CityofRedmond
WASHINGTON

Planning Commission Report

To:	City Council
From:	Planning Commission
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Date:	March 13, 2019
File Numbers:	LAND-2019-00094, SEPA-2019-00100
Planning Commission Recommendation:	Approval
Title:	Amendment to Redmond Zoning Code Regarding Wireless Communication Facilities
Recommended Action:	Adopt recommended amendments to the Redmond Zoning Code (RZC) as shown in Exhibit A.
Summary:	The recommended amendments provide updates to the RZC in response to a new ruling by the Federal Communications Commission (FCC) regarding deployment of Fourth (4G) and Fifth (5G) Generation mobile communication system infrastructure. The amendments are limited in scope, ensuring the City's compliance with federal regulations for Wireless Communications Facilities — 47 CFR Part 1 (effective January 14, 2019) including timelines ("shot clocks"), minor aesthetic standards, clarification of definitions, and a deadline of 180 days after publication of the FCC's decision during which cities should develop and publish respective code and procedural amendments.

Reasons the Proposal Should be Adopted:

The Planning Commission recommends amendments to the Redmond Zoning Code based on the following reasons:

1. The proposal is consistent with the Redmond Comprehensive Plan, as it will continue supporting existing policies regarding telecommunications as a key component of maintaining Redmond's communication systems and competitiveness in support of businesses, residents and visitors by promoting access to advanced and affordable communications technology citywide (UT-83);
2. The primary focus of the proposal is to bring the Redmond Zoning Code into compliance with recently updated federal regulations by April 14, 2019 — the timing of which was established by the FCC's ruling;
3. The proposal maintains consistency between the Zoning Code, Redmond Municipal Code and Comprehensive Plan policies for telecommunications; and
4. The proposal aligns with amendments to the Redmond Municipal Code and to franchise and fee agreements, presently under development by the Depts. of Public Works and Finance.

Recommended Findings of Fact

1. Public Hearing and Notice

a. Public Hearing Date

The City of Redmond Planning Commission held a public hearing on the proposed amendments on February 27, 2019. The Planning Commission kept the public hearing open for written testimony through March 6, 2019. One letter of written testimony was received during the public hearing, included in Exhibit B.

b. Notice

The public hearing notice was published in the Seattle Times on February 6, 2019 and in the Seattle Times - Northwest Classifieds from February 6 thru 12, 2019. Public notices were posted in City Hall and at the Redmond Library on February 6, 2019. Notice was also provided by including the hearing in Planning Commission February 6, 13, and 27, 2019 agendas and extended agendas mailed to various members of the public and various agencies. Additionally, a hearing notification was posted on the City's web site and provided to representatives of wireless communications service providers, their respective legal counsel, and to parties of record on February 6, 2019.

Recommended Conclusions

1. *Key Issues Discussed by the Planning Commission*

The Planning Commission held study sessions on February 20, 2019, February 27, 2019, and March 13, 2019 to deliberate the Technical Committee's February 14, 2019 recommended amendments. Minutes of the Planning Commission meeting are shown in Exhibits C – E. Key issues discussed by the Planning Commission were as follows:

Aesthetics and Design of Wireless Communication Facilities

For compliance with the FCC's ruling, the recommended amendments include minor updates to a 2018 series of amendments that regarded deployment of small cell facilities within the City's right-of-way and efficient and predictable procedures for the deployment of said facilities and networks (Ord. 2919, eff. April 3, 2018). The FCC's new ruling involves changes to the following:

- Two new "presumptively reasonable" permit review timelines (shot clocks)
- Safe harbor fees for use of city-owned infrastructure
- Guidelines for aesthetic standards confirmed to be:
    - Reasonable
    - No more burdensome than for other infrastructure deployment
    - Objective and published in advance
- Terminology including:
    - Small Wireless Facilities or small cell(s) – facilities that meet FCC's new sizing, mounting, and safety criteria (RZC 21.78)
    - Collocation – Attachment or installation of an antenna and equipment to existing poles, structures, and infrastructure in the public right-of-way
    - Effectively prohibit – Actions, processes, codes, or fees, may be deemed an effective prohibition if it "materially inhibits" small wireless facility deployment

Planning Commissioners discussed their concerns regarding how the implementation of small cell wireless facilities could impact the character of streetscapes such as in the Old Town portion of Downtown and in the Overlake urban center. Commissioners were concerned about how the siting of new and the collocation of wireless communication facilities might alter the City's recently established streetscape standards along Cleveland Street, Redmond Way, in the Old Town zone, in association with Downtown Park, and being established through new construction in the Overlake urban center. The FCC's updated definition standardizes the measurement of wireless communications facilities though its physical implementation remains vague and is anticipated to be varied. The Commission acknowledges that the current codes for Special Design Areas (RZC 21.78) within the urban centers are not changing. However, the Commission recommends staff monitor small cell deployment and as needed, plan for additional code amendments in response to issues, incompatibilities, and requests for RZC 21.56.060 Special Exceptions.

In addition, Commissioners anticipate value in the City continuing to provide opportunities for coordination and engagement with wireless communications service providers. Information about wireless communications facilities should also be available to the community via the City's website.

Permit Review Procedures, Impacts, and Decision-Making Bodies for Applications of Wireless Communication Facilities

Expanding on aesthetics and character, the Commission wanted to understand permit review procedures and the authority of decision-making bodies regarding the respective permits. Commissioners were interested in the evaluation and approval process for:

- Requests for special exemptions of development regulations and design standards;
- Applications for wireless communication facilities integrated with new development; and
- Applications for new macro cell facilities.

Considering the Technical Committee's authorization to approve special exemptions (RZC 21.56.060(C)(3)), Commissioners were considerably interested in the role of the Design Review Board (DRB) concerning project review and in maintaining citywide aesthetics and character.

Commissioners also wanted to understand how certain situations might impact the permit review for and efficiency of wireless facility deployment. The Commission's questions included:

- Do the permit review timeframes, identified by the FCC's shot clocks, differ when applied in the City's Special Design Areas including portions of the Downtown and Overlake urban centers?
- Does the permit review timeframe or shot clock schedule change when proposed installations within the right-of-way warrant the installation of new poles such as standalone poles or monopoles?
- In the context of Verizon's testimony (Exhibit B), would the Special Exception process, defined in RZC 21.56.060, cause undue delay for individual deployments?

The Commission was satisfied with the information provided by staff and the City's legal counsel during its study sessions and as described in its issues matrix (Exhibit F).

2. *Recommended Conclusions of the Technical Committee*

The recommended conclusions in the Technical Committee Report (Exhibit G) should be adopted as conclusions.

3. *Planning Commission Recommendation*

The Planning Commission voted to recommend approval of amendments to the Redmond Zoning Code. Four Commissioners voted in favor and none were opposed at its March 13, 2019 meeting.

List of Attachments

Exhibit A: **Recommended Amendments to the Redmond Zoning Code**

Exhibit B: **Written Testimony**

Exhibit C: **Planning Commission Meeting Minutes, February 20, 2019**

Exhibit D: **Planning Commission Meeting Minutes, February 27, 2019**

Exhibit E: **Planning Commission Meeting Minutes, March 13, 2019**

Exhibit F: **Planning Commission's Issues Matrix**

Exhibit G: **Technical Committee Report with Exhibits**

Erika Vandenbrande, Planning Director — Date 3/14/19

Roy Captain, Planning Commission Chairperson — Date 3/15/19

Approved for Council Agenda John Marchione, Mayor — Date 3/18/19

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

21.56.010 Purpose

The purpose of this chapter is to:

A. Establish clear regulations for the siting and design of Wireless Communication Facilities (WCFs) consistent with state and federal regulations;

B. Promote the health, safety, and general welfare of the Redmond community by regulating the siting of WCFs;

C. Minimize visual, safety, aesthetic, and environmental impacts of WCFs on surrounding areas by establishing standards for location, structural integrity, and compatibility;

D. Encourage the location and collocation of wireless communications equipment on existing structures; and

E. Accommodate the growing need and demand for wireless communication services.

21.56.020 APPLICABLE PERMITS, EXEMPTIONS AND PROHIBITED FACILITIES

A. **Permits Required.**

1. A land use permit is required to locate or install any Wireless Communication Facility (WCF) outside public rights-of-way, and in certain instances within public rights-of-way, unless the WCF is exempt under subsection B below. Table 21.76.070 *Wireless Communication Facilities Review Process* in Redmond Zoning Code (RZC) Chapter 21.76, sets forth the type of permit required based upon the nature of the facility and its location.

2. Redmond Municipal Code (RMC) Chapter 12.14, Telecommunications, governs the installation of any WCF within p~~P~~ublic ~~Rights~~rights-of-~~Way~~way. A Facilities Lease Agreement is required to install any WCF on ~~other~~ City-owned property or infrastructure within the City of Redmond, including public rights-of-way.

B. **Exemptions.** The following WCFs shall be exempt from the requirement to obtain land use permits:

1. VHF and UHF Receive-Only Television Antenna(s). VHF and UHF receive-only antenna(s) shall not be required to obtain land use permit approval nor shall they be required to obtain building permit approval. VHF/UHF antenna(s) shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.

2. 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~~.

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Such antennas shall not be required to obtain building permit approval, but installation must comply with any applicable provisions of the City Building Code.

3. Small Cell Facilities attached to Utility Poles, Light Poles and Miscellaneous Poles within public rights-of-way shall be exempt from obtaining land use permit approval except for Small Cell Facilities located within Special Design Areas where a Type II land use permit is required. See RMC Chapter 12.14, Telecommunications~~, Article III,~~ for additional requirements.

4. Eligible Facilities Requests that meet the definition as set forth in RZC 21.78 shall be exempt from having to obtain a land use permit. A written request for an Eligible Facilities Request must be submitted to determine if the modification qualifies for this exemption. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facility modification will substantially change the physical dimensions of an eligible support structure.

5. The addition of a new antenna(s) attached to an existing antenna support structure or structure mounted facility which already has at least one WCF ~~Collocation of new antennas~~; removal or replacement of existing antennas; and associated ground mounted equipment enclosures on existing legally established structure mounted facilities (other than towers) that have received previous WCF approval and that comply with size and concealment requirements established in RZC 21.56 or the applicable permit approving the WCF. Other applicable permits such as building permits and right-of-way use permits may be required. This exemption shall not apply to small cell facilities.

6. Routine maintenance and repair or replacement of antennas and equipment associated with ~~and~~ wireless communication facilities. Replacement antennas shall be located within the same location as existing antenna and shall be of similar size, weight and height and shall comply with concealment requirements established in RZC 21.56 and in the applicable permit approving the WCF, unless such replacement antennas are ~~approved~~ exempted as ~~under~~ an Eligible Facilities Request ~~application~~. Other applicable permits such as building permits and right-of-way use permits may be required.

7. Temporary WCF for emergency communications equipment during a declared public emergency.

8. Wireless communication equipment, including, ~~such as~~ but not limited to, the support of traffic signal systems, Supervisory Control and Data Acquisition (SCADA) devices, Intelligent Transportation Systems (ITS), LED Street Light Gateways, transit signal priority devices and other similar devices shall not be required to obtain land use permit approval.

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C. Permits may be conditioned to allow review of the continued use of the antenna support structure or structure mounted facility at five-year intervals in order to recognize that rapid technological advancements, changing markets, and legal interpretations by the FCC and by the courts may require periodic design review.

D. In addition to complying with the requirements of this chapter and the International Building Code, all wireless communication facilities located within the shorelines of the City shall comply with RZC 21.68.160, *Utilities Within Shorelines*.

E. All permits for WCF's shall be expressly conditioned upon compliance with the removal requirements of RZC 21.56.080, *Cessation of Use*, below upon cessation of use of any such facility.

