Land Use Map Amendment

Public Hearing closed.

Roisin O'Farrell moved to recommend to City Council the approval of the application to change the future land use map as requested by the applicant.

No vote taken

MOTION: Larry Crandall moved to extend the end time of the meeting to 9:10pm. Chair Mark Baughman seconded. Motion carried unanimously 7-0.

MOTION: Mark Lewis moved to amend the recommendation to City Council to approve the application to change the future land use map from TC-E to TC-B instead of TC-E to TC-A as proposed by the applicant. Josh Amato seconded. Motion carried 4-3 with Larry Crandall, Roisin O'Farrell, and Rituja Indapure dissenting.

David Pyle, Acting Director of Department of Community Development, addressed a public comment submitted by Lake Washington School District.

MOTION: Larry Crandall moved to extend the end time of the meeting to 9:15pm. Motion carried unanimously 7-0.

MOTION: Chair Mark Baughman moved to recommend the City Council consider approving the request to change from TC-E to TC-B. Motion carried 5-2 with Larry Crandall and Rituja Indapure dissenting.

ADJOURNMENT

MOTION: Josh Amato moved to adjourn Vice-Chair Eric Brooks seconded. Motion carried unanimously 7-0.

Meeting adjourned at 9:15 PM.

Agenda Bill

Planning Commission Regular Meeting
 October 17, 2019



SUBJECT:	Wireless Communication Facilities Code Rewrite														
DATE SUBMITTED:	October 09, 2019														
DEPARTMENT:	Community Development														
NEEDED FROM COMMISSION:	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Direction <input checked="" type="checkbox"/> Informational														
RECOMMENDATION:	N/A														
EXHIBITS:	Exhibit 1 - Planning Commission WCF Draft Code 20191017														
BUDGET:	<table border="0"> <tr> <td>Total dollar amount</td> <td>N/A</td> <td><input type="checkbox"/></td> <td>Approved in budget</td> </tr> <tr> <td>Fund(s)</td> <td>N/A</td> <td><input type="checkbox"/></td> <td>Budget reallocation required</td> </tr> <tr> <td></td> <td></td> <td><input checked="" type="checkbox"/></td> <td>No budgetary impact</td> </tr> </table>			Total dollar amount	N/A	<input type="checkbox"/>	Approved in budget	Fund(s)	N/A	<input type="checkbox"/>	Budget reallocation required			<input checked="" type="checkbox"/>	No budgetary impact
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WORK PLAN FOCUS AREAS:	<table border="0"> <tr> <td><input type="checkbox"/> Transportation</td> <td><input type="checkbox"/> Community Safety</td> </tr> <tr> <td><input type="checkbox"/> Communication & Engagement</td> <td><input type="checkbox"/> Community Livability</td> </tr> <tr> <td><input checked="" type="checkbox"/> High Performing Government</td> <td><input type="checkbox"/> Culture & Recreation</td> </tr> <tr> <td><input type="checkbox"/> Environmental Health & Protection</td> <td><input type="checkbox"/> Financial Sustainability</td> </tr> </table>			<input type="checkbox"/> Transportation	<input type="checkbox"/> Community Safety	<input type="checkbox"/> Communication & Engagement	<input type="checkbox"/> Community Livability	<input checked="" type="checkbox"/> High Performing Government	<input type="checkbox"/> Culture & Recreation	<input type="checkbox"/> Environmental Health & Protection	<input type="checkbox"/> Financial Sustainability				
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NEEDED FROM COMMISSION:

Does the language in the proposed new Chapter 21A.56 SMC - Wireless Communication Facilities (WCF) adequately regulate siting criteria, design standards, permitting, and deployment of WCF throughout the city?

KEY FACTS AND INFORMATION SUMMARY:

Summary Statement

In response to changes in Federal requirements and in an effort to update the City's WCF rules to respond to industry changes, the Department of Community Development is proposing a new Chapter 21A.56 SMC to replace Chapter 21A.55 SMC which regulates the siting, design, and deployment of WCF throughout the city.

Background

In early 2019, the FCC passed a [declaratory ruling](#) which directs local jurisdictions to promote the adoption of fifth generation (5G) wireless services by expediting deployment of small cell networks nation-wide. The ruling limits the amount of time spent on reviewing a permit application and the fees collected. In addition, the ruling requires a cautious approach to regulating the telecommunication industry because if the regulations, permitting review timeline, fees, and design requirements limit the ability for small cell deployment, the jurisdiction may be viewed as “martially inhibiting” which could violate the FCC order.

The City’s existing WCF code does not address the FCC’s ruling and does not adequately address changes in the WCF industry since the last WCF code update. Staff propose repealing Chapter 21A.55 SMC and replacing it with Chapter 21A.56 SMC (Exhibit 1). Proposed Chapter 21A.56 SMC has been drafted by Staff in collaboration with the City Attorney and AHBL, a content consultant. The new code chapter has been designed to bring the city into compliance with the FCC ruling and modernize the code in response to changes in the industry. The new regulations include WCF design and aesthetic criteria, a restructured permit process, incentives for conformance to City standards, and points of public engagement. The proposed draft code also integrates changes resulting from staff’s experience in implementation of the current code.

Work Session

The purpose the October 17, 2019 work session is to review a formatted draft of Chapter 21A.56 SMC with a focus on the outcomes of the proposed WCF siting and design criteria and level of public engagement directed by the permit process for different types of WCF. Staff request Planning Commission feedback at this meeting specifically addressing the following questions:

- Do the proposed siting and design standards/criteria adequately address concerns regarding deployment of WCF’s?
- Is the proposed permit process and level of public engagement for different types of WCF appropriate?
- Is draft Chapter 21A.56 SMC ready for Public Hearing?

Next Steps

On December 12, 2019, the Commission is scheduled to hold a public hearing on the proposed WCF regulations. If the proposed WCF regulations are determined to be complete and adequately address the range of issues raised, Staff will ask for the Commission's recommendation to City Council and the topic will be scheduled for presentation to the City Council in first quarter of 2020.

FINANCIAL IMPACT:
N/A

OTHER ALTERNATIVES CONSIDERED:
N/A

RELATED CITY GOALS, POLICIES, AND MASTER PLANS:
Comprehensive Plan Goals and Policies

Goal UT.1 Ensure development and the maintenance of all utilities at levels of service adequate to accommodate existing and projected growth.

- Policy UT.1.2 Utilize franchise agreements with private utility providers and interlocal agreements with public utility providers as a means to protect and advance adopted City goals and policies.

Goal UT.2 Support coordination with service providers to minimize cost and service disruption.

- Policy UT.2.2 Promote co-location of new public and private utility distribution facilities above-ground and in underground shared trenches.

Goal UT.3 Encourage placement, siting and design of utilities to support community character and promote uninterrupted service.

- Policy UT.3.3 Minimize the visual impacts of telecommunications facilities and towers in the community.

Goal UT.4 Facilitate citywide utility services that are consistent, reliable, equitable, competitive, and financially sustainable.

- Policy UT.4.3 Support the provision of high-quality telecommunication services in both current and emergent technologies throughout the community.
- Policy UT.4.4 Coordinate with non-City-owned utilities to ensure that energy and telecommunications resources are available to support the proposed land use plan.
- Policy UT.4.5 Increase bandwidth of telecommunication services to enhance service to Sammamish residents.

**Chapter 21A.56
WIRELESS COMMUNICATION FACILITIES**

Sections:

- 21A.56.010 Purpose.
- 21A.56.020 Goals.
- 21A.56.030 Applicability.
- 21A.56.040 Conflict.
- 21A.56.050 Fees.
- 21A.56.060 Definitions.
- 21A.56.070 Permit – Exemptions.
- 21A.56.080 Permit – Required.
- 21A.56.090 Permit – Types and timelines.
- 21A.56.100 Third Party Review
- 21A.56.110 Siting criteria.
- 21A.56.120 Variances
- 21A.56.130 Design requirements.
- 21A.56.140 Installation, inspection, and maintenance.
- 21A.56.150 Interference.
- 21A.56.160 Appeals.

21A.56.010 Purpose.

The purpose of this chapter of the municipal code is to allow the deployment of wireless communication facilities (WCF) and provide WCF service to Sammamish residents while not compromising public health, safety, welfare and the visual and aesthetic beauty of Sammamish. This code is designed to serve as a local regulatory tool assisting service providers, citizens, and regulators in navigating the federally preemptive regulatory field of the WCF industry. This shall be done by:

- (1). Interpreting the code to protect the visual and natural environmental beauty of the City of Sammamish;
- (2). Facilitating fair and consistent design, siting, and deployment by providing a clear and predictable permit process for network providers and the community;
- (3). Utilizing design and concealment concepts consistent with and complementary of colors and textures found in the natural and built environment;
- (4). Protecting the use of the public right-of-way to ensure a safe driving and pedestrian environment consistent with the purpose of public right-of-way;
- (5). Providing an administrative review process to ensure that deployment of WCF's are evaluated and administered in a fair and timely manner in accordance with other City goals and policies;
- (6). Upholding the goals and policies of the Comprehensive Plan;

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- (7). Establishing clear regulations for the siting, design, maintenance and operation of wireless communication facilities (WCF's) consistent with State and Federal regulations;
- (8). Accommodating the growing need and demand for wireless communication services, and;
- (9). Meeting the requirements of Federal Communications Commission (FCC) rules.