F. **Performance Assurance.** The Administrator may require a performance assurance under Redmond Municipal Code (RMC) Chapter 12.14 Telecommunications when located within public rights-of-way to ensure compliance with any aspect of this chapter. The Administrator may require a performance assurance under RZC ~~Chapter~~ 21.76.090 when located outside of public rights-of-way or when located on any private property.

G. **Prohibited Devices.** WCF's that are not permanently affixed to a support structure and which are capable of being moved from location to location (e.g., "cell on wheels" or ballast mounts) are prohibited except for when allowed as a Temporary WCF consistent with RZC 21.56.021 below.

21.56.021 Temporary Wireless Communication Facilities

A. **Permits Required.**

1. A Type I land use permit is required to locate or install any t~~T~~emporary Wireless Communication Facility (WCF) on private property within the City of Redmond unless specially exempted per RZC 21.56.020(B)(6). See Table 21.76.070 *Wireless Communication Facilities Review Process* in Redmond Zoning Code (RZC) Chapter 21.76.

2. Except during a declared public emergency a l~~L~~ease a~~A~~greement is required, consistent with RMC Chapter 12.14 Telecommunications to install any t~~T~~emporary WCF on City-owned property within the City of Redmond.. ~~See Redmond Municipal Code (RMC) Chapter 12.14 Telecommunications.~~ Temporary WCF's are not permitted within public rights-of-way except for exempt facilities per RZC 21.56.020(B)(~~6~~7).

B. **Temporary WCF's shall only be allowed for:**

1. The reconstruction of a permanent WCF and limited to a duration of 18 months from the date of approval unless an extension is requested at least 30 days prior to the expiration date; or

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2. Large scale events and limited to the duration of the event, plus ten days prior to the event and ten days after; or
3. Emergency communications equipment during a declared public emergency.

C. **Temporary WCF facilities shall be portable without a permanent foundation.** Roof mounted Temporary WCF facilities shall comply with size requirements established for Structure Mounted Facilities and ground mounted Temporary WCF facilities shall comply with size requirements for Antenna Support Structures as established in RZC 21.56.040, *General Development Standards for Wireless Communication Facilities*.

21.56.030 General Siting Criteria

A. RZC 21.76.070.AD, *Wireless Communication Facilities*, identifies zoning districts, standards and the review process for Wireless Communication Facilities.

B. New antenna support structures shall:
   1. Comply with the siting standards and hierarchy set forth in the following subsections.
   2. Not be permitted within public rights-of-way unless the applicant can demonstrate that alternative locations outside the right-of-way are not feasible.
   3. Not be permitted if an existing antenna support structure is in a higher priority location within one-quarter mile and such existing structure is suitable for attachment of an antenna or collocation, unless the applicant demonstrates that the alternative location is not feasible. The applicant shall provide a map showing all existing antenna support structures and existing structure mounted facilities housing WCFs located within one-quarter mile of the proposed site.

C. New antenna support structures for macro cell facilities and small cell facilities located outside public rights-of-way and macro cell facilities located within public rights-of-way shall be sited within the zoning districts of the City according to the following siting hierarchy, with (1) being the highest (most preferable) ranking site and (9) being the lowest (least preferable) ranking site. New antenna support structures for small cell facilities located within public rights-of-way shall be sited according to the siting hierarchy established in section D below. New antenna support structures must be located on the highest ranking site unless the applicant can demonstrate that the site is not technically feasible or available given the location of the proposed structure and the network need. This demonstration shall be provided in a report prepared by a qualified licensed radio frequency engineer, professional engineer, or a professional with training in the field of wireless communications facility siting. In order of ranking, from highest to lowest, the sites are:

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1. ~~Collocated~~ Attached to ~~on~~ an existing legally established antenna support structure~~s~~ or structure mounted ~~facilities~~facility with an existing WCF.
2. Attached to a structure mounted facility on sites used exclusively for business park, general commercial, industrial or manufacturing park uses within the BP, GC, I and MP zones.
3. Attachment to a structure mounted facility, such as a water tower within all zoning districts.
4. Attached to a structure mounted facility on sites used exclusively for manufacturing, research and development, commercial, and office uses in the commercial, Downtown, and Overlake zoning districts. Within these zoning districts, the highest to lowest ranking sites are I, MP, BP, GC, NC-2, RR, OBAT, OV1-5, Downtown Zones, and NC-1.
5. On institutional structures, places of worship, and other nonresidential structures located in residential zones.
6. Attached to multifamily residential structures in the R-20 and R-30 zoning districts. Wireless communication facilities attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30. ~~(Ord. 2614)~~
7. Placement on a new antenna support structure located within BP, GC, I and MP zones.
8. Placement on a new antenna support structure located within all zones except BP, GC, I, MP, UR, RA-5, R-1, R-2, R-3, R-4, R-5, R-6 and Shoreline Areas
9. Placement on a new antenna support structure located within UR, RA-5, R-1, R-2, R-3, R-4, R-5 and R-6 and Shoreline Areas. See RZC 21.56.060 for additional requirements. Antenna Support Structures located within R-2, R-3, R-4, R-5 and R-6 are subject to Special Exceptions outlined RZC 21.56.060.

D. New Antenna Support Structures for Small Cell Facilities located within public rights-of-way shall be in accordance with the following siting hierarchy, with (1) being the highest (most preferable) ranking site and (8) being the lowest (least preferable) ranking site. A new Small Cell Facility must be located on the highest ranking site unless the applicant can demonstrate that the site is not technically feasible or available given the location of the proposed structure and the network need. This demonstration shall be provided in a report prepared by a qualified licensed radio frequency engineer, professional engineer, or a professional with training in the field of wireless communications facility siting. In order of ranking, from highest to lowest, the sites are:

1. Placement of small cell facility on existing ~~and~~ or replacement utility poles, light poles or miscellaneous poles in nonresidential zones.

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2. Placement of small cell facility on existing or~~and~~ replacement utility poles, light poles or miscellaneous poles in residential zones.

3. Attachment ~~Collocation~~ of a small cell facility ~~or a macro facility~~ on an existing structure mounted facility or existing antenna support structure which has an existing WCF in any zone.

4. Placement of a small cell facility on a new light pole when pole design standards are met and a lighting analysis is submitted showing the need and correct placement for a new light pole.

5. Placement on a ~~new~~ structure mounted facility in any zone.

6. Placement on a new antenna support structure located within BP, GC, I and MP zones.

7. Placement on a new antenna support structure located within all zones (except BP, GC, I, MP, UR, RA-5, R-1, R-2, R-3, R-4, R-5, R-6 and Shoreline Areas).

8. Placement on a new antenna support structure located within UR, RA-5, R-1, R-2, R-3, R-4, R-5 and R-6 and Shoreline Areas. See RZC 21.56.060 for additional requirements. Antenna Support Structures located within R-2, R-3, R-4, R-5 and R-6 zones are subject to Special Exceptions outlined RZC 21.56.060.

21.56.040 General Development Standards

A. All Wireless Communication Facilities shall be installed and operated in accordance with the regulations of the Federal Communications Commission (FCC) and in compliance with the development standards set forth in the following subsections.

1. Large Satellite Dish Antenna(s):
    a. 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.

    b. Ground mounted and roof mounted antennas are allowed in all zones except for Urban Recreation (UR) zones and Residential (R) zones where only ground mounted antennas are allowed. Ground mounted antennas shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from existing grade. Roof mounted antennas shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from the roof line.

    c. Mountings and satellite dishes shall be no taller than the minimum required for obtaining an obstruction-free reception window.

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d. Construction plans and final construction of the mounting bases of all large satellite dish antenna(s) shall be approved by the City's Building Division.

2. Amateur Radio Towers:
    a. Towers in all zones shall not be located within any easements, front, side, or rear yard building setback areas. Shall be located at a point farthest from lot lines as feasible, or the point farthest from residential structures on abutting properties. Towers located in Semi-Rural (RA-5) zone, UR, and Bear Creek Design District 2 (BCDD2) zone shall be located in the yard of the residence and avoid using land that is available for crops, pasturage, or other agricultural activities.
    b. Ground mounted and roof mounted antennas are allowed in all zones. Ground mounted towers shall not exceed 65 feet in height unless a proposal demonstrates that physical obstructions impair the adequate use of the tower. Telescoping towers may exceed the 65-foot height limit only when extended and operating.
    c. The combined structure of a roof-mounted tower and antenna(s) shall not exceed a height of 25 feet above the existing roofline. Within the shoreline jurisdiction, the height limit for ground-mounted and roof-mounted towers and antennas, inclusive of building height, is 50 feet (SMP). Screening shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.
    d. Mountings and Amateur Radio Towers shall be no taller than the minimum required for the purposes of obtaining an obstruction-free reception window.
    e. Construction plans and final construction of the mounting bases of amateur radio towers covered by this section shall meet the structural design requirements of this section and shall be approved by the City's Building Division.
    f. Applications shall document that the proposed tower and any mounting bases are designed to withstand wind and seismic loads as established by the International Building Code.

3. Macro Cell Facilities and Small Cell Facilities located on Structure Mounted Facilities and associated Equipment Enclosures:
    a. Macro cell facilities and small cell facilities shall be structure mounted only (rooftop or façade) under this subsection. Standalone ground mounted facilities are not allowed and associated equipment enclosures may be roof or ground mounted. Ground mounted equipment enclosures shall not be located within

public rights-of-way and shall not be permitted in any public easements or building setback areas.

b. Associated above-ground equipment enclosures for macro cell facilities shall be minimized, and shall not exceed 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed.

c. Associated above-ground equipment enclosures for small cell facilities shall be minimized, and shall not exceed a footprint of 16 square feet (e.g., 4 by 4 feet) unless operators can demonstrate that more space is needed.

d. Where an antenna is to be mounted on the roof of a building, the combined antenna(s) and all associated equipment and required screening shall not extend more than 15 feet above the existing or proposed roof structure. Attachment to residential structures are not permitted in any residential zoning district other than R-20 and R-30.

4. New Antenna Support Structures for Small Cell Facilities and Macro Cell Facilities and associated Equipment Enclosures:

   a. New antenna support structures shall be ground mounted only and shall not be located in any setback area on private and public property.

   b. In all zones except for UR and R zones, the combined height inclusive of antennas shall not exceed 85 feet, except when collocation is specifically provided for, then the new antenna support structure shall not exceed 100 feet. New antenna support structures located within public rights-of-way shall be limited to ~~45~~ 50 feet in height inclusive of antennas.

   c. In UR and R zones, the combined height inclusive of antenna(s) shall not extend more than 15 feet above the maximum height of the zone for which it is proposed to a maximum of 60 feet. A height increase of 15 feet may be allowed by the Administrator when collocation is specifically provided. New antenna support structures located within public rights-of-way shall be limited to the maximum height allowed in the underlying zone.

   d. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside the public rights-of-way shall not exceed a footprint of 240 square feet (e.g., 12 by 20 feet) for macro cell facilities and 16 square feet (e.g., 4 by 4 feet) for small cell facilities unless operators can demonstrate that more space is needed.

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e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment~~,~~ (excluding antennas but including all ~~exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet ~~for enclosures~~.

f. Placement of a new antenna support structure shall be denied unless the applicant can demonstrate through an alternative site analysis or other supporting documentation that other existing WCF sites and the siting hierarchy per RZC 21.56.030(C) or (D) were considered and are either not technically feasible or available.

g. Special Exceptions per RZC 21.56.060 apply to locate ~~an~~ a new Antenna Support Structure in UR, RA-5, R-1, R-2, R-3, R-4, R-5 & R-6 zones or within shoreline areas of the City or to exceed height limits in any zone.

5. Small Cell Facilities attached to existing and replacement Utility Poles (excluding Light Poles) and Miscellaneous Poles:
   a. Antennas and pole-top extenders, to the extent allowed by RZC 21.56.050, shall not extend more than 15' above the top of pole or electrical lines, if any. Additional height may be allowed to meet the pole owner's separation requirements. Antenna canisters or shrouds on top of a utility pole shall not exceed sixteen (16) inches in diameter or three (3) inches outside the diameter of the existing/replacement pole whichever is greater measured at the top of the pole. Pole-top antenna canisters or shrouded panel antennas on miscellaneous poles shall not exceed more than three (3) inches outside the diameter of the existing/replacement pole measured at the top of the pole. An increase in diameter may be allowed for pole-top antennas if compatible with the pole design.

   b. Distribution utility poles shall be limited to a maximum height of 50 feet inclusive of antennas measured above grade unless additional height is required by the pole owner.

   c. Transmission utility poles shall be limited to a maximum height extension of 15 feet unless additional height is required by the pole owner.

   d. Miscellaneous poles shall be limited to a maximum height of 35 feet.

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e. When additional height is required to meet separation requirements of the pole owner, the applicant shall be required to submit a letter from the pole owner specifying the height required for antennas attached to the top of pole or the height required for the pole.

f. Replacement poles shall be limited to a 25% increase in diameter measured from the base of the existing pole to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole. A minimal increase above the 25% limit may be allowed to accommodate more equipment inside the pole. Any increase in diameter is subject to meeting ADA requirements, sight distance triangles, sidewalk clearance requirements and other applicable requirements.

g. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(G).~~

h. Ground mounted equipment enclosures ~~and associated transmission equipment~~ are not permitted in public rights-of-way except for pole mounted equipment or when incorporated into street furniture (including ~~such as~~ but not limited to mailboxes, garbage cans and benches and other similar features), the base of a pole or other similar concealment techniques.

i. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including all ~~exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole (excluding antennas) shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet for ~~enclosures~~ equipment on utility poles and 3 cubic feet for ~~enclosures~~ equipment on miscellaneous poles.

j. Vertical clearance shall be reviewed by the Public Works Department and verified by the underlying utility owner to ensure that structures will not pose a hazard to other users of the right-of-way.

6. Small Cell Facility attached to existing, replacement and new Light Poles:

a. Antennas on top of the light pole are not to extend more than six (6) feet above the height of the existing pole and shall be equal to the diameter of the existing/replacement pole. An increase in diameter for pole-top canister antennas or shrouded panel antennas may be allowed if compatible with the

pole design when the applicant demonstrates it is the minimum diameter necessary to meet technical requirements. Antennas may extend beyond six (6) feet up to a maximum of ten (10) feet if the applicant can demonstrate that more space is needed.

b. Replacement poles shall be limited to a 25% increase in diameter measured from the base of the existing pole to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole. A minimal increase above the 25% limit may be allowed to accommodate more equipment inside the pole. Any increase in diameter is subject to meeting ADA requirements, sight distance triangles, sidewalk clearance requirements and other applicable requirements.

c. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(G).~~

d. New light poles are allowed when determined necessary through a lighting analysis and when illumination design standards and pole standards are met. New light poles shall be the same height as other nearby light poles of the same pole design. A minimal increase in diameter may be allowed to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole subject to meeting ADA requirements, sight-distance triangle and other applicable requirements.

e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including ~~all exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole, ~~(excluding antennas)~~ shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet for enclosures.

f. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside public rights-of-way shall not exceed a footprint of 16 square feet (e.g., 4 by 4 feet) for Small Cell Facilities unless ~~operators~~ applicants can demonstrate that more space is needed.

g. Ground mounted equipment enclosures are not permitted in public rights-of-way except for pole mounted equipment or when incorporated into street furniture (including but not limited to mailboxes, garbage cans and benches and

other similar features), the base of a pole or other similar concealment techniques.

h. Small Cell Facilities are prohibited on all traffic signal poles.

i. Vertical clearance shall be reviewed by the Public Works Department and verified by the underlying utility owner to ensure that the structures will not pose a hazard to other users of the right-of-way.

7. Macro Cell Facility attached to existing and replacement Utility Poles:

a. Antennas shall not extend more than 20' above the top of the pole or electrical lines, if any. Additional height may be allowed to meet the pole owner's separation requirements. An increase in diameter for pole-top canister antennas or shrouded panel antennas may be allowed if compatible with the pole design when the applicant demonstrates it is the minimum diameter necessary to meet technical requirements.

b. Distribution utility poles shall be limited to a maximum height of 50 feet inclusive of antennas measured above grade unless the existing pole is taller or unless additional height is required by the pole owner.

c. Transmission utility poles shall be limited to a maximum height extension of 15 feet. A maximum height of 100 feet inclusive of antennas may be allowed if required by the pole owner or as required to match the height of the existing pole.

d. When additional height is required to meet separation requirements of the pole owner, the applicant shall be required to submit a letter from the pole owner specifying the height required for antennas attached to the top of pole or the height required for the pole.

e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including ~~all exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be of the minimum size possible and shall not exceed 28 cubic feet for enclosures.

~~f. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment, (excluding antennas) shall be of the minimum size possible and shall not exceed 17 cubic feet for enclosures.~~

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g. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside public rights-of-way shall not exceed a footprint of 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed. Ground mounted equipment enclosures for macro cell facilities are not permitted within the rights of way, unless in an underground vault.

h. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(G).~~

i. Macro cell facilities are prohibited on utility poles along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets.

B. Macro Cell Facilities are prohibited on all light poles, miscellaneous poles and traffic signal poles in all public rights-of-way. Macro cell facilities are prohibited on utility poles along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets.

C. No Wireless Communication Facility shall be used for the purposes of signage or message display of any kind, other than signage required by FCC regulations, or as specifically approved as stealth concealment.

D. Rooftop antenna(s) and all associated rooftop equipment shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof unless otherwise specified.

E. A professional engineer licensed by the State of Washington shall certify in writing, over his or her seal, that both construction plans and final construction of the WCF are designed to withstand wind and seismic loads as established by the International Building Code.

21.56.050 Design Standards for Wireless Communication Facilities

Compliance Required. All wireless communications facilities shall comply with the design standards set forth in the following subsections below:

1. Large Satellite Dish Antenna(s):
   a. Aluminum mesh dishes should be used whenever possible instead of a solid fiberglass type.

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b. Screening shall be as high as the dish if technically feasible or shall be as high as the center of the dish. Full screening shall be provided as high as the dish if the proposed location abuts an adjoining residential zone.

c. Ground Mounted: Screening shall be provided with one or a combination of the following methods: solid fencing, walls, landscaping or structures, to block the view of the facility as much as possible. Chain-link fencing with slats shall not be permitted unless in combination with a Type I visual landscape screen (90 percent solid or more) pursuant to RZC 21.32.080, *Types of Planting*. When landscaping alone is proposed for screening purposes, a Type I visual screen as specified above is required. Landscaping for the purpose of screening shall be maintained in a healthy condition.

d. Roof Mounted: Shall be placed as close to the center of the roof as possible. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening.

e. To the extent technically feasible and in compliance with safety regulations, specific paint colors shall be required for camouflage purposes.

2. Amateur Radio Towers:

a. The tower shall be painted to camouflage the facility with its surroundings when technically feasible and when in compliance with safety regulations.

b. Ground Mounted: Screening shall be provided for all associated ground mounted equipment with one or a combination of the following methods: solid fencing, walls, landscaping or structures, to block the view of the facility as much as possible. Chain-link fencing with slats shall not be permitted unless in combination with a Type I visual landscape screen (90 percent solid or more) pursuant to RZC 21.32.080, *Types of Planting*. When landscaping alone is proposed for screening purposes a Type I visual screen as specified above is required. Landscaping for the purpose of screening shall be maintained in a healthy condition.

c. Roof Mounted: Screening shall be placed as close to the center of the roof as possible. Screening shall be of a material and design compatible with the

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building, and can include penthouse screening, parapet walls, or other similar screening.

3. Macro Cell Facilities and Small Cell Facilities located on Structure Mounted Facilities and associated Equipment Enclosures:
    a. Antenna arrays located on existing buildings or other structures and associated equipment shall be screened to block the view of the antennas as much as possible and specific paint colors shall be required for camouflage purposes.
    b. Antenna Arrays for Macro and Small Cell facilities mounted on rooftops of mixed-use, commercial, multifamily and other similar structures shall be fully screened. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening. Omni-directional antennas shall be of a color compatible with the roof, structure or background. Antenna Arrays attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30.
    c. Antenna s ~~Arrays~~ for Small Cell Facilities attached to a building façade shall be flush mounted, mimic the façade they are attached to by use of color and materials and/or use other stealth tactics and shall not project above the facade wall on which they are mounted. Antenna Arrays for Macro Cell Facilities are not permitted on any building façade other than water towers.
    d. Macro Cell Facilities and Small Cell Facilities are prohibited on any historic landmark.
    e. Operators shall consider undergrounding equipment if technically feasible or placing the equipment within existing structures.
    f. Above-ground equipment enclosures for antenna s ~~arrays~~ located on a building shall be located within the building, on the building rooftop or, on the sides or behind the building and screened to the fullest extent possible. Screening of associated above ground equipment enclosures shall be of a material, color and design compatible with the building to appear as part of the building and/or a Type I visual screen, as shown in RZC 21.32.080, *Types of Planting*, shall be created around the perimeter of the Equipment Enclosure. Landscaping for the purpose of screening shall be maintained in a healthy condition.
    g. The use of concrete or concrete aggregate shelters is not allowed in UR, RA-5 and R zones.

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h. Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040.D, *Accessory Standards*.

4. New Antenna Support Structures for Small Cell Facilities and Macro Cell Facilities and associated Equipment Enclosures:

   a. For macro cell facilities ~~S~~stealth technology shall be required using structures such as monopines (that mimic a native tree), slimline poles, flagpoles or other similar poles. The pole type chosen shall blend with existing characteristics of the subject site when located outside public rights-of-way or shall blend with the streetscape and street poles when located within public rights-of-way. Glulam poles may be allowed if compatible and only when blended with existing characteristics such as mature trees and/or other existing wooden poles. The new antenna support structure ~~tower~~ shall be painted to blend with the background of the surrounding environment. Guyed and Lattice Antenna Support Structures are prohibited.

   b. For small cell facilities located in the rights of way, applicants shall use utility or light poles that have a similar or compatible design to existing neighboring utility or light poles in the rights of way.

   c. Antennas shall be internal to the pole or placed in a canister at the top of the pole, if technically feasible, otherwise external antenna mounts are allowed and shall be flush mounted. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(4)(e) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than ~~twelve~~ 12 inches off the pole, measured from the inside edge of the antenna to the surface of the pole.

   d. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

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e. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(4)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

f. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.

g. Collocations shall be prohibited for macro cell facilities located within public rights-of-way, except where fully concealed within a stealth or slimline pole.

h. Cable and/or conduit shall be routed through the inside of all poles.

i. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, *Types of Planting*, shall be required for any ground equipment enclosure located within a new compound/lease area outside public rights-of-way. Landscaping for the purpose of screening shall be maintained in a healthy condition. The use of concrete or concrete aggregate shelters is not allowed in UR, RA-5 and R zones. Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040.D, *Accessory Standards*.

j. Within the shoreline jurisdiction, additional screening shall be provided through plantings or double rows of native conifers surrounding the base of the structure. (SMP)

5. Small Cell Facility attached to existing and replacement Utility Poles (excluding Light Poles) and Miscellaneous Poles:
    a. Except for wooden utility poles, antennas shall be internal to the pole whenever technically feasible otherwise external antenna mounts are allowed and shall be flush mounted to the surface of the pole. Unified camouflage designs concealing

antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(5)(i) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than twelve (12) inches off the pole, measured from the inside edge of the antenna to the surface of the pole, unless otherwise required by the pole owner. Side arm brackets are prohibited.

b. Antennas attached to the top of a miscellaneous pole shall be flush mounted as close to the top of the pole as technically feasible. Antennas shall be shrouded or screened to blend with the pole except for canister antennas which shall not require screening. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and shall be painted to match the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole.

c. Antennas attached to the top of a utility pole and associated mounting hardware such as pole toppers or pole extenders are not allowed unless they are canister antennas or designed to blend with the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole and shall substantially match the diameter of the pole. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and painted to match the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be concealed.

d. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

e. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole,

unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(5)(i). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

f. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted or tinted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.

g. Attachment of additional small ~~wireless~~ **cell** facilities to a utility pole which has an existing small ~~wireless~~ **cell** facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact.

h. Cable and/or conduit shall be routed through the inside of all poles except for wooden poles where cable and/or conduit shall be allowed on the outside of the pole. The outside conduit shall be painted to match the pole and shall comply with the engineering standards of the pole owner.

i. New poles for the sole purpose of accommodating WCF's shall be reviewed as a new antenna support structure.