21A.56.020 Goals.

The goals of this chapter are to:

- (1). Minimize visual, safety, aesthetic, and environmental impacts of WCFs on the community by establishing standards for location, structural integrity, and compatibility;
- (2). Encourage the location and collocation of wireless communications antenna on existing nonmunicipal structures;
- (3). Ensure that wireless facility antennae and supporting mechanical equipment are proportionate in scale and design to other elements of the built environment;
- (4). Ensure that equipment does not become a barrier or impediment to pedestrians and cyclists;
- (5). Provide an opportunity for residents and interested parties to provide comment on the proposed location and design of new towers and poles, when appropriate;
- (6). Minimize the impact to public purpose of the public rights-of-way. Wireless facility use by WCF providers or their subcontractors is not an exclusive or priority use within the public right-of-way; and
- (7). Ensure regulations are fair and accommodate the maximum number of users.

21A.56.030 Applicability.

No person shall place, construct, reconstruct or modify a WCF within the City without a permit, except as provided by this chapter. The Director or designee shall have authority to approve, condition or deny elements of a WCF as prescribed in the Sammamish municipal code

21A.56.040 Conflict.

When any provision of any other chapter of the Sammamish Municipal Code conflicts with this chapter or when the provisions of this chapter are in conflict, the Director shall apply the more restrictive process in terms of type of application, process and design criteria.

21A.56.050 Fees.

Fees shall be as established by the safe harbor provisions provided by the FCC or as amended. Any additional time or cost shall be billed on a per hour rate as established by adopted City of Sammamish fee schedule to cover staff time or required professional services to assist in review of an application.

21A.56.060 Definitions.

For the purpose of this chapter, the following terms are defined as follows:

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- (1). ASHTO: American Association of State of Highway Transportation Officials
- (2). Affidavit of mailing: A written statement of facts, sworn to and signed by a deponent before a notary public or some other authority having the power to witness an oath.
- (3). Amateur radio tower: A tower with antenna(s) which transmit and receive noncommercial communication signals and is defined as an amateur radio tower by the FCC. Guy wires for amateur radio antenna(s) are considered part of the structure for the purposes of meeting development standards.
- (4). Amenity Zone: The area that is 33% the width of a sidewalk measured from the edge of the curb back into the sidewalk and parallels the length of the sidewalk.
- (5). Antenna(s): Means an apparatus designed for the purpose of emitting radio frequencies (RF), to be operated or operating from a fixed location pursuant to Commission authorization for the provision of personal wireless service and any commingled information services. For purposes of this definition, the term "antenna" does not include an unintentional radiator, mobile station, or device authorized under 47 CFR Part 15.
- (6). Antenna equipment: Means base equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and, when collocated on a structure, is mounted or installed at the same time as such antenna.
- (7). Antenna facility: Means an antenna and associated antenna equipment.
- (8). Collocation: Means:
 - a. Mounting or installing an antenna facility on a preexisting structure; and/or
 - b. Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.
 - c. Provided, that, for purposes of eligible facilities requests, "collocation" means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.
- (9). Completely concealed facility: A WCF where: (A) the antennas, mounting apparatus, and any associated equipment are fully recessed/concealed from all sides with a structure that achieves or facilitates total integration with the existing building or structure; and (B) all cable is routed internally, encased in conduit, or completely screened from view; and (C) the associated equipment is completely within the building or structure, placed in an underground vault, or is within another element such as a bench, mail box, kiosk, etc. A "unified enclosure" providing concealment of both antennas and equipment within a single enclosure is included within this definition and is preferred.

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- (10). Decorative poles: Any pole that is uniquely found in a neighborhood in the City that adds to the aesthetic of the streetscape of that neighborhood or is specified in a City-adopted plan or regulation.
- (11). Director: Means Community Development Director or designee.
- (12). Eligible facilities request: Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:
 - (a). Collocation of new transmission equipment;
 - (b). Removal of transmission equipment; or
 - (c). Replacement of transmission equipment.
- (13). Equipment enclosures: Includes the wireless service provider's specific enclosure used to house transmission equipment other than antennas, usually located within and including cabinets, shelters, pedestals, or other similar enclosures used to contain electronic equipment for said purpose. This may include cabinets attached underground, adjacent to or on a pole.
- (14). FCC: Federal Communication Commission
- (15). Macro cell facility: A large wireless communication facility that provides radio frequency coverage served by a high-power cellular system. A macro cell provides primary radio coverage for cellular networks. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other support structures. Macro cell facilities typically cover larger geographic areas with relatively high capacity and are capable of hosting multiple wireless service providers.
- (16). Macro cell pole: A pole that is taller than 50 feet but no taller than 90 feet in height including antenna and equipment.
- (17). Micro cell pole: A pole that is no taller than 50 feet in height including antenna and equipment.
- (18). Network provider means:
 - a. A wireless service provider; or
 - b. A person or business that does not provide wireless services but builds, installs, or maintains facilities on behalf of a wireless service provider
- (19). Personal wireless services: Means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by Federal laws and regulations.
- (20). Poles: Utility poles, light poles or other types of poles, used primarily to support electrical wires, telephone wires, television cable, lighting, or guide posts; or are constructed for the sole purpose of supporting a WCF.

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- (21). Satellite dish antenna(s): A type of antenna(s) and supporting structure consisting of a solid, open mesh, or bar configured reflective surface used to receive and/or transmit radio frequency communication signals. Such an apparatus is typically in the shape of a shallow dish or cone.
- (22). Satellite dish, large: Any satellite dish antenna(s) whose diameter is greater than four (4) feet. (See Satellite dish antenna(s)).
- (23). Micro cell facility: Has the same meaning as defined in 47 CFR 1.6002.
- (24). Micro cell network: A collection of interrelated micro cell facilities designed to deliver personal wireless services.
- (25). Small satellite dish: Any satellite dish antenna(s) that has a diameter less than or equal to four (4) feet.
- (26). Structure height: Means a pole/tower shall be measured from the average existing grade of land prior to any cuts and fills or other disturbances associated with the proposed project to the highest point of the structure or roof. The average existing grade shall be determined by first delineating the smallest square or rectangle that can enclose the structure/pole or building and then averaging the existing grade elevations taken at the midpoint of each side of the square or rectangle;
- (27). Structure mounted facility: A wireless communication facility, including any mounting apparatus that is mounted on the roof or façade or other element of the structure or building. The term does not encompass a tower or any equipment serving with a tower or a utility pole, light pole, traffic signal pole or miscellaneous pole.
- (28). Support structure: Means a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or commingled with other types of services).
- (29). Technically feasible: Means capable of being accomplished based on existing technology compatible with an applicant's existing network.
- (30). Temporary wireless communication facility: Facilities that are composed of antennas and a mast mounted on a truck (also known as a cell on wheels, or "COW"), antennas mounted on sleds or rooftops, or ballast mount temporary poles. These facilities are for a limited period of time, are not deployed in a permanent manner, and do not have a permanent foundation. These facilities are for:
 - a. The reconstruction of a permanent WCF and limited to a duration of twelve (12) months from the date of approval unless an extension is requested at least thirty (30) days prior to the expiration date; or
 - b. Large scale community events are limited to the duration of the event, plus ten (10) days prior to the event and ten (10) days after; or

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- c. Emergency communications equipment in anticipation of and during a declared public emergency or emergency exercise as declared by Emergency Management.
- (31). Tower: Any structure built for the sole or primary purpose of supporting any antennas and their associated facilities, including structures that are constructed for wireless communications services, including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services such as microwave backhaul, and the associated site.
- (32). Transmission equipment: Equipment that facilitates transmission for wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and back-up power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- (33). Utility support structure: Street or pedestrian light standards, guy poles, traffic signal standards, and poles or towers supporting electrical, telephone, cable or other similar facilities.
- (34). Wireless communication facility (WCF): Any unstaffed facility for the transmission and/or reception of radio frequency (RF) signals through electromagnetic energy usually consisting of an equipment shelter or cabinet, a support tower or other structures used to achieve the necessary elevation, and the transmission and reception devices or antenna.
- (35). Wireless Service Provider: A wireless service provider (WSP) is a company that offers transmission services to users of wireless devices (i.e. handheld computers and telephones) through radio frequency (RF) signals rather than through end-to-end wire communication.

21A.56.070 Permit – Exemptions.

Certain wireless communication facilities are exempt from land use review; however, prior to deployment or construction they shall obtain a letter of exemption from the City when the following requirements are met. Provisions of this section do not preclude requirements for building, electrical, or right-of-way permit.

- (1). New or existing Micro Cell Facilities within the Public Right-of-Way and not connected or located on City of Sammamish existing utility or light poles in Right of Way are exempt from land use permit; however, a right-of-way use permit, franchise agreement, building permit, electrical permit and/or SEPA compliance may be required. The provider/applicant will need to obtain a letter of exemption from the City prior to installation/construction. An exemption for Micro cell Facilities must meet all of the applicable criteria set forth below:
 - (a). A franchise agreement with the City of Sammamish has been obtained; and
 - (b). Micro Cell Facilities shall not be located on a city-owned light pole, traffic light, on parks property, or on any City-owned asset located on public property; and

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- (c). The Micro Cell Facility shall be attached to an existing or replacement support structure. Such structure may be removed and replaced with a new support structure so long as the replacement structure meets design requirements within SMC 21A.56.130(J) design standards document, and is located within 10 feet of the existing structure (measured from the center point of the existing structure to the center point of the replacement structure); and
 - (d). The project is compliant with 21A.56.110(3) Micro Cell Location Criteria and if compliant with all other aspects of design and location criteria, exempt from complying with 21A.56.110(4); and
 - (e). The proposal is compliant with 21A.56.130 Design Criteria
 - (f). An application or a set of batched application(s) containing a request for a variance shall not be eligible to be exempt under this section; and
 - (g). An application or batched application connecting to Home Owners Association (HOA) owned poles shall submit with the application(s) a signed affidavit of approval from the HOA authorizing connection to the HOA poles/structures. The signed affidavit must be signed by the authorizing agent of the HOA.
- (2). Eligible Facilities Request. An eligible facility request meeting the definition of an “eligible facilities request” pursuant to Section 6409(a) of the Middle-Class Tax Relief and Job Creation Act of 2012 and 47 CFR 1.6100 shall be permitted upon the issuance of a wireless exemption letter prior to deployment or construction. An application for an eligible facilities request shall provide information as required by the Director. For the purpose of reviewing an eligible facilities request, the definitions and procedures of 47 CFR 1. 1.6100 shall control and supersede any contrary definitions or procedures of this chapter.
 - (3). VHF and UHF Receive-Only Television Antenna(s). VHF and UHF receive-only antenna(s) shall not be required to obtain land use permit. Exempt VHF/UHF antenna(s) shall be restricted to a height limit of no more than ten (10) feet above the existing or proposed roof.
 - (4). Small Satellite Dish Antenna(s). Small dish antenna(s) in all zones shall be exempt from obtaining land use permit approval in accordance with the Federal Telecommunications Act. Installation must comply with any applicable provisions of the City building code.
 - (5). Temporary WCF for emergency communications equipment in anticipation of and during a declared public emergency or emergency exercise, and any other temporary WCF not operating for a duration of more than 30 days. Temporary WCF operating more than 30 days must be permitted pursuant to a Type 1 procedure.

21A.56.080 Permit – Required.

- (1). Unless exempted under SMC 21A.56.070, SMC 16.20, or SMC 14A.30, no WCF shall hereafter be erected, re-erected, constructed, or altered except as provided by this chapter and a land use, building permit, electrical permit, and/or right-of-way permit for the same has been issued by the City.
- (2). Separate permits shall be required for each individual WCF installation, except as allowed consistent with SMC 21A.56.090(7).
- (3). Franchise agreement are required for all WCF and/or equipment in the right of way.
- (4). A Type C right-of-way utility permit is required for WCF located in the public rights-of-way in accordance with SMC 14A.30.050. The City Engineer or designee may process ROW permit applications for WCF permits concurrently with an application for a franchise, but any such permit will be conditioned on approval of the franchise by the City Council prior to construction or deployment of the WCF.
- (5). If a network provider desires to make a modification to an existing, permitted wireless facility, including but not limited to expanding or changing the antenna type, increasing the equipment enclosure, placing additional pole mounted or ground mounted equipment, or modifying the concealment elements, prior to deployment or construction of the modification the network provider shall apply for a permit under this chapter, unless the modification qualifies as an eligible facilities request, in which case an exemption letter is required pursuant to 21A.56.070(2) .
- (6). All applications shall be submitted using the City’s published submittal requirements. The submittal requirements are available on the City’s webpage; or from the City’s Permit Center.

21A.56.090 Permit – Types and timelines.

- (1). Unless exempted under SMC 21A.56.070, all WCF deployments, installations, and alterations require a land use permit.
- (2). Type 1 decisions are made by the Director. Type 1 decisions are non-appealable administrative decisions that require the exercise of little or no administrative discretion. For Type 1 decisions for which the department has issued a SEPA threshold determination, the issuance of any subsequent permits shall not occur until any allowed administrative appeal of the SEPA threshold determination is decided.
- (3). Type 2 decisions are made by the Director. Type 2 decisions are discretionary decisions, based on code, subject to judicial appeal in accordance with applicable provisions of 21A.56.160 in accordance with SMC 20.15.
- (4). The type of permit required is based on the following table:

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Table A: Types of Facilities and Required Permits

WCF Type	Structure	Land Use Permit Required	Shot Clock
UHF/VHF antenna higher than 10' above roofline	Building	Type 1	N/A
Large satellite dish antenna	Building or ground mounted	Type 1	N/A
Amateur radio towers	Building or ground mounted	Type 1	N/A
Temporary wireless communication facility not covered by SMC 21A.56.060(1)(5)	Varies	Type 1	N/A
New macro cell facilities	New tower or structure mounted – for structure, shall meet underlying zone height restriction	Type 2	150 days
New macro cell facility	Existing structure	Type 2	90 days
New micro cell facility	Existing pole/structure	Type 1 ²	60 days
New micro cell facility	Replacement pole ¹	Type 1 ²	90 days
New micro cell facility	New pole or tower/structure	Type 1	90 days
Completely concealed WCF (both macro and micro cell)	Structure mounted -shall meet underlying zone height restriction	Type 1 ³	Macro 150 days Micro 90 days
Collocation of new antennas; new ground mounted equipment enclosures on previously approved structures	Existing structure, pole or tower	Type 1	Macro 90 days Micro 60 days
Eligible Facility Request	Existing	Exempt	60 days
Right of Way Permit – Type C	NA	NA	30 days

1. An existing pole may be removed and replaced with a new utility support structure so long as the design requirements of SMC 21A.56.130 (8)(9) design standards are met, and is located within 10 feet of the existing structure (measured from the center point of the existing structure to the center point of the replacement structure)
2. Except as exempted by SMC 21A.56.070.

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3. May require an amendment to the land use permit for the building (determined at encouraged pre-application meeting).

(5). In the case where a WCF does not fall into one of the above categories, a Type 2 process shall be required

(a). All wireless communications facilities authorizations and permits are subject to the Federal review timelines (“shot clocks”) as described in 47 CFR Section 1.6001 et seq.

(b). The permit application review period begins to run when application materials have been submitted and payment has been received. The clock shall stop should the City determine that the application is materially incomplete and, within the applicable FCC time period (10 or 30 days) provides notice to the network provider with clear and specific identification of the missing documents or information and the specific rule or regulation creating the obligation to submit such documents or information. The clock for the application review period may also be stopped by mutual agreement of the designated official and network provider. The shot clock for micro cell facilities restarts at zero (0) when the City is in receipt of network provider’s supplemental submission in response to the City’s initial notice of incompleteness. The review period may be tolled upon an additional determination of incompleteness if the City provides its request for supplemental information within ten (10) calendar days and specifically identifies the information the applicant failed to supply in response to its initial request.

(6). Notification Requirements:

(a). Type 1: The network provider shall provide written notification of proposed pole mounted or aboveground installation of equipment to all immediately adjacent/adjointing property owners. Adjacent is inclusive of a pole in the right of way but in front of a property or splitting a property line.

(b). Type 2: The network provider shall provide written notification of any proposed aboveground installation to all owners of property within 1,000 feet of the proposed location as part of the permit submittal.

Required notification shall be made by the network provider in advance of submittal of permit applications to the City. To be considered complete, the notification distributed by the network provider shall meet the following requirements and shall be documented as part of the permit application submitted by the applicant:

(a). The notice shall include a description of the proposed installation, including the proposed dimensions, design, color, type of facility, and proposed location. In lieu of providing all of this information as part of the notice, the applicant may produce a webpage containing this information and direct residents to its location.