6. Small Cell Facilities attached to existing, replacement and new Light Poles:

a. Antennas shall be internal to the pole whenever technically feasible otherwise external antenna mounts are allowed and shall be flush mounted to the surface of the pole. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(6)(e) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than twelve (12) inches off the pole, measured from the inside edge of the antenna to the surface of the pole, unless otherwise required by the pole owner. Side arm brackets are prohibited.

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b. Antennas attached to the top of the pole shall be flush mounted as close to the top of the pole as technically feasible. Antennas shall be shrouded or screened to blend with the pole except for canister antennas which shall not require screening. Canister antennas or screening/shrouding for all other antennas shall be painted to match the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole.

c. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

d. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(6)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

e. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted or tinted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility

f. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, *Types of Planting*, shall be required for any Equipment Enclosure located within a new compound area outside public rights-of-way.

g. Cable and/or conduit shall be routed through the inside of all poles.

h. Replacement and new light poles shall meet City design standards.

i. New poles for the sole purpose of accommodating WCF's shall be reviewed as a new antenna support structure except for when deemed necessary through a lighting analysis submitted by the applicant and when illumination design standards and pole standards are met.

7. Macro Cell Facility attached to existing and replacement Utility Poles:

a. External antenna mounts are allowed and shall be flush mounted. Unified camouflage designs concealing antennas and equipment within a single enclosure are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible. Side arm brackets are prohibited.

b. Antennas attached to the top of a utility pole and associated mounting hardware such as pole toppers or pole extenders are not allowed unless they are canister antenna or designed to blend with the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole and shall substantially match the diameter of the pole. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and painted to match the pole. All cabling and mounting hardware from the bottom of the antenna to the top of the pole shall be concealed.

c. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(7)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

d. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and all associated equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.

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e. Attachment of additional ~~small~~ wireless facilities to a utility pole which has an existing ~~small~~ wireless facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact. Canister antennas attached to the top of the pole shall be stacked as technically feasible.

f. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, Types of Planting, shall be required for any Equipment Enclosure located within a new compound area outside public rights-of-way.

g. Cable and/or conduit shall be allowed on the outside of the pole. The outside conduit shall be painted to match the pole and shall comply with the engineering standards of the pole owner.

h. New poles for the sole purpose of accommodating WCF's are reviewed as a new antenna support structure.

21.56.060 Special Exceptions

A. **Purpose.** The purpose of this section is to provide for the granting of special exceptions when adherence to all development and design standards of this chapter would result in a physical or technical barrier which would block signal reception or transmission or ~~in~~ would otherwise ~~circumstances which prevent~~ be an effective prohibition of wireless service~~communication~~.

B. **Applicability.**

1. A special exception is required whenever an applicant desires to:

   a. Vary from the height, location, or setback limitations on the siting of amateur radio towers; or

   b. Vary from the setback limitations for antenna support structure; or

   c. Locate a~~n~~ new antenna support structure within the UR, RA-5, R-1, R-2, R-3, R-4, R-5, and R-6 zones or within the shoreline areas of the City; or

   d. Exceed the height limit on Structure Mounted Facilities; or

   e. Vary from the setback, size, screening, landscape, and service area requirements for large satellite dishes in all zones; or

   f. Requests to exceed the height limit for a proposed new or replacement antenna support structure in any zone.

2. The special exceptions provided in this section do not apply to variations from the International Building Code.

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3. A variance pursuant to RZC 21.76, *Review Procedures*, is required for variations from applicable zoning regulations not described in this section.

C. **Procedures.**

1. A request for a Special Exception shall be processed in conjunction with the permit approving the Wireless Communication Facility and shall not require any additional application or fees. The final approval authority for granting of the Special Exception shall be the same as that for the permit approving the antenna(s) location.

2. Upon review of Special Exception requests, the approval authority shall consider first those standards having the least effect upon the resulting aesthetic compatibility of the antenna(s) or tower with the surrounding environment. The approval authority shall review setback, size, screening requirements, and height limits.

3. The decision-making body for review of a Special Exception shall be the Technical Committee.

D. **Special Exception Decision Criteria.**

1. The applicant shall justify the request for a Special Exception by demonstrating that the exception is requested for technological or aesthetic reasons or that the obstruction or inability to receive or transmit a communication signal is the result of factors beyond the property owner's or applicant's control, taking into consideration potential permitted development on adjacent and neighboring lots with regard to future reception window obstruction or other necessary facility design requirements. Pictures, drawings (to scale), maps and/or manufacturer's specifications, and other technical information as necessary, should be provided to demonstrate to the City that the Special Exception is necessary.

2. The applicant for a Special Exception shall demonstrate that the proposed materials, shape, and color of the antenna(s) will, to the greatest extent possible, minimize negative visual impacts on adjacent or nearby residential uses and recreational uses in the Agriculture and Urban Recreation zones and shoreline areas. The use of certain materials, shapes and colors, and landscaping may be required in order to minimize visual impacts.

3. Large Satellite Dish Antenna(s) – Special Exceptions. In addition to the general criteria for approval of Special Exceptions, the following criteria apply to large satellite dishes:

   a. Urban Recreation, Semirural, Residential Zones and Shorelines (SMP).

      i. Modifications to requirements for setback, size, screening, and maximum height limit may be considered by Special Exception. If a Special Exception from the height limit for a ground-mounted dish is requested, the height of the dish shall be limited to a maximum of 18 feet.

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ii. Only if these modifications would still block an electromagnetic signal shall rooftop location be considered. If a Special Exception is sought to obtain a rooftop location, the diameter of the dish shall be limited to six feet and maximum permitted height shall be 15 feet above the roofline. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal.

b. Other Zones.

i. Ground-Mounted Antenna(s). Exceptions to be first considered shall be from setback, landscape and service area requirements, size and screening requirements. Only if these waived regulations would still block an electromagnetic signal shall a Special Exception from height requirements be considered. If a Special Exception is sought to vary from the height limit, the height of the dish shall be limited to a maximum of 20 feet.

ii. Roof-Mounted Antenna(s). The first exception to be considered shall be the center-of-roof requirement; the second exception shall be from the size and screening requirements, respectively. Only if these waived regulations would still result in a block of the signal shall a Special Exception from height requirements be considered. A Special Exception from the height limit shall be allowed up to a maximum of 20 feet above the existing or proposed structure. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal and structural considerations allow the alternative placement.

4. Additional Requirements for locating a new~~n~~ antenna support structure in UR, RA-5, R-1, or shoreline areas; or proposals to exceed height limits for a proposed antenna support structure in any zone:

a. An applicant will be required to provide an evaluation of alternative sites during this process. ~~and that there is a gap in coverage.~~

b. An amplified public involvement process shall be required and shall be conducted and paid for by the applicant. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts, and to determine potential mitigation measures that would make siting of that facility more acceptable.

i. The applicant shall propose an acceptable public involvement plan to be reviewed and approved by the Administrator.

ii. The public involvement process shall be initiated within 30 days of the issuance of a notice of application.

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c. In addition to meeting the criteria established in RZC 21.56.040 and RZC 21.56.050, the following criteria shall be used to make a determination on the application:

i. The impact of the facility including the design and operation on the surrounding uses, the environment and the City has been minimized;

ii. The proposal considers possible mitigation measures that can be developed which would make siting the facility within the community more acceptable.

Effective on: 4/16/2011

21.56.070 Technical Evaluation

In addition to the specific technical evaluations required in this chapter, whenever the Administrator determines that technical expertise, evaluation, or peer review is required in order to determine whether an application meets the requirements of this chapter, the Administrator may require that an applicant provide such expertise, evaluation, or review at the applicant's expense, or the Administrator may obtain such expertise, evaluation, or peer review on the Administrator's own and may require that the applicant pay the cost of such expertise, evaluation, or review.

The selection of the third party expert shall be by mutual agreement between the applicant and the City; such agreement shall not be unreasonably withheld by either party. The third party expert shall have recognized training and qualifications in the field of radio frequency engineering.

The expert review is intended to be a site-specific analysis of technical aspects of the wireless communication facility and other matters as described herein. In particular, but without limitation, the expert shall ~~be~~ ~~entitled to~~ provide a recommendation on the location and height of the proposed facility relative to the applicant's ~~gap in coverage~~ technical and system design parameters. Such review shall address the accuracy and completeness of the technical data, whether the analysis techniques and methodologies are legitimate, the validity of the conclusions and any specific technical issues outlined by the City or other interested parties. Based on the results of the third party review, the City may require changes to the application for the wireless communication facility that comply with the recommendations of the expert.

21.56.080 Cessation of Use

An antenna support structure or wireless communications faculty shall be removed by the owner if operation of the same ceases for a period of 12 consecutive months or if the facility falls into disrepair and is not maintained. 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, the entire wireless communications facility shall be removed, including but not limited to all antennas, antenna

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supports, feeder lines, equipment enclosures, all associated equipment, conduit, and the concrete pad upon which the structure is located. This requirement does not extend to the removal of a utility pole, light pole or miscellaneous pole. All permits issued for new antenna support structures and equipment enclosures under this chapter shall be conditioned upon removal as required in this section.

21.76.040 TIME FRAMES FOR REVIEW

A. **Purpose.** The purpose of this chapter is to comply with RCW 36.70B.070 and 36.70B.080, which require that a time frame be established to ensure applications are reviewed in a timely and predictable manner. This chapter establishes the time frame and procedures for a determination of completeness and final decision for Type II, III, IV and V reviews, except where the review involves a development agreement or a land use permit for which a development agreement is required. No time frames are established by this chapter for Type I or Type VI reviews or for the review of development agreements or land use permits for which a development agreement is required. See also, RZC 21.68.200, *Shoreline Administration and Procedures*.

B. **Computing Time.** Unless otherwise specified, all time frames are indicated as calendar days, not working days. For the purposes of computing time, the day the determination or decision is rendered shall not be included. The last day of the time period shall be included unless it is a Saturday, Sunday, or a day designated by RCW 1.16.050 or by the City's ordinances as a legal holiday, in which case it also is excluded, and the time period concludes at the end of the next business day.

C. **Complete Application Review Time Frame.** The following procedures shall be applied to new applications to which this chapter applies, except for Wireless Communications Facilities.

1. Applications shall only be accepted during a scheduled appointment and deemed complete only when all materials are provided in accordance with the applicable application submittal requirements brochure. For applications deemed complete, a determination of completeness shall be issued. For applications deemed incomplete, a determination of incompleteness will be issued identifying the items necessary to complete the application. The applicant has 90 days to submit the required items to the City. While RCW 36.70B.070 requires that a determination of completeness or incompleteness be issued within 28 days after the application is filed, the City makes every effort to issue such determinations sooner than required, and may be able to issue a determination on the same day as the application is filed.

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2. If a determination of completeness or a determination of incompleteness is not issued within the 28 days, the application shall be deemed complete at the end of the twenty-eighth (28th) day.