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- (b). A rendering of the proposed facility shall be included in the notification.
 - (c). The network provider shall provide the City with a distribution list of property owners, a map of properties receiving notification, a copy of the materials distributed, and an affidavit of mailing.
- (7). Batch Permits/Consolidated Permit:
- (a). A single permit may be used for multiple micro cell facilities. Per FCC guidelines, batch applications for multiple micro cell facilities on existing and new structures must be reviewed within 90 days. If the sites within the consolidated permit have differing review timelines, the longer timeline will apply to review of the consolidated grouping of sites.
 - (b). A network provider may elect to apply for a land use permit and a building/electrical permit as a consolidated application. The network provider acknowledges the building permit submittal is an at-risk permit and is dependent upon receiving and approving the land use permit.
 - (c). The City may approve or deny individual wireless facilities in a batched application.
- (8). Per SMC 20.15.040, the City of Sammamish adopts the SEPA categorical exemptions in WAC 197-11-800 (25) for wireless communication facilities. Those WCFs that are not categorically exempt are subject to SEPA environmental review concurrent with the underlying permit.
- (9). A pre-application meeting is encouraged prior to applying for a WCF. The purpose of the pre-application meeting is to discuss the nature of the proposed deployment, review process and schedule, and applicable plans, policies and regulations. If a provider selects a pre-application meeting, the provider agrees to waive the pre-application meeting as part of the shot clock. If the provider does not agree to waive the shot clock as part of the pre-application, then a pre-application meeting is not offered.

21A.56.100 Third party review

If technical documentation is required to demonstrate feasibility or inability to meet the siting hierarchy, any aspects of the technical requirements of this code, or when a variance from this code is requested, the City shall retain a third-party qualified consultant at the applicant's expense to review the supporting documentation for content and accuracy. Expenses related to required third party review shall be billed to the permit applicant or network provider as part of the permit review process. Permit shall not be issued until all permit processing costs incurred and billed have been paid.

21A.56.110 Siting criteria.

- (1) Macro Cell locations: These guidelines encourage applicants to consider existing poles and

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other potential support structures prior to installing any new poles to reduce congestion in the public right-of-way. All applicable design, construction, and location standards will be considered when reviewing applications for new micro cell facilities installed on existing poles or other potential wireless support structures in the public right-of-way.

- (a). The centerline of any new pole must be aligned with the centerlines of existing poles on the same sidewalk or street segment. Alternate locations will be considered where there is conflict with overhead utility lines and facilities.
 - (b). New poles in the right-of-way shall only be permitted with a valid City franchise agreement, whether installed by network provider or a third party on behalf of a network provider.
 - (c). All new facilities and/or equipment and other related improvements must be setback at least 100 feet from public street intersections per ASHTO. The location of new facilities and/or equipment shall not obstruct motorists' sightlines or pedestrian access.
 - (d). For a non-city owned structure in the public right-of-way onto which an applicant or network provider proposes to attach a macro cell facility, if the owner of the structure requires more restrictive standards than those in this plan, the more restrictive standards shall apply. If any portion of the privately-owned structure is on private property, prior to installation the applicant must first obtain all applicable zoning and building/electrical permits prior to submittal.
 - (e). Wireless Communication Facilities in the City's Shoreline Jurisdiction or Critical Areas are subject to review as provided in Title 25 SMC, Shoreline Management, Chapter 21A.50 SMC, Environmentally Critical Areas, and Chapter 20.15 SMC State Environmental Policy Act Procedures, as applicable.
 - (f). Macro cell facilities are prohibited on city-owned structures. Macro Cell facilities shall not be permitted on city-owned structures through a variance request.
 - (g). New poles shall not be located in any zoning setback area on private and public property, as established for each zoning designation in SMC 21A.25. This shall not apply to new poles in the Right-of-Way.
- (2) Macro Cell Location Criteria: Macro cells shall be allowed in accordance with location criteria established in Table B below. Tier 1 criteria must be met for all WCF. Tier 2 locations may only be considered if the network provider demonstrates that a Tier 1 location is not feasible in accordance with feasibility criteria established in items a through e below.

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Table B: Macro Cell Facilities

Tier 1	Tier 2	Variance
<ul style="list-style-type: none"> • Collocate with existing WCF • NB, CB, O and TC-A through TC-E zoned property • Building or structure mounted • Within public right-of-way on an existing or replacement support structure exclusive of any ROW in R zones 	<ul style="list-style-type: none"> • R-12 and R-18 zoned property • Within public right-of-way on a new tower • R-1 through R-8 zoned property improved with non-residential (e.g. churches, schools, etc.) 	<ul style="list-style-type: none"> • R-1 through R-8 zoned property • Other locations not listed in Tier 1 or Tier 2

- (a). For collocation with existing WCF, the network provider must provide the designated official with documentation that establishes that it contacted the owner of each facility that currently houses a macro cell facility located within one thousand (1,000) feet of the proposed location and that owner has denied the network provider’s request to collocate. If the request was granted but the network provider contends it still cannot locate at that location for other reasons, the network provider must provide the designated official with a detailed explanation of why the collocation is not technical feasible, subject to third party review.
- (b). For non-residential zones, the network provider must provide the designated official with documentation that establishes that it considered locations within those nonresidential zones located within one thousand (1,000) feet of the proposed location. This documentation must be completed and certified by a communications engineer outlining the reasons which must be technical in nature why such locations within nonresidential zones are unfeasible, subject to third party review.
- (c). For building or structure mounted WCF, the network provider must provide the designated official with documentation that establishes that it contacted the owner of each (nonresidential) structure located within one thousand (1,000) feet of the proposed location which is sufficient height to accommodate a macro cell facility and that structure owner denied the network provider’s request to place its facilities on that structure. If the request was granted but the network provider contends it still cannot locate at that location for other reasons, the network provider must provide the designated official with a detailed explanation of those reasons which must be technical in nature, subject to third party review.

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- (d). For existing or replacement support structures within the public right-of-way, the network provider or designee must provide the designated official with documentation that establishes that it contacted the owner of each existing pole (non-City-owned) within one thousand (1000) feet of the proposed location and that pole owner denied the network provider's request to place its facilities on that pole. If the request was granted by the pole owner but the network provider believes it cannot locate at that location for other reasons, the network provider must provide the designated official with a detailed explanation of those reasons which must be technical in nature, subject to third party review.
 - (e). For new poles, the network provider must provide the designated official with a wireless-only pole design that meets the design criteria contained within SMC 21A.56.130 (16) and any adopted public works standard design guidelines if pole is in the right-of-way.
- (3) Micro Cell Locations: These guidelines encourage applicants to consider existing poles and other potential support structures prior to installing any new poles to reduce congestion in the public right-of-way. All applicable design, construction, and location standards will be considered when reviewing applications for new micro cell facilities installed on existing poles or other potential wireless support structures in the public right-of-way.
- (a). These guidelines encourage applicants to consider existing poles and other potential support structures prior to installing any new poles to reduce congestion in the public right-of-way. All applicable design, construction, and location standards will be considered when reviewing applications for new micro cell facilities installed on existing poles or other potential wireless support structures in the public right-of-way.
 - (b). The centerline of any new pole must be aligned with the centerlines of existing poles on the same sidewalk or street segment. Alternate locations will be considered where there is conflict with overhead utility lines and facilities.
 - (c). New poles in the right-of-way shall only be permitted with a valid City franchise agreement.
 - (d). All new facilities and/or equipment and other related improvements must be setback at least 100 feet from public street intersections. The location cannot obstruct motorists' sightlines or pedestrian access.
 - (e). For a non-city owned structure in the public right-of-way onto which an applicant

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proposes to attach a micro cell facility, if the owner of the structure requires more restrictive standards than those in this plan, the more restrictive standards shall apply. If any portion of the privately-owned structure is on private property, the applicant must first obtain all applicable zoning and building permits prior to submittal.