3. When a determination of incompleteness has been issued advising an applicant that additional items must be submitted before an application can be considered complete, the applicant shall be notified within 14 days after receipt of such additional items whether the application is then complete or whether additional items are still needed.

4. An application is complete for purposes of this section when it meets the submittal requirements established by the Administrator and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the Administrator from requesting additional information or studies either at the time of the determination of completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.

5. To the extent known by the City, other agencies with jurisdiction over the project permit application shall be identified in the City's determination of completeness required by subsection C.1 of this section.

D. **Application Review and Decision Time Frame.** The following procedures shall be applied to new applications to which this chapter applies, except for applications for Wireless Communications Facilities.

1. Decisions on Type II, III, IV or V applications, except applications for short plat approval, preliminary plat approval, or final plat approval, applications for development agreements and applications for land use permits for which a development agreement is required, shall not exceed 120 days, unless the Administrator makes written findings that a specified amount of additional time is needed for processing of a specific complete land use application or unless the applicant and the City agree, in writing, to an extension. Decisions on short plat approval and final plat approval shall not exceed 30 days and decisions on preliminary plat approval shall not exceed 90 days. For purposes of calculating timelines and counting days of permit processing, the applicable time period shall begin on the first working day following the date the application is determined to be complete pursuant to RZC 21.76.040.C, *Complete Application Review Time Frame*, and shall only include the time during which the City can proceed with review of the application.

2. Appeals. The time period for consideration and decision on appeals shall not exceed:

   a. Ninety (90) days for an open record appeal hearing; and

b. Sixty (60) days for a closed record appeal;

c. The parties may agree in writing to extend these time periods. Any extension of time must be mutually agreed upon by the applicant and the City in writing.

3. Exemptions. The time limits established in this title do not apply if a project permit application:

a. Requires approval of the siting of an essential public facility as provided in RCW 36.70A.200;

b. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

4. See also RZC 21.68.200, *Shoreline Administration and Procedures*.

E. **Calculating Decision Time Frame.** In determining the number of days that have elapsed after the City has notified the applicant that the application is complete for purposes of calculating the time for issuance of the decision, the following periods shall be excluded:

1. Any period during which the applicant has been requested by the City to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date the City notifies the applicant of the need for additional information until the earlier of the date the City determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the City;

2. If the City determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies, and the procedures under subsection E.1 of this section shall apply as if a new request for information had been made;

3. Any period during which an Environmental Impact Statement is being prepared following a Determination of Significance pursuant to RCW Chapter 43.21C, or if the City and the applicant in writing agree to a time period for completion of an Environmental Impact Statement;

4. Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed.

F. **Wireless Communications Facilities.** In order to comply with Federal law and FCC guidelines, applications for the following wireless communications facilities and systems shall be finally approved, denied or conditionally approved within the following timeframes.

1. For all WCF applications, other than applications for Eligible Facilities Requests as described below, the City shall approve, deny or conditionally approve the application within the timeframes fixed by Federal or State law, unless review of such application is tolled by mutual agreement.

2. Eligible Facilities Requests

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

a. *Type of Review.* Upon receipt of an application for an Eligible Facilities Request, the City shall review such application to determine completeness.

b. *Approval; Denial.* An Eligible Facilities Request shall be approved upon determination by the City that the proposed facilities modification does not substantially change the physical dimensions of an eligible support structure. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facilities modification will substantially change the physical dimensions of an eligible support structure.

c. *Timing of Review.* The City shall issue its decision within sixty (60) days of receipt of an application, unless the review period is tolled by mutual agreement by the City and the applicant or according to subsection F.2.d.

d. *Tolling of the Timeframe for Review.* The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the City and the applicant, or in cases where the City Administrator determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

    i. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.

    ii. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness.

    iii. Following a supplemental submission, the City will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

e. Failure to Act. In the event the City fails to approve or deny an Eligible Facilities Request within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the City Administrator in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

f. Remedies. Any action challenging a denial of an application or notice of a deemed approved remedy, shall be brought in King County Superior Court or Federal Court

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

for the Western District of Washington within thirty (30) days following the date of denial or following the date of notification of the deemed approved remedy.

3. The Administrator is hereby authorized to take appropriate administrative action, such as the hiring of a special hearing examiner, as well as expedited processing of applications, review and appeals, if any, in order to meet Federal or State time limits.

RZC 21.76 REVIEW PROCEDURES

RZC 21.76.070 LAND USE ACTIONS AND DECISION CRITERIA

AD. Wireless Communication Facilities.

1. Purpose. The purpose of this section is to provide a mechanism to address issues of safety and appearance associated with Wireless Communication Facilities and to provide adequate siting opportunities at appropriate locations within the City to support existing communications technologies as needed for Redmond businesses and institutions to stay competitive. See (RZC 21.56.030(C)and(D) for siting hierarchy).
2. Collocation requirements. All new Antenna Support Structures built for the purpose of siting a macro cell facility shall be constructed in a manner that would provide sufficient structural strength to allow the collocation of additional antennas from other service providers.
3. Construction plans and final construction of the WCF shall be approved by the City's Building Division, when applicable.
4. Time frame for Review. Refer to RZC 21.76.040(F)
5. Scope. The chart below identifies the land use permit process type based on the facility and its location (Note that ~~a franchise or lease agreement~~ additional approvals may be required per RMC Chapter 12.14):

Table 21.76.070
Wireless Communication Facilities Review Process

Wireless Communication Facility Type (WCF)	Zone	Structure	Land Use Permit Type
Small satellite dish antenna	All	All	None required
Large satellite dish antenna	All	All	Type I
Amateur radio towers	All	All	Type I
Temporary Wireless Communication Facility	All	See definition of Temporary WCF	Type I
New Antenna Support Structures for Macro and Small Cell Facilities and New Antenna Support Structures for Macro and Small Cell Facilities that exceed height limits established in RZC 21.56.	All zones	Tower	Type II

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Table 21.76.070 Wireless Communication Facilities Review Process			
Wireless Communication Facility Type (WCF)	**Zone**	**Structure**	**Land Use Permit Type**
Collocation of new antennas; removal or replacement of existing antennas~~;~~ and/or associated ground mounted equipment enclosures on previously approved Structure Mounted Facilities ~~and~~ that comply with size and concealment requirements established in RZC 21.56.	All	All structures except Towers	None required
Collocation of new antennas; removal or replacement of existing antennas~~;~~ and/or associated ground mounted equipment enclosures on existing Antenna Support Structures that are not an Eligible Facilities Request and comply with height limits established in RZC 21.56.	All	Tower	Type I (None Required for removal of antennas)
Eligible Facilities Request	All	All	None required, however see RZC 21.56.020(B)(4)
Macro Cell Facility and~~,~~ Small Cell Facility ~~and Small Cell Network~~ mounted to a Structure Mounted Facility and associated Equipment Enclosures	All nonresidential zones	Nonresidential, Mixed Use & Multifamily Structures	Type I~~1~~
	R-20 and R-30	Multifamily Use, Nonresidential & Mixed Use Structures	Type II
	All residential zones except R-20 and R-30	Nonresidential Structures	Type II
Macro Cell Facility and~~,~~ Small Cell Facility ~~and Small Cell Network~~ attached to Utility Poles, Light Poles and Miscellaneous Poles	All residential zones	Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a New Antenna Support Structure)	Type II None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications for additional ~~Franchise~~ requirements
			Type II if located within Special Design Areas

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Table 21.76.070 Wireless Communication Facilities Review Process			
Wireless Communication Facility Type (WCF)	**Zone**	**Structure**	**Land Use Permit Type**
Macro Cell Facility and, ~~Small Cell Facility and Small Cell Network~~ attached to Utility Poles, Light Poles and Miscellaneous Poles	All non-residential zones	Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a New Antenna Support Structure)	Type I None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications, Article III, for additional ~~Franchise~~, requirements
			Type II if located within Special Design Areas

5. Decision Criteria. All proposed wireless communication facilities shall not be approved unless the development regulations and design standards provided in RZC 21.56, *Wireless Communication Facilities,* are met.

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 Federal Communications Commission. Guy wires for amateur radio antenna(s) are considered part of the structure for the purposes of meeting development standards.

Antenna(s). means an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC 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 Part 15 of Title 47 of the Code of Federal Regulations. Types of antenna(s) include, but are not limited to: ~~Any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points; includes, but is not limited to, radio antenna(s), television antenna(s), satellite dish antenna(s), and cellular antenna(s). Types of antenna(s) include:~~

1. Omnidirectional (or "whip") antenna(s) transmits and receives radio frequency signals in a 360-degree radial pattern. For the purpose of this document, an omnidirectional antenna(s) is up to 15 feet in height and up to six inches in diameter.

2. Directional (or "panel") antenna(s) transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees.

3. Parabolic antenna(s) (or "dish") antenna(s) is a bowl-shaped device for the reception and/or transmission of communications signals in a specific directional pattern.

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Antenna Array. A single or group of antenna elements and associated mounting hardware, feed lines, or other appurtenances that may share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Support Structure. A vertical projection composed of metal or other material with a foundation that is designed for the purpose of accommodating antennas at a desired height. Types of support structures include the following:

1. Guyed antenna support structure - a style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.
2. Lattice antenna support structure - a tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.
3. Monopole antenna support structure - a style of antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground. These facilities may also include, flagpoles, slimline poles, monopines or new utility poles and new miscellaneous poles.

Base Station. A structure or equipment at a fixed location that enables licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower or any equipment associated with a tower.

1. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
2. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

3. The term includes any structure other than a tower that supports or houses equipment described in paragraphs (1) and (2) above and that has been reviewed and approved under RZC 21.56, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
4. The term does not include any structure that does not support or house equipment described in paragraphs (1) and (2) above.

Collocation. Includes the (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modification of a structure for the purpose of mounting or installing an antenna facility on that structure. ~~The practice of installing and operating antennas for multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility, using different and separate antenna, feed lines, and radio frequency generating equipment.~~ 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.

Eligible Facilities Request. Means a request for modification of an existing tower or base station that does not result in a substantial change of the physical dimensions of such tower or base station, involving [See Substantial Change]:

1. Collocation of transmission equipment;
2. Removal of transmission equipment; or
3. Replacement of transmission equipment.

Equipment Enclosures. The wireless service provider's enclosure used to house any transmission related 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 to a utility pole, light pole or miscellaneous pole.

Large Satellite Dish. Any satellite dish antenna(s) whose diameter is greater than one meter in the Urban Recreation, Semirural, Residential zones, or Shorelines areas of the City, or two meters within any zone. *[See Satellite Dish Antenna(s).]*

Light Pole – A utility pole used primarily for lighting streets, parking areas, parks or pedestrian paths.

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Macro Cell Facility. *A large wireless communication facility that provides radio frequency coverage served by a high power cellular tower. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other existing structures, at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three cubic feet per antenna and typically cover large geographic areas with relatively high capacity and are capable of hosting multiple wireless service providers.*

Miscellaneous Pole. A City owned pole other than a Traffic Signal or Light Pole including but not limited to a pole used exclusively for signage, banners, plants or decorative features. A new pole originally constructed for the purpose of providing support for a Wireless Communication Facility (WCF) shall be regulated as a new Antenna Support Structure.

Mixed Use. A land use where more than one classification of land use (for example, residential, commercial, and recreational) permitted within a zoning district is combined on a lot or within a structure.

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.

Small Wireless Facilities or small cell(s). Are facilities that meet each of the following conditions:

(1) The facilities—

(i) are mounted on structures 50 feet or less in height including their antennas, or

(ii) are mounted on structures no more than 10 percent taller than other adjacent structures, or

(iii) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;

(2) Each antenna associated with the deployment, excluding associated antenna equipment, is no more than three cubic feet in volume;

(3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

(4) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR § 1.1307(b).

~~**Small Cell Facility.** (RCW 80.36.375) means a personal wireless service facility that meets both of the following qualifications:~~

1. ~~Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its~~

~~exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and~~

2. ~~Primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: Electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch.~~

~~**Small Cell Network.** A collection of interrelated small cell facilities designed to deliver personal wireless services.~~

Small Satellite Dish. Any satellite dish antenna(s) that has a diameter less than or equal to one meter located in Urban Recreation, Semirural, Residential zones or Shoreline areas of the City or two meters within any other zone. *[See Satellite Dish Antenna(s).]*

Special Design Areas. Special Design Areas are public rights-of-way, including streets, in the following locations:

1. Cleveland Street between Redmond Way and 164th Avenue NE
2. Leary Way between NE 80th Street and West Lake Sammamish Parkway NE
3. Gilman Street between the Redmond Central Connector and NE 80th Street
4. Bear Creek Parkway and 170th Ave NE from Redmond Way to Redmond Way in Downtown Redmond
5. 152nd Avenue NE between NE 20th and NE 31st streets in the Overlake Neighborhood

Full concealment of all wireless communication facilities within the Special Design Areas is required, including within poles, street furniture, garbage cans, mailboxes and other similar features. In limited circumstances, the City can allow wireless communication facilities in Special Design Areas under the following conditions:

1. They are camouflaged,
2. They are designed, integrated into, and consistent with the design theme of a pole, and
3. That that there is no alternate location outside of the Special Design Area that can provide similar service.

Structure. That which is constructed and placed permanently on or under the ground or over the water, or attached to something having a permanent location on or under the ground or over the water, excluding residential fences less than six feet in height; retaining walls, rockeries, patios, and decks less than 30 inches in height; and similar improvements of a minor character. For the purpose of administering the Shoreline Master Program, structure shall have the meaning given in WAC 173-27-030(15). For the purpose of administering the Wireless Communication Facilities code, structure shall have the meaning given in under 47 CFR 1.6002.

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Structure Mounted Facility - A structure or building that can accommodate a Wireless Communication Facility that is mounted on the top/roof or side/façade of the structure or building. The term does not encompass a tower or antenna support structure, or any equipment associated with a tower or antenna support structure, or a utility pole, light pole, traffic signal pole or miscellaneous pole.

Substantial Change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the Tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site;
5. It would defeat the concealment elements of the eligible support structure; or
6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified above.

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

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 typically used for large-scale events, or to provide wireless coverage in the event an existing permanent WCF is removed to allow for construction activity at the underlying site.

Tower. An Antenna Support Structure.

Traffic Signal Pole. A Utility Pole that supports equipment used for controlling traffic including but not limited to traffic lights, rapid flashing beacons, speed radar, school zones flasher, etc.

Transmission Equipment. Equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup 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.

Unified Camouflage Design. Concealment of antennas and equipment within a single enclosure.

Utility Pole. A structure designed and used primarily for the support of electrical wires, telephone wires, television cable and may also include lighting. A new utility pole originally constructed for the purpose of providing support for a Wireless Communication Facility (WCF) shall be regulated as a new Antenna Support Structure.

Wireless Communications. Any personal wireless service, which includes, but is not limited to, cellular, Personal Communications Services (PCS), Specialized Mobile Radio (SMR), Enhanced Specialized Mobile Radio (ESMR), and unlicensed spectrum services utilizing devices described in Part 15 of the Federal Communications Commission rules and regulations (e.g., wireless internet services and paging).

PLANNING COMMISSION RECOMMENDED AMENDMENTS

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Wireless Communication Facility Permit. A permit required to ensure compliance with regulations in RZC 21.56, Wireless Communication Facilities, for large satellite antenna(s), amateur radio towers and other wireless communication facilities.

Wireless Communication Facility (WCF). An unstaffed facility for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, equipment enclosures, and an antenna support structure.

February 20, 2019

Via email-- planningcommission@redmond.gov
Redmond Planning Commission

Roy Captain, Chair
Phil Miller, Vice Chair
Sherri Nichols
Vidyanand Rajpathak
Stephanie Rodriguez
Vanessa Kritzer
Judy East

Dear Redmond Planning Commissioners:

Thank you for the opportunity to provide feedback on the draft wireless code update. Verizon has been working with staff to provide information about the enormous increase in consumer demand for data capacity and cell service, as well as input on the technical requirements for the new small cell technology. Verizon supports the general direction and language of the draft code and is appreciative of the effort by staff to address the technological needs of the wireless industry.

This new technology is vital to address the coverage and capacity needs of Verizon's customers. More people are using more wireless devices to do more things than ever before, like streaming video and uploading images. In fact, wireless data usage tripled from 2013 to 2015 and is forecast to multiply seven-fold from 2015 to 2019.

Verizon is working to stay ahead of the demand by adding fiber optic capacity and small cells to connect people where they need it most.

The low visual profile of small cells makes them an excellent solution for delivering capacity and coverage to residential neighborhoods. Small cells will also deliver

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connections for “smart communities” services to boost the flow and safety of vehicle traffic, manage resources like light, power and water and improve the quality of life of Verizon’s customers. Moreover, this technology is key to preparing Verizon’s network infrastructure so that it is capable of offering 5G wireless connections when it becomes commercially available.

With such a pressing need for additional capacity, we want to work with the city to make sure the city’s draft small cell code will facilitate deployment of this much-needed infrastructure.

Requested revisions to the draft code.
While Verizon generally supports the changes being proposed, there some targeted concerns we would like to raise:

1. The suggested changes in the RZC 256.050(3)(c) and (4)(d) address the "fully screened" requirement that recurs in several sections of the code. 5G antennas cannot be screened, or even painted, and Verizon is concerned that this requirement will inhibit 5G deployment in areas where Redmond anticipates some of its densest development, like Cleveland, Gilman, Redmond Way and parts of Overlake. Verizon requests that the requirement to fully conceal elements of a small wireless facility be qualified by adding the language: **to the fullest extent technologically feasible.**

2. Section 21.56.050(3)(c) contains this prohibition: "Antennas for Macro Cell Facilities are not permitted on any building façade other than water towers." This is overly restrictive for buildings in business park, commercial and industrial zones. Verizon requests that attachment to building facades and rooftops be allowed in these zones.

3. Verizon requests that the city clarify why interior conduit is included toward the minimum 28 cubic feet for pole mounted equipment enclosures, unified camouflage designs, and associated transmission equipment (including interior conduit), when it is not visible.

Thank you for the opportunity to comment and we look forward to continuing to work with the City to develop a code that preserves the look and feel of your community, while providing an efficient and workable process to deliver the service your residents, visitors and businesses have come to expect.

A Verizon representative will be at your meeting to provide testimony, answer questions and provide additional information, as needed.

Sincerely,

Kim Allen, Senior Vice President
Wireless Policy Group, LLC on behalf of Verizon Wireless

CITY OF REDMOND PLANNING COMMISSION
MINUTES

February 20, 2019

COMMISSIONERS PRESENT:	Vice Chairman Miller, Commissioners East, Kritzer, Nichols, and Rodriguez
STAFF PRESENT:	Cathy Beam, Kim Dietz, Jae Hill, Scott Reynolds, Erika Vandenbrande, and Cameron Zapata, Planning Department
EXCUSED ABSENCE:	Chairman Captain and Commissioner Rajpathak
RECORDING SECRETARY:	Carolyn Garza, LLC

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Vice Chairman Miller.

APPROVAL OF THE AGENDA

There were no changes to the Agenda.

ITEMS FROM THE AUDIENCE:

Devendra Maharaj with Verizon Wireless in Bellevue stated that Verizon supports the proposed changes but that there were some concerns addressed in a comment letter sent to the Commission today. More detail will be presented at the next meeting. Mr. Maharaj stated that Verizon thanked the Commission and looked forward to working with the City.

Vice Chairman Miller replied that the Commission looked forward to the staff presentation on the topic.

APPROVAL OF MEETING MINUTES:

MOTION to approve January 9, 2019, and January 23, 2019, Meeting Minutes by Commissioner Nichols. MOTION seconded by Commissioner Rodriguez. The
MOTION passed unanimously.

Report approval, Periodic Cleanup of Redmond Zoning Code, Kim Dietz, Redmond Planning

Ms. Dietz did not have a presentation and requested Commissioner's review and approval of their Report, as provided in their meeting packet.

The current amendments are specific to small cell facilities, or fourth, and fifth generation mobile communication system infrastructure. Macro cell is meant to be the backbone of the cell network while the small cell fills in gaps, primarily in downtown or residential areas. Small cells can be attached to utility, light or traffic poles in the right-of-way. The purpose is to augment the capacity of macro units, be located in more dense areas, and at 25 to 45 feet in height in comparison to macro cells which can be beyond 75 feet in height. Examples of how a small cell facility would be attached to an existing or new pole were displayed.

One change was necessary to update the size of an equipment cabinet and another to clarify that the size would not include antennas. Another example is that new poles in an existing neighborhood would be designed to be compatible with existing utility and light poles. In the definition section, there is a clarification to collocation required to be consistent with the FCC ruling. A full replacement of the definition of small wireless facilities in order to establish compliance and consistency with the FCC ruling is also included.

All are minor changes necessary to achieve compliance. The recommended amendments are limited to what would be necessary based on the FCC's new ruling.

The proposed schedule for the review by the Planning Commission includes a Study Session at this meeting, a Study Session and Public Hearing on February 27, 2019, and a recommendation and Approval on March 13, 2019. The City Legal Counsel will be present at the February 27, 2019 meeting and can assist with questions and respond to any testimony that evening.

Commissioner Nichols asked if reviews of special exceptions typically are completed by a Technical Committee, as stated on page D-23 of the draft code, section C3. Mr. Reynolds replied that this section was added for clarity regarding the authority, a clean-up technicality of the code.

Vice Chairman Miller asked, should the issue under review involve design, if there would be a role for the Design Review Board and particularly in an area with a specific designated infrastructure design; would there be a peer review by design professionals. Ms. Dietz replied that the question would be researched and an answer would be brought to the next meeting.

Commissioner Kritzer stated that the presentation had been helpful but may be challenging for the general public to understand. The presentation from this meeting should be posted online but if possible, also an expand on the chart for clarity on the most important changes. Ms. Dietz replied that staff would be happy to do this.

Commissioner East stated that on page D-25, the code portion including "Without limitation, the expert shall provide a recommendation; *entitled to"* has been taken out but the word *be* would need to be removed as well.

Commissioner Rodriguez asked for clarification on pages D-35 and D-36; two conditions had been struck and replaced with four; would not mentioning *there would be some associated equipment located outside the primary equipment enclosure* in the green text infer that everything must be included inside the enclosure. Ms. Dietz replied that this would be looked

into. Commissioner Rodriguez further asked if, when a passage or word is struck, this should imply that what was struck has been incorporated into the change.

Vice Chairman Miller stated having the impression, looking at what the FCC has done, that local autonomy regarding design is not to be considered. The presentation chart was displayed again and Vice Chairman Miller asked for the definition of Safe Harbor for the audience. Ms. Dietz replied that the FCC rule would need to be looked up and that this was not a part of the code amendment. Vice Chairman Miller stated that the definition may help with a general understanding. Ms. Dietz replied that this would be brought to the next presentation.

Vice Chairman Miller asked which entity would determine what would materially inhibit small wireless facility deployment. Ms. Dietz replied that this would be brought to the next presentation and that staff and legal counsel have been discussing this. Vice Chairman Miller stated that work has gone on for years to create an attractive downtown and details will be necessary.

Commissioner Kritzer stated that more clarification— what the changes would mean for the aesthetics of Redmond — should be included online.

Commissioner Rodriguez stated that there were pages titled Design Standards, and asked if the aesthetic appeal was being addressed or if the pages were simply an explanation of design standards. Vice Chairman Miller stated that the manner in which Design Standards are stated may imply that the applicant would define what materially inhibits small wireless facility development. How this is determined, what the ability of Redmond would be to work with small wireless facility developers to ensure standards can be met in the interest of the public, and how to continue to maintain a high standard of design and development in the community was needed. Commissioner Kritzer stated that in reading through the Design Standards, whether there would, in fact, be a large material change that the public would not see was not clear.