- (f). Wireless Communication Facilities in the City's Shoreline Jurisdiction or Critical Areas are subject to review as provided in Title 25 SMC, Shoreline Management, Chapter 21A.50 SMC, Environmentally Critical Areas, and State Environmental Policy Act Procedures, as applicable.
 - (g). A micro cell facility is prohibited on a city-owned poles or facilities and is not subject to a variance request.
- (4) Located in Setbacks: New poles shall not be located in any zoning setback area on private and public property, as established for each zoning designation in SMC 21A.25. This shall not apply to new poles in the Right-of-Way.
 - (5) Micro Cell Location Criteria: Unless exempted by SMC 21A.56.070, the network provider shall consider the established preferences and shall comply with the "Tier 1" criteria, if possible. The locations in Table C are not listed in any preferred order. "Tier 2" locations may only be considered if the network provider demonstrates that a "Tier 1" location is not possible according to the following criteria (all are subject to Third Party Review):

Table C: (Micro) Micro Cell Facilities

Tier 1	Tier 2	Variance
<ul style="list-style-type: none"> • Collocated with existing WCF • Within public right-of-way on an existing or replacement support structure (not otherwise exempt) • Building or structure mounted • NB, CB, O and TC-A through TC-E zoned property, exclusive of public right-of-way • New poles within public right-of-way 	<ul style="list-style-type: none"> • R-12 and R-18 zoned property • R-1 through R-8 zoned property improved with non-residential, legally conforming uses (e.g., churches, schools, etc.) 	<ul style="list-style-type: none"> • R-1 through R-8 zoned property, except for non-residential, legally conforming uses in residential zones (e.g. churches, schools, etc.) • Other locations not listed in Tier 1 or Tier 2

- (a). Collocate with Existing WCF: Network provider must provide the designated official with documentation that establishes that it contacted the owner of each facility that currently houses a WCF located within one thousand (1000) feet of the proposed location and that owner has denied the network provider’s request to collocate. If the request was granted but the network provider contends it still cannot locate at that location for other reasons, the network provider must provide the designated official with a detailed explanation of those reasons, subject to third party review.
- (b). NB, CB, O and TC-A through TC-E Zoned Property: Network provider must provide the designated official with documentation that establishes that it considered all properties within nonresidential zones within one thousand (1000) feet of the proposed location. This documentation must outline the reasons why such nonresidential properties are infeasible, subject to third party review.
- (c). Building or Structure Mounted: Network provider must provide the designated official with documentation that establishes that it contacted the owner of each building or structure (except buildings or structures listed as discouraged or prohibited) located within one thousand (1000) feet of the proposed location and that structure owner denied the network provider’s request to place its facilities on that structure. If the request was granted by the structure owner but the network provider contends it cannot locate at that location for other reasons, the network provider must provide the designated official with a detailed

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explanation of those reasons which must be technical in nature, subject to third party review.

- (d). Existing or Replacement Poles within Public Rights-of-Way (not otherwise exempt): Network provider must provide the designated official with documentation that establishes that it contacted the owner of each existing pole (non-City-owned) within one thousand (1000) feet of the proposed location and that pole owner denied the network provider's request to place its facilities on that pole. If the request was granted by the pole owner but the network provider contends it cannot locate at that location for other reasons, the network provider must provide the designated official with a detailed explanation of those reasons which must be technical in nature, subject to third party review.
- (e). New Poles: Network provider must provide the designated official with a wireless-only pole design that meets the design criteria contained within SMC 21A.56.130(9) and any adopted public works standard design guidelines, subject to third party review.

21A.56.120 Variances

A WCF variance is categorized as a Type 2 land use application and shall be subject to the criteria 21A.56.120(a-d) only Variances from the terms of this chapter may be granted by the Director when, because of unique circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict interpretation of the regulations of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications. A variance application shall be submitted with the initial application(s) for WCF and failure to do so will deem the application incomplete. Notice of a variance application shall be consistent with Type 2 noticing requirements.

- (1). A variance from the siting criteria in 21A.56.110 may be granted by the Director if the applicant demonstrates the following:
 - (a). Demonstrate, through submitted technical analysis, that a Tier 1 or Tier 2 will not meet network objectives;
 - (b). Demonstrate that collocation on a nearby facility will not meet network objectives;
 - (c). Provide documentation that all other options under Tier 1 and Tier 2 were exhausted without ability to site facility/array while meeting network objectives;
 - (d). Documentation and or demonstration may require submission of technical analysis to support the variance request.
- (2). When a variance is needed, the variance application must be submitted at the time of the primary WCF application in order to be considered a complete application.
- (3). Notice of the variance application shall be provided by the department within 14 days following the department's determination that the application is complete. A public comment period of at

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least 14 days shall be provided, except as otherwise provided in Chapter 90.58 RCW. The remaining procedures for a variance from this chapter shall comply with SMC 20.05.060.

- (4). The variance request and supporting documentation provided by the applicant shall be confirmed by the City's on-call third party consultant.

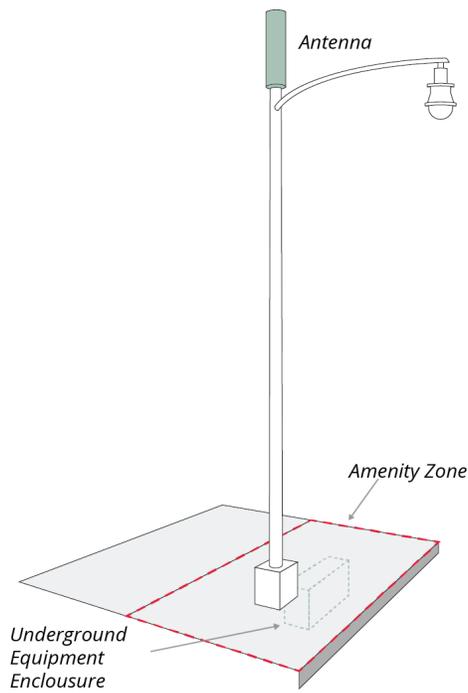
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21A.56.130 Design Requirements:

Micro Cell: The following illustrations are of micro cell deployments on pole deployments. All drawings are for illustrative purposes only. The narrative within the design standards shall apply and control.

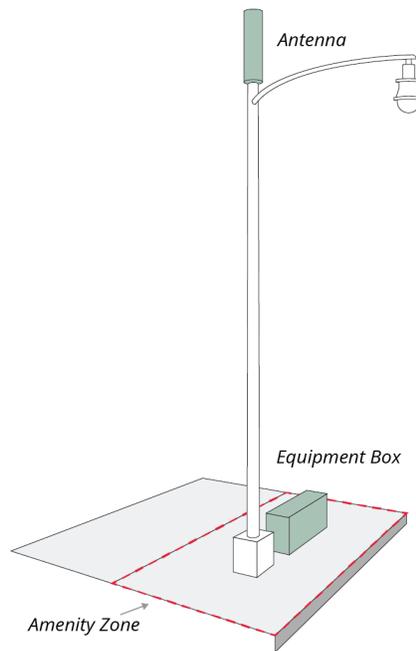
1. Small Cell on Street Light – Equipment Underground (Acceptable)



- a. Equipment is required to be within an environmentally controlled underground vault. Increased costs shall be presumed to be an insufficient reason.

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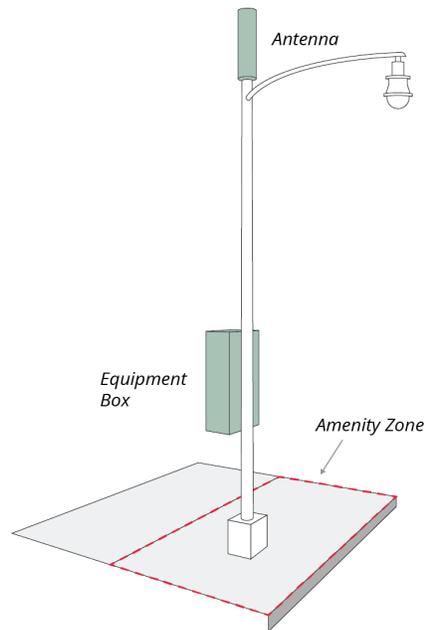
2. Small Cell on Street Light – Ground Mounted Equipment (Acceptable only if unable to underground)



- (a). Unless required to be within an environmentally controlled underground vault, ground mounted equipment is required unless the applicant shows clear and convincing evidence that the equipment must be pole-mounted. Increased costs alone shall be presumed to be an insufficient reason.
- (b). Ground mounted equipment shall incorporate concealment elements into the proposed design. Ground-mounted equipment must be concealed within a single shroud or cabinet and must contain all the equipment associated with the facility other than the antenna including but limited to, the electric meter and disconnect switch. All cables and conduits associated with the equipment must be concealed from view and be underground between the pole and the ground mounted cabinet. Cabinets should be placed as far as from the public street as possible and ideally behind existing fences.

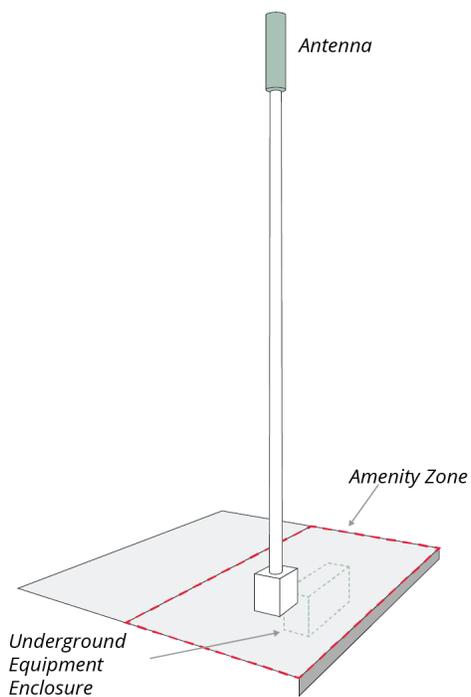
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3. Small Cell on Street Light – Equipment on Pole (Acceptable ONLY if underground or above ground is technically unfeasible – excludes fully contained pole mount)



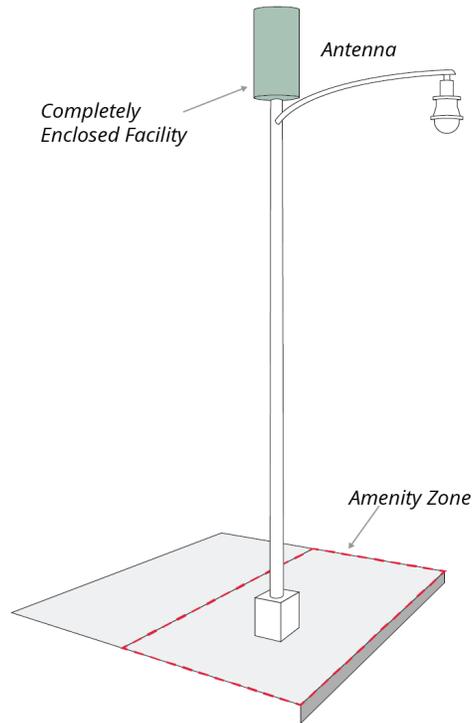
- (a). All pole mounted equipment must be installed as flush to the pole as possible, using stainless steel banding straps. Through-bolting or use of lag bolts is prohibited. All pole mounted equipment shall be located as close together as possible and on the same side of the pole. In no case shall equipment or conduit be more than 4 inches from a pole.
- (b). Pole mounted equipment is strongly discouraged. However, many poles are owned by Home Owners Associations and each may prefer different connections. Given this, when pole-mounted equipment is either permitted or required by an HOA, the equipment must be concealed within a single shroud or cabinet and must contain all the equipment associated with the facility other than the antenna including but limited to, the electric meter and disconnect switch. All cables and conduits associated with the equipment must be concealed from view, routed directly through the tapered metal pole and be underground between the pole and the ground mounted cabinet. Wood poles must use conduit to conceal cables and wires from view.

4. Monopole Design



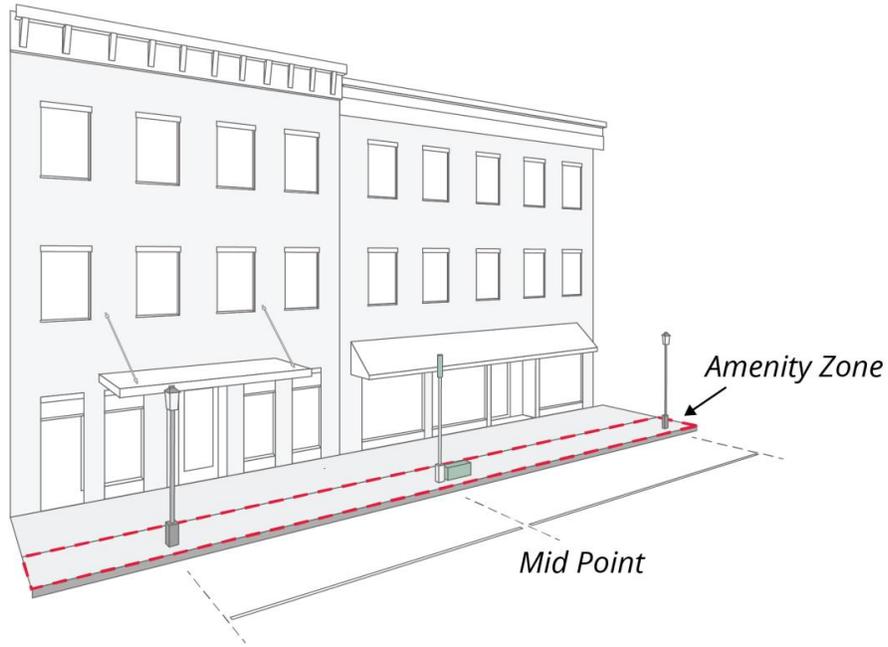
(a). Monopole may only be used if no attachment is feasible to an existing utility/light pole

5. Completely Concealed Facility



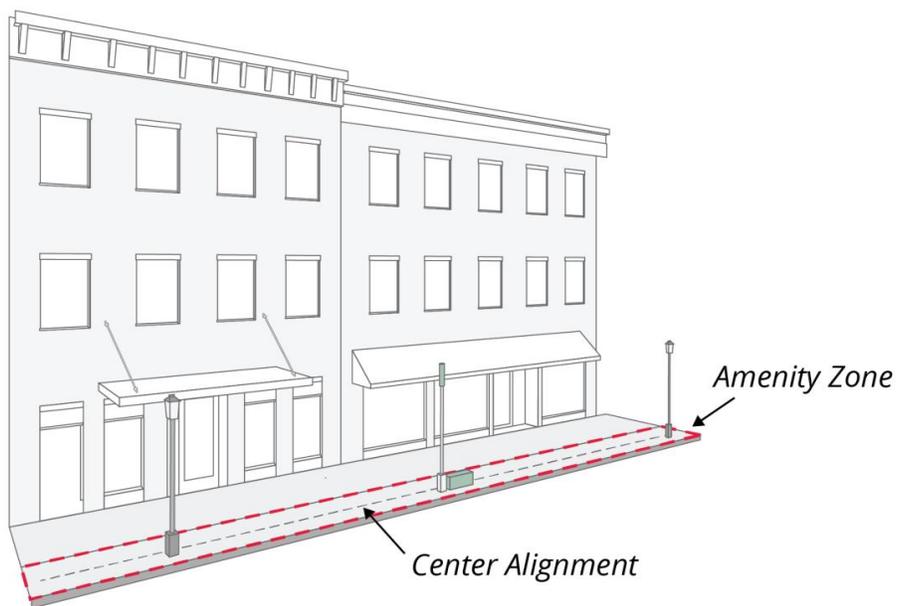
(a). All equipment and antenna are encased atop tower, streetlight, or monopole.

6. Monopole Between Street Lights



- (a). A new or replaced mono pole shall be placed equidistance between light standard if the placement location contains more than one light standard in the deployment block/location

7. Pole Alignment in Amenity Zone



8. General Micro Cell Standards

- (a). All small cell facilities and wireless support structures shall conform/meet the location standards as found in Section 21A.56.110 of the Sammamish Municipal Code.
- (b). The general design criteria for small cell/micro facilities are depicted in graphics and narrative of illustrations A-F of this design publication.
- (c). New small cell facilities shall be placed on existing support structures in order to minimize the number of poles within the right-of-way. New poles can only be constructed when the applicant can demonstrate with clear and convincing evidence (verified by the City technical consultant) that using an existing structure is not technically feasible or not available.
- (d). Placement of small cell pole shall be a minimum of 600 feet apart and at least 100 feet from another provider to minimize the hazard of multiple poles adjacent to the roadway unless the applicant can demonstrate with clear and convincing evidence that it is not technologically feasible. Placement of small cell facilities may be closer subject to variance approval.
- (e). All new facilities and/or equipment and other related improvements must be placed within the amenity zone. (See Amenity Zone Figure)
- (f). All new facilities and/or equipment and other related improvements must be setback at least 100 feet from public street intersections. The location cannot obstruct motorists' sightlines or pedestrian access.
- (g). In residential zoning districts, small cell facilities shall be located where the shared property line between two residential parcels intersects the public right-of-way, unless such location would prohibit or have the effect of prohibiting the operator's wireless service in the area.
- (h). Any and all attachments to an HOA owned utility/light pole shall require a signed affidavit form the HOA authorizing provider use of the HOA poles. This is required at the time of application.

9. Micro Cell Tower and Pole Design

- (a). Be integrated through location and design to blend in with the existing characteristics of the site.
- (b). Preserve existing on-site vegetation and minimize disturbance of the existing topography, unless such disturbance would result in less visual impact of the site to the surrounding area.
- (c). Be designed and placed on the site in a manner that takes the maximum advantage of existing trees, mature vegetation, and structures as to use existing site features to screen as much of the total facility as possible, and/or use existing site features as a background so that the facility blends into the background with increased sight distances. Setbacks from property lines shall be maximized where practical.
- (d). Towers shall be painted in a color that best allows them to blend into the surroundings. The use of powder-coat black, grays, blues, greens and browns are appropriate; however, each case will be evaluated individually and approved by the designated official. No Poles shall be unfished or unpainted unless all-natural wood material pole. Below are examples of colors that are preferred by the City. The paints are samples from exiting poles in the City. If there are existing poles in the city that does not have a paint sample shown below, the paint applied shall match as close as possible to the existing poles in the deployment area. All paints shall be powder coated paint application



Gray



Green



Tan/Brown



Black

- (e). New towers shall not exceed 50 feet in height. Replacement towers and collocation on an existing tower shall not increase the height of the existing structure by more than ten percent or twenty feet, whichever is greater.
- (f). Designed to allow for collocation except for 5G.
- (g). Designed to allow conduit and cabling to be internal to the pole, as feasible.
- (h). Cannot be located on City-owned property with City review and lease.
- (i). No tower shall be over 50 feet.