Commissioner Nichols asked for clarification on page D-22; *when adhering to design standards would result in a physical or technical barrier which would block signal reception or transmission*, that the decision-making body would be the Technical Committee. Ms. Dietz replied that cabinetry paint can have an impact on the signal and that equipment from provider to provider can be different. A standard presented by Verizon may not be available to other providers. Staff will come back with as much information as possible particularly regarding character and what the City could anticipate seeing. There are some designs that the Public Works staff have been working with, and while more schematic, these examples will be provided for the Planning Commission's reference. Commissioner Nichols stated that in the past, the conflict between design and physics had been an issue. Ms. Dietz replied that there have not been many implementations in Redmond as yet and in the future, this issue may need adjusting, but at this presentation, only the FCC ruling is being addressed.

Vice Chairman Miller asked how the code update would affect staff and applicants in terms of the level of effort to manage and implementing the proposed changes to the Code. Ms. Dietz asked if the applicant would be a telecom provider and Vice Chairman Miller replied yes. Vice

Chairman Miller asked for clarification regarding the role of the Planning Commission that is in place for design and aesthetics.

Informational Briefing, Planning Department Restructure, Erika Vandenbrande, Director of Planning, Redmond Planning

Ms. Vandenbrande stated that on March 4, 2019, a Deputy Director will be introduced to the Board, a longstanding member of the Redmond community and professional in the Planning field.

The Planning Department prepares and plans for growth. A slide was shown of Planning activities over several decades toward 2030. Infrastructure for future growth to 2050 is being examined now. In order to prepare, the Long Range and Comprehensive Planning division has a key role; demographics and trends, and building the base of a future vision. Stopping growth is not part of the equation. Visioning includes looking at current metrics and demographics, where growth is occurring, and the match to income levels and types of housing.

A new Strategic Initiatives Planning Group has been established, responsible for keeping the zoning code updated as well as working with the Long Range and Development Services departments to ensure that code will reflect realistically. Intensive analysis around the past allows for a forecast of the future. City Council will be presented next week with the A Regional Coalition for Housing (ARCH) affordable housing work program as well as the One Redmond initiative regarding workforce housing. Housing and Human Services are working together. Planning to realization literally can take 15 to 20 years.

Downtown parking is being inventoried with a consultant in order to evaluate parking standards within the vision. Planning helps support the achievement of light rail which serves an alternative transportation backbone. A specific architectural aesthetic, as well as economic development, will ensure a vibrant Downtown for both small and large businesses. Before and after photos were shown of the City and the differing characters.

Vice Chairman Miller stated that Chairman Captain had requested a briefing regarding changes to the Planning Department structure and that the Planning Commission is already familiar with what the Planning Department does. Vice Chairman Miller stated looking forward to seeing a presentation regarding changes to the Planning Department structure.

Ms. Vandenbrande stated that there would be two minor changes, and Vice Chairman Miller replied that the point of the request had been to learn about these and how the outreach of the department to the citizens of the community as well as Planning Commission work would be affected.

Ms. Vandenbrande stated that the first change was a new Deputy Planning Director on March 4, 2019, and the second change was the creation of the Strategic Initiatives Group. Housing and Human Services working together was a third.

Commissioner Rodriguez suggested that an organizational chart may be helpful to see how the Planning Department is structuring against initiatives. Another question was if the Planning Department is running on a net-loss or net-gain toward capacity, scope, and ability to support the long-range growth plan.

Ms. Vandenbrande asked Vice Chairman Miller if an organizational chart should be displayed at this time or if the information should be brought later and Vice Chairman Miller replied that Chairman Captain should be present as the requestor and the information should be presented later.

Commissioner Kritzer asked Ms. Vandenbrande to elaborate on the Strategic Initiatives Planning Group vision. Ms. Vandenbrande replied that the former Economic Development Manager moved to the Communications team to help support Planning and Public Works in communicating with the community. The Strategic Initiatives Planning Group will be responsible for the zoning code, transportation demand management and tourism in regard to economic development.

Vice Chairman Miller stated that the follow-up did help and thanked Ms. Vandenbrande.

Reports/Scheduling/Topics for Next Meeting(s)

Mr. Hill stated that on the agenda for the next meeting on February 27, 2019, is a Public Hearing and Study Session for the Wireless Communications Facilities (WCF) Zoning Code Update, and a Briefing on the Public Arts Integration Ordinance specifically within Marymoor Village. On March 13, 2019, on the agenda is Report Approval for WCF and two informational briefings; one for Affordable Housing by Sarah Stiteler, and Traffic Signals as requested by Vice Chairman Miller.

Vice Chairman Miller stated that a request had also been made for a third informational briefing regarding the Microsoft Refresh and asked if this was on the schedule. Mr. Hill replied no. Commissioner Rodriguez stated having seen a Briefing regarding Microsoft Refresh on the agenda for the next meeting, but Mr. Hill replied that the agenda had been adjusted. Ms. Vandenbrande replied that coordination with the Microsoft team needs to occur in order to bring the most accurate information to the Commission. Vice Chairman Miller asked if there was a timeframe for a basic informational briefing, and that only the basics were needed at this time. Ms. Vandenbrande replied that scheduling time with the Microsoft team for information had not occurred yet due to weather and other factors.

Vice Chairman Miller stated that over the years, Planning Commission Chairs have sought to generate items on the agenda as the charter of the Commission is clear around, even to the level of creating ad hoc committees for special studies. A political analysis is not needed but only a basic briefing of what the project is. The response to the Public Testimony of Mr. Fuller was the first time the Commission has had mention of what will be the most significant, expensive and extraordinary privately funded development in the history of the City. The Planning Commission will not be a part of the approval process but the request for an informational briefing was in order to know. The Commissioners are residents of the City and other citizens ask them

questions. Vice Chairman Miller stated looking forward in a timely manner to see a very basic presentation. Issues such as storm water run-off and traffic affect neighbors and information has not been brought forward.

Ms. Vandenbrande replied that the conflict was not that the Planning department did not want to bring the information to the Commission, but rather a matter of scheduling those people most expert in the project and the vision of Microsoft together. Given the recent weather events and pace at which Microsoft is making people with this information available, a briefing will occur but a date cannot be made firm at this time. Vice Chairman Miller hoped to continue the discussion and to see a presentation, if only from a staff perspective, before leaving the Commission on March 31, 2019. The community deserves at least a basic briefing with positives because of the scope and impacts of the project. Transparency and clarity are extremely important.

Commissioner Rodriguez disclosed being an employee of Microsoft working in the division responsible for the campus Refresh, not reporting directly to the project but as part of the larger organization. Commissioner Rodriguez stated looking to the Commissioners for guidance regarding how to interact. Mr. Hill replied that Commissioner Rodriguez would need to recuse only if a role in preparing information coming forward was played. Commissioner Rodriguez replied no role in preparing information for a briefing would occur. Commissioner Rodriguez stated that there is an existing video and Power Point out on the Refresh plan, publicly. The information may be available through the Puget Sound Business Journal and LinkedIn and suggested that as this is Public Record and generally available, staff could send this to the Commissioners in the interim. Ms. Vandenbrande replied that the information link to the Microsoft website was also available on the City website and that basic information and transparency is already available to the community. The information being requested does not currently exist because of where the process is and experts are needed for specifics. Vice Chairman Miller stated that the Commission was not in a position to know what exists and any information is good and was aware of the video presentation. The Planning Commission is accountable to the citizens of Redmond, citizens are aware the Refresh is coming, and explaining why the Planning Commission is not involved at this point is difficult. The Commission is an important conduit between the City and citizens and any communication that can occur is good, why a basic informational briefing would be productive. Vice Chairman Miller looked forward to knowing when this could occur, including a discussion regarding the scope to be discussed if needed as the request for a briefing may have been overly broad. The response to specific questions regarding the impact of the project to Mr. Fuller, again, was concerning. Any information is good even if only what the Planning Department feels comfortable in presenting at this stage.

Commissioner Kritzer stated that when how Microsoft plans to connect with the City in terms of investment in affordable housing is clear, a briefing would be helpful for a sense of how the City is strategically positioning with the opportunity for affordable housing. Ms. Vandenbrande replied that there is a concept but operational logistics are being worked on. As soon as known, the information Commissioner Kritzer has requested will be brought forward.

Communications with Staff

Mr. Hill reminded the Planning Commission that the Retreat would be held on April 3, 2019, in the same location as last year.

Mr. Hill stated that the application period for Planning Commissioners closed today, February 20, 2019, at 5:00 p.m. Staff will begin reviewing applications and the Planning Commission will be contacted to begin the interview process.

Commissioner East asked if the Retreat would be held at the same time as meetings, and Mr. Hill replied yes.

ADJOURNMENT:

MOTION to adjourn by Commissioner Nichols. MOTION seconded by _____. The MOTION passed unanimously.

The meeting adjourned at 8:21 p.m.

Minutes Approved On:

Mar. 13, 2019

Planning Commission Chair

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Meeting Summary

City of Redmond Planning Commission

March 13, 2019

City Hall, 15670 NE 85th Street
Redmond, Washington 98073

Planning Commissioners in Attendance:
Chair, Roy Captain; Sherri Nichols; Stephanie Rodriguez; Vidyanand Rajpathak

Planning Commissioners Excused:
Vice-Chair Phil Miller; Vanessa Kritzer; Judy East

Staff in Attendance:
Jae Hill, Long-Range Planning Manager; Kimberly Dietz, Senior Planner; Scott Reynolds, Planner

1. Call to Order:
Chair Captain called the meeting to order at 7:00 p.m.

2. Approval of Agenda:
S. Nichols moves approval, S. Rodriguez seconds. Approved without objections.

3. Approval of Meeting Minutes, February 20, 2019:
S. Nichols moves approval, S. Rodriguez seconds. Approved without objections.

4. Items from the Audience:
There were no items from the audience.

5. Study Session and Possible Action, Wireless Communications Facilities Zoning Code Update
Kim Dietz presented responses to the Commissioners from their Issues Matrix and new developments since the previous hearing. Ms. Dietz explained staff's responses to the Planning Commission's open issues as follows:

- Issue A2. The process for Right-of-Way permits for new/replacement poles are being addressed in a Public Works separate approval progress; (5:38)
- Issue C2. When staff or Technical Committee would be involved in permit review and decision making, in accordance with permit review timeframes that are guided by shot clocks; (7:09)
-
- Issue D1. The difference between FCC and RCW equipment volume measurements—of 28 cubic feet and 17 cubic feet, respectively—is based on established definitions. Specific equipment is included in FCC's calculations though not in the RCW calculations; (10:30)
- Issue D3. Other items—such as signs, traffic cameras, and antennas—collocate on city street poles; (13:38)
- Issue D4. The City will consider Wireless Policy Group's request—to add some language regarding technical feasibility—at a later time; (14:33)

- Issue E1. Payments for new/replacement poles are borne by the applicant, and that the rules are being developed by Public Works staff; (24:06)
- Issue E2. The City does not incentivize 5G installation, but Comprehensive Plan Policies support installation of communications technology; (25:16)
- Issue E3. Concerns may be similar among other carriers. Staff and the City Attorney had previously worked with service providers such as AT&T to incorporate their concerns or interests in code development; (25:56)
- Issue E4. Staff presented three additional amendments addressing clarity, consistency, and accuracy for the Commission's consideration. (27:51)
-

Staff confirmed that no additional written testimony was provided during the period in which the written hearing was open. At their February 27, 2019 meeting, Commissioners had agreed to maintain the hearing open for written comment through Wednesday, March 6th (30:33).