10. Micro Cell Antenna Design Standards

- (a). Antenna are prohibited on City owned poles and facilities.
- (b). Antennas associated with installation on existing or replaced wireless support structures must be located within the amenity zone and have concealed cable connections, antenna mount, and other hardware.
- (c). The maximum dimensions for panel style antennas shall be 30" high and 12" wide. The maximum dimensions for canister style antennas shall be 30" high and 16" in diameter.
- (d). Antennas that overhang the roadway or sidewalks are not allowed due to concerns for public safety.
- (e). Shall not be located within front or side yard building setback areas. Shall be located outside of any required landscaped area and preferably located in service areas or other less visible locations.
- (f). Mountings and satellite dishes shall be no taller than the minimum required for obtaining an obstruction-free reception window.
- (g). Construction plans and final construction of the mounting bases of all large satellite dish antenna(s) shall be approved as part of the permit issuance.
- (h). Where an antenna is to be mounted on a structure, flush-mounted antennas must be used where feasible. Where flush-mounted antennas cannot be used, the combined antenna(s) and all associated equipment and required screening shall not extend more than fifteen (15) feet above the existing or proposed top of roof line or top of structure.
- (i). Antenna and related equipment shall be placed and treated to present the least possible visual impact to the public. Treatments shall include: equipment enclosure; location of antenna and radio box on the pole; painting to match the pole; or any combination of these measures.
- (j). To the extent technical feasible, antennas shall be flush mounted within six inches of the support structure or contained in a canister has a diameter no more than 30% larger than the diameter of the support structure, and the antennas shall be painted or colored to match or be compatible with the support structure. Painting of the antenna shall not apply to a 5G antenna.
- (k). A full contained package containing antenna and all equipment mounted on a pole (existing or new) shall measure no more than 40 inches high and 15 inches wide by 15 inches deep.

11. Micro Cell Cabinet, Shroud, Meter, and Similar Equipment Design Standards

- (a). All pole mounted equipment must be installed as flush to the pole as possible, using stainless steel banding straps. Through-bolting or use of lag bolts is prohibited. All pole mounted equipment shall be located as close together as possible and on the same side of the pole. In no case shall equipment or conduit be more than 4 inches from a pole.
- (b). Pole mounted equipment is strongly discouraged. However, many poles are owned by Home Owners Associations and each may prefer different connections. Given this, when pole-mounted equipment is either permitted or required, the equipment must be concealed within a single shroud or cabinet and must contain all the equipment associated with the facility other than the antenna including but limited to, the electric meter and disconnect switch. All cables and conduits associated with the equipment must be concealed from view, routed directly through the tapered metal pole and be underground between the pole and the ground mounted cabinet. Wood poles must use conduit to conceal cables and wires from view.
- (c). Equipment cabinets may not extend more than 24" from the face of the pole. No overhead cables, for electric or otherwise, shall be permitted.
- (d). Standoff mounts for any equipment may not exceed 4".
- (e). Equipment in an environmentally controlled underground vault may be required in some areas where technologically feasible and appropriate for the location. Equipment shall be placed underground if required by Public Works for ROW installations or HOA controlled installations.
- (f). Unless required to be within an environmentally controlled underground vault, ground mounted equipment is required unless the applicant shows clear and convincing evidence that the equipment must be pole-mounted. Increased costs alone shall be presumed to be an insufficient reason.
- (g). Ground mounted equipment shall incorporate concealment elements into the proposed design. Ground-mounted equipment must be concealed within a single shroud or cabinet and must contain all the equipment associated with the facility other than the antenna including but limited to, the electric meter and disconnect switch. All cables and conduits associated with the equipment must be concealed from view and be underground between the pole and the ground mounted cabinet. Cabinets should be placed as far as from the public street as possible and ideally behind existing fences.
- (h). The applicant is required to incorporate ambient noise suppression measures and/or to place the equipment in locations less likely to impact adjacent residences or businesses to ensure compliance with all applicable noise regulations.
- (i). Color for all equipment and similar devices shall be dark green, black, or another color that matches the existing pole. The colors must be consistent with existing other cabinet and pole colors in the general area. Powder coat shall be the application of all paints.

- (j). Equipment may be decorated upon approval from the Arts Commission; In addition, Equipment may be concealed by means of city approved kiosks, trash receptacle or other approved stealth techniques that match existing city deployment of city amenities.
- (k). Pole mounted equipment shall be located on the least-visible side of the pole and as high up on the pole as is feasible.
- (l). The provider shall not have above ground equipment in the right-of-way, unless demonstrate through technical analysis, it is the only way to deploy the equipment. Equipment Deployment of equipment in the right of way shall follow the prescribed deployment:
 - 1. Underground Equipment – acceptable;
 - 2. Above ground equipment – Allowed only if technical analysis requires;
 - 3. Pole mounted – Allowed only if above ground and underground can is not technically feasible.
- (m). Where located in the right-of-way and subject to permitting and franchise requirements, equipment shall only be installed where equipment will not interfere with existing or future City uses of the right-of-way; the rights of private property owners; other utility fixtures and services; water hydrants or mains; wastewater systems; traffic control devices; or any other service or facility (existing or planned) that benefits the City or the health, safety, or welfare of its residents. Further, ground equipment must comply with ADA and side walk clearance requirements.
- (n). Where located in the right-of-way, if a property or business owner objects to a proposed installation adjacent to his or her property, the designated official may require the network provider to identify at least one (1) feasible alternate location, if possible, subject to compliance with these guidelines.
- (o). Where located in the right-of-way and not able to be underground, ground equipment shall serve as a public amenity, where feasible. Network provider shall work with the designated official to conceal equipment. Benches, kiosks, wayfinding, planters, etc., could all be considered as public amenities. Public art approved by Art Commission shall be allowed on above ground equipment boxes.
- (p). Equipment installations shall not be placed in front of the primary entrance to a residence or any business or at any other location where it would unduly interfere with the operation of a business, including blocking views of the entrance, signage or display windows.
- (q). Screening (Outside of Right-of-Way):
 - 1. Where feasible, ground equipment shall be placed in an underground vault; or shall be incorporated into the base of the antenna structure.
 - 2. Aboveground equipment cabinets not undergrounded or incorporated into a pole base shall be screened with landscaping, street furniture and/or artistically vinyl wrapped, as determined by the designated official.

3. Fencing, if desired, shall be no taller than six (6) feet, decorative and complementary in design to the antenna structure. Chain-link fencing and barbed wire shall not be allowed.
 4. Anti-graffiti finishes shall be applied to all solid fences, walls and gates.
- (r). Proposed equipment shall not be located to reduce the amount of on-street parking or interfere with access to meters, fire hydrants, or other objects of street hardware in the right-of-way.
- (s). Small Wireless Facilities equipment shall be: 1) mounted on the support structure with no one dimension of the equipment exceeding 40 inches, or 2) located on the ground screened pursuant to SMC 21A.56.130 (l).
- (t). Micro cell equipment shrouded in art – example:



12. Micro Cell Building Mounted Equipment

- (a). Where Wireless Facilities are mounted to a building, they should be located so as not to be visible from the street, public open space, parking areas, and from the ground level of adjacent properties.
- (b). All antennas shall be fully concealed within a structure that is architecturally compatible with the existing building. Roof top additions shall be concealed on all sides.
- (c). Lighting: No lighting shall be allowed with the permitting of WCF unless otherwise approved as a new light standard; or as may be required by the Federal Aviation Administration (FAA).
- (d). Advertising: No provider advertising shall be placed on any poles, antenna or aboveground equipment. Small identification tags or numbering is allowed.

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Macro Tower Design Examples – Acceptable



Macro Tower Design Examples – Unacceptable



15. Macro Site Design

- (a). Wireless communication facilities shall be designed to blend with existing surroundings to the extent feasible. This should be achieved through the use of compatible colors and materials, and alternative site placement to allow the use of topography, existing vegetation or other structures to screen the proposed facility. Small cell mono poles in the right of way shall match surrounding utility poles and or light structures in terms of design and color.
- (b). Where an antenna is to be mounted on a structure, flush-mounted antennas must be used where feasible. Where flush-mounted antennas cannot be used, the combined antenna(s) and all associated equipment and required screening shall not extend more than fifteen (15) feet above the existing or proposed top of roof line or top of structure.
- (c). Antenna and related equipment shall be placed and treated to present the least possible visual impact to the public. Treatments include: equipment enclosure; location of antenna and radio box on the pole; painting to match the pole; or any combination of these measures.