Chair Captain looked for a motion to recommend the technical committee report. S. Nichols moved "approving the amendment to the Redmond Zoning Code as prepared by the Technical Committee"; seconded by V. Rajpathak; unanimous approval. (31:14)

Ms. Dietz clarified that there were additional amendments identified by the Commission, through public testimony, and by staff to series of amendments included in the Technical Committee's report. J. Hill suggested a motion to amend the previous action. S. Nichols moved "to also approve the amendments brought to us tonight"; seconded by V. Rajpathak; unanimous approval. (32:11)

J. Hill stated that the Planning Commission Report could either be approved tonight, or the commission could direct the chair to approve. S. Nichols moved to "approve and direct the Chair to sign the draft Planning Commission Report"; seconded by S. Rodriguez, unanimous.

The Chair thanked Staff for their work.

6. Reports and Scheduling.

J. Hill mentioned that the informational briefings scheduled for March 13th would be moved to the following week's agenda. J. Hill then asked the Commission for potential retreat topics. The Commission had none. The Chair requested that Staff send an email to solicit input.

Summary prepared by: Jae Hill, Long-Range Planning Manager, on 3/19/19

Summary approved by: Roy Captain, Chair, on March 20, 2019.

Signature of Planning Commission Chair

Discussion Issues

Issue	Discussion Notes	Status
A. Permit Review Timelines (Shot Clocks)		
A1. How does the FCC's ruling impact the City's procedures and workflow? And, how does it impact applicants for wireless communication facility deployment? (Miller)	**Planning Commission Discussion** Commissioner Miller asked how the FCC's ruling and associated changes to the Redmond Zoning Code impact procedures and workflows carried out by City staff as well as the applicants for wireless communication facility deployment. Commissioners Miller was satisfied with staff's response and closed this item. **Staff Response/Recommendation** RZC 21.76.040.F Time Frames for Review – Wireless Communications Facilities provides application review timing in compliance with federal law and FCC guidelines. This portion of the RZC was previously established by Ord. 2919, eff. April 14, 2018. No changes to Section F have resulted from the FCC's January 14, 2019 ruling, as follows: FCC Ruling: (i) Review of an application to collocate a Small Wireless Facility using an existing structure: 60 days. (ii) Review of an application to collocate a facility other than a Small Wireless Facility using an existing structure: 90 days. (iii) Review of an application to deploy a Small Wireless Facility using a new structure: 90 days. (iv) Review of an application to deploy a facility other than a Small Wireless Facility using a new structure: 150 days. RZC 21.76.040.F Time Frames for Review (*current code, no changes recommended to section below*)	Opened 2/20 Closed 2/27

Issue	Discussion Notes	Status
	Wireless Communications Facilities. In order to comply with Federal law and FCC guidelines, applications for the following wireless communications facilities and systems shall be finally approved, denied or conditionally approved within the following timeframes. 1.For all WCF applications, other than applications for Eligible Facilities Requests as described below, the City shall approve, deny or conditionally approve the application within the timeframes fixed by Federal or State law, unless review of such application is tolled by mutual agreement. 2.Eligible Facilities Request a. Type of Review. Upon receipt of an application for an Eligible Facilities Request, the City shall review such application to determine completeness. b. Approval; Denial. An Eligible Facilities Request shall be approved upon determination by the City that the proposed facilities modification does not substantially change the physical dimensions of an eligible support structure. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facilities modification will substantially change the physical dimensions of an eligible support structure. c. Timing of Review. The City shall issue its decision within sixty (60) days of receipt of an application, unless the review period is tolled by mutual agreement by the City and the applicant or according to subsection F.2.d. d. Tolling of the Timeframe for Review. The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the City and the applicant, or in cases where the City Administrator determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.	

Issue	Discussion Notes	Status
	i. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application. ii. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness. iii. Following a supplemental submission, the City will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness. e. Failure to Act. In the event the City fails to approve or deny an Eligible Facilities Request within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the City Administrator in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted. f. Remedies. Any action challenging a denial of an application or notice of a deemed approved remedy, shall be brought in King County Superior Court or Federal Court for the Western District of Washington within thirty (30) days following the date of denial or following the date of notification of the deemed approved remedy. 3.The Administrator is hereby authorized to take appropriate administrative action, such as the hiring of a special hearing examiner, as well as expedited processing of applications, review and appeals, if any, in order to meet Federal or State time limits.	

Issue	Discussion Notes	Status
	Permit review timeframes are regulated at the state and local levels and the shot clocks provide review periods falling within the previously established timeframes. Staff anticipates that the current ruling does not create new or additional impacts on the City's procedures and workflows. An increase in demand for access to service and data capacity is anticipated and staff may experience an associated increase in applications for deployment of wireless communication facilities. The requirement for applications of wireless communication facilities to meet the development regulations and design standards provided in RZC 21.56 remains the same as previously established by Ord. 2919: RZC 21.76.070.AD Land Use Actions and Decision Criteria (*current code, no changes recommended to section below)* 6.Decision Criteria. All proposed wireless communication facilities shall not be approved unless the development regulations and design standards provided in RZC 21.56, Wireless Communication Facilities, are met. In compliance with the FCC's ruling, the associated changes to the RZC are not anticipated to create new or additional impacts on applicants. The recommended amendments to the RZC are limited to those necessary to ensure the City's compliance with the FCC's January 14, 2019 ruling. **Public Comment** *No public comments*	

Issue	Discussion Notes	Status
A2. When a new Right-of-ways pole is necessary, does the Shot Clock allow sufficient time for permit review? (Rajpathak, Captain)	**Planning Commission Discussion** 2/27: Commissioner Rajpathak asked whether the Shot Clock schedule allows sufficient time for permit review in situations where a new Right-of-Ways pole installation becomes necessary? 3/13: Commissioner Captain also asked whether the Shot Clock schedule provided timeframes for special review such as in the Special Design Areas of Downtown and Overlake. Commissioners Rajpathak and Captain were satisfied with staff's response and closed this item. **Staff Response/Recommendation** A City of Redmond Right-of-Ways pole replacement for installation of a Small Cell site would be permitted through a Right-of-Ways use permit under a Master License Agreement. The City evaluated the Federal requirements and is in the process of updating the RMC to ensure compliance. As 5G moves forward, staff will be working with the telecommunication providers to improve permit processing while ensuring it meets all community concerns, technical and regulatory requirements. The Shot Clocks provide permit review timeframes based on the type, size, and complexity of an installation:	Opened 2/27, 3/13 Closed 3/13

<table>
<tr><th>Issue</th><th>Discussion Notes</th><th>Status</th></tr>
<tr><td></td><td>
<table>
<tr><th colspan="2">FCC Review Shot Clock Types and Times</th></tr>
<tr><th>Type of Review</th><th>Shot Clock</th></tr>
<tr><td>Franchise</td><td>120 days</td></tr>
<tr><td>ROW Permit</td><td>30 days</td></tr>
<tr><td>Collocation of small wireless facilities*</td><td>60 days</td></tr>
<tr><td>Collocations of facilities other than small wireless**</td><td>90 days</td></tr>
<tr><td>Construction of new small wireless facilities*</td><td>90 days</td></tr>
<tr><td>Construction of new facilities other than small wireless**</td><td>150 days</td></tr>
<tr><td>Eligible Facilities Requests (6409(a))</td><td>60 days</td></tr>
<tr><td>Eligible Facilities Requests Application Review</td><td>60 days
(deemed granted if not acted upon)</td></tr>
</table>
*Green-shaded shot clocks are new
**Previously existed but were not codified. FCC codifies them in the Declaratory Ruling.

While Shot Clocks do not adjust for site or design specific standards, a process called tolling provides opportunity for pausing the shot clock. During this time, the applicant is requested to provide sufficient information for the City's review:

For collocation and new construction, the shot clock begins to run when an application is submitted. However, the clock pauses if an application is considered incomplete and the applicant is notified. Once the missing information has been submitted, the shot clock resets and starts anew. The clock can be paused again if the re-submitted material does not include the necessary information described in the notice.

<u>Public Comment</u>

No public comments</td><td></td></tr>
<tr><td>B. Safe Harbor Fees</td><td></td><td></td></tr>
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Issue	Discussion Notes	Status
B1. What is the definition of Safe Harbor Fees? (Miller)	**Planning Commission Discussion** Commissioner Miller requested additional information regarding Safe Harbor Fees, listed as a key point of the FCC's ruling in staff's Feb. 20, 2019 presentation. Commissioner Miller was satisfied with staff's response and closed this item. **Staff Response/Recommendation** The recommended amendments to the RZC do not include fees. For reference, fees are addressed in a fee resolution, currently in discussion among Finance and Public Works staff. The FCC's ruling (para. 23) discusses "fair and reasonable compensation. Fees are based on an approximation of costs that are "reasonable" and no higher than fees charged to "similarly-situated competitors in similar situations." (para. 50). At the Commission's February 27, 2019 meeting, Elana Zana of Ogden Murphy Wallace PLLC provided additional information including the definition of Safe Harbor Fees – a fair and reasonable compensation as determined by actual cost. Paragraph 10 of the FCC's ruling includes: (1) The fees are a reasonable approximation of the state or local government's costs, (2) only objectively reasonable costs are factored into those fees, and (3) the fees are no higher than the fees charged to similarly-situated competitors in similar situations. **Public Comment** *No public comments*	Opened 2/20 Closed 2/27

Issue	Discussion Notes	Status
C. Guidelines for Aesthetic Standards		
C1. Is the Technical Committee the correct decision-making body regarding Special Exceptions (RZC 21.56.060)? (Nichols)	**Planning Commission Discussion** Commissioner Nichols asked whether the Technical Committee was the correct decision-making body, as recommended for amendment to RZC 21.56.060.C.3 Special Exceptions – Procedures. Commissioner Nichols was satisfied with staff's response and closed this item. **Staff Response/Recommendation** RZC 21.56.060.C.3 has been recommended to be amended to include: The decision-making body for review of a Special Exception shall be the Technical Committee. RZC 21.56.060.C.1 defines the final approving authority to be the same as that for the permit approving the antenna(s) location. RZC Table 21.76.070 Wireless Communication Facilities Review Process provides the land use permit type based on wireless communication facility type, the zone in which the facility is proposed, and the type of structure involved. A copy of this table is provided on Pages D-30 to D-32 of the Technical Committee's Report, Feb. 14, 2019. The permit type for Small Cell Facilities located in special design areas, such as along a portion of Cleveland Street (RZC 21.78 Definitions – Special Design Areas), is Type II and may also involve permits or lease agreements in accordance with RMC Chapter 12.14. Type II permits are an administrative review with decision by the Technical Committee. Redmond Municipal Code (RMC) 4.50.020 provides the authority and duties of the Technical Committee. The Technical Committee shall review land use permit applications as noted in RZC Chapter 21.76, Review Procedures, and report its findings, conclusions and	Opened 2/20 Closed 2/27

Issue	Discussion Notes	Status
	recommendations to the appropriate review authority, when applicable, prior to that authority making its decision or recommendation. The Technical Committee shall be responsible for making decisions or recommendations on land use permit applications, and for City implementation of the State Environmental Policy Act. **Public Comment** *No public comments*	
C2. What is the Design Review Boards role regarding review of wireless communication facility character and design? (Miller, Rodriguez, Rajpathak)	**Planning Commission Discussion** 2/20: Commissioner Miller asked whether the Design Review Board would or could be involved in the review of wireless communication facility review in the context of facility character and design. Commissioner Miller was satisfied with staff response. 2/27: Commissioners Rodriguez and Rajpathak requested additional information regarding the review process, permit type, and decision maker for: • Application for new development of a commercial or industrial building(s) that include rooftop wireless communication facilities; and • Application for new macro cell facility. Commissioners Rodriguez and Rajpathak were satisfied with staff's response and closed this item.	Opened 2/20, 2/27 Closed