16. Tower and Pole Design

- (a). Be integrated through location and design to blend in with the existing characteristics of the site.
- (b). Preserve existing on-site vegetation and minimize disturbance of the existing topography, unless such disturbance would result in less visual impact of the site to the surrounding area.
- (c). Be designed and placed on the site in a manner that takes the maximum advantage of existing trees, mature vegetation, and structures as to use existing site features to screen as much of the total facility as possible, and/or use existing site features as a background so that the facility blends into the background with increased sight distances. Setbacks from property lines shall be maximized where practical.
- (d). Towers shall be painted in a color that best allows them to blend into the surroundings. The use of grays, blues, greens and browns are appropriate; however, each case will be evaluated individually and approved by the designated official.
- (e). New towers shall not exceed 90 feet in height. Replacement towers and collocation on an existing tower shall not increase the height of the existing structure by more than ten percent or twenty feet, whichever is greater.
- (f). Designed to allow for collocation.
- (g). Designed to allow conduit and cabling to be internal to the pole, as feasible.
- (h). Cannot be located on City-owned property with City review and lease.

17. Macro Site

(a). Base Stations.

- (1). Base stations and ancillary structures shall be subject to the setbacks of the underlying zoning district.
- (2). Except as allowed pursuant to subsection (N)(b)(1) or (J)(15 and (17) or combination of the two, base stations that are not located underground shall not be visible from public views.
- (3). New concealed base stations and ancillary structures shall be designed to complement or match adjacent structures and landscapes. Specific design considerations such as architectural designs, height, scale, color, and texture should be designed to blend with existing surroundings to the extent feasible.
- (4). Where feasible, one building with multiple compartments shall be constructed to serve the total number of anticipated collocation tenants. If the applicant can demonstrate that one building is not feasible or practical due to site design or other constraints, then a master site plan shall be provided to demonstrate how all potential base stations and ancillary structures will be accommodated within the vicinity of the WCF.

(b). Landscaping and Fencing Requirements.

- (1). Tree removal: No evergreen tree 8 inches or greater in diameter or deciduous tree 12 inches or greater in diameter shall be removed.
- (2). Except as allowed pursuant to subsection (J)(15) and (17) of this section, all ground-mounted base stations shall be enclosed with a fence. In all residential zones, or a facility abutting a residential zone, or in any zone when the base station adjoins a public right-of-way, the fence shall be opaque and made of wood, brick, or masonry. All fencing shall be subject to SMC 21A.30.190.
- (3). Except as allowed pursuant to subsection (N)(b)(1) and or (J) (15 & 17) of this section, all base stations that are within base station hierarchy 2(a) and 3(b) shall have perimeter landscaping as follows:
 - i. In the NB, CB, O or TC zone and the abutting rights-of-way, the base stations shall be landscaped with eight feet of Type II landscaping pursuant to Chapter 21A.35 SMC along any lot line abutting a residential zone;
 - ii. In residential zones and the abutting rights-of-way, the base station shall be landscaped with 10 feet of Type I landscaping pursuant to Chapter 21A.35 SMC;
 - iii. Any landscaping required shall be placed outside of the fence; and
 - iv. Landscaping provisions may be modified in accordance with Chapter 21A.35 SMC.

(c). If an applicant is able to demonstrate to the Director that compliance with the applicable fencing and landscaping requirements will pose an unreasonable risk to the public health or safety, the

fencing and landscaping requirements may be altered to the extent reasonably necessary to address the demonstrated risk to public health or safety or waived if no reasonable alternatives exist.

18. Setback Requirements

- (a). Antenna support structures outside of the right-of-way shall have a setback from property lines of 10 feet from any property line and 50 feet or one foot setback for every one foot in height from any residentially zoned property, whichever provides the greatest setback.
- (b). Base stations shall be subject to the setback requirements of the zone in which they are located.
- (c). The department shall consider the following criteria and give substantial consideration to on-site location and setback flexibility. These are authorized when reviewing applications for new antenna support structures. The following shall be considered:
 - (1). Whether existing trees and vegetation can be preserved in such a manner that would most effectively screen the proposed tower from residences on adjacent properties;
 - (2). Whether there are any natural landforms, such as hills or other topographic breaks, that can be utilized to screen the tower from adjacent residences; and
 - (3). Whether the applicant has utilized a tower design that reduces the silhouette of the portion of the tower extending above the height of surrounding trees.

19. Lighting Standards

Except as specifically required by the FCC or FAA, WCFs shall not be illuminated, except lighting for security purposes that is compatible with the surrounding neighborhood. Any lighting required by the FAA or FCC must be the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable to minimize the potential attraction to migratory birds. Dual lighting standards (white blinking light in daylight and red blinking light at dusk and nighttime) are required and strobe light standards are prohibited unless required. The lights shall be oriented so as not to project directly onto surrounding residential property and be consistent with FAA and FCC requirements.

20. Signage

- (a). Commercial messages shall not be displayed on any WCF. The only signage that is permitted upon an antenna support structure, base station, or fence shall be informational and for the purpose of identifying the antenna support structure (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable).
- (b). If more than 220 voltage is necessary for the operation of the facility and is present in a ground grid or in the antenna support structure, signs located every 20 feet and attached to the fence or wall shall display in large, bold, high-contrast letters (minimum letter height of four inches) the following: HIGH VOLTAGE – DANGER.

21. Sounds

- (a). Maximum permissible sound levels to intrude into the real property of another person from a WCF shall not exceed 45 dB(A). In the case of maintenance, construction, and emergencies, these sound levels may be exceeded for short durations as required by the specific circumstance

21A.56.140 Installation, inspection, and maintenance.

- (1). All installation shall be in compliance with the issued permit(s).
- (2). Following construction, the City shall inspect the WCF installation. Any construction performed out of compliance with the approved permit shall be promptly corrected by the applicant following receipt of notification by the City. Failure to bring the construction into compliance with the permit may result in forfeiture of any franchise guarantees for work within the right-of-way; forfeiture of any deposits for facilities located on City properties; and code enforcement penalties and fines, as applicable and as authorized by the SMC, as determined by the designated official.
- (3). The applicant shall maintain facilities including any requirement concealment or screening. The applicant shall replace any plants required by this chapter or approved or required as part of the permit approval that are unhealthy or dead. In the event that screening is not maintained at the required level, the City, after giving 30 days' advance written notice to the provider, may maintain or establish the screening and bill both the landowner and provider for such costs until such costs are paid in full.
- (4). A wireless communication facility shall be removed by the facility owner within ninety (90) days of the date it ceases to be operational or if the facility falls into disrepair. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts. Whenever a wireless communications facility ceases operation or falls into disrepair as provided in this section and as determined by either the designated official or the network provider, the entire wireless communications facility shall be removed, including but not limited to all antennas, antenna supports, feeder lines, equipment enclosures, equipment, conduit, and the concrete pad upon which the structure is located. The facility owner may apply for an extension of time within those six (6) months if resuming operation of the facility is expected. The designated official, at his sole discretion, may extend the time for a period not to exceed six (6) months upon written request by the owner.
 - (a). If the network provider requires the removal or relocation of a WCF or related ground equipment at its own discretion, it shall, within fourteen (14) days prior to any work, notify the designated official in writing. A relocation will fall under the requirements of SMC 21A.56.090.
 - (b). Should the designated official determine a permitted WCF or related equipment has become a danger to the public health, safety, welfare, or City property, the network provider shall within twenty-four (24) hours remove or secure their facilities to the satisfaction of the designated official at their sole expense.
 - (c). Should a WCF or its related equipment get vandalized by graffiti, the network provider shall, within fourteen (14) calendar days, either remove the graffiti or repaint the structure.

21A.56.150 Interference.

Whenever the City has encountered radio frequency interference with its public safety communications equipment, and it believes that such interference has been or is being caused by one or more WCFs, the following steps shall be taken:

- (1). Upon notification by the City to WCF service providers potentially interfering with public safety communications equipment, the providers shall cooperate and coordinate with the City and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set forth in the joint wireless industry – public safety “Best Practices Guide,” released by the FCC in February 2001, including the “Good Engineering Practices,” as may be amended or revised by the FCC from time to time.
- (2). If any WCF owner fails to cooperate with the City in complying with the owner’s obligations under this section or if the FCC makes a determination of radio frequency interference with the City public safety communications equipment, the owner who fails to cooperate and/or the owner of the WCF which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the City for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the jurisdiction to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the “Best Practices Guide” within 24 hours of the City’s notification.

21A.56.160 Appeals.

The Director’s decision on a Type 1 land use permit issued under this chapter is final, and any appeal must be made to King County Superior Court or federal court, as applicable. Type 2 land use permit approved by the Director is subject to appeal to the Hearing Examiner in accordance with SMC Title 20. Exemptions under 21A.56 are not subject to appeal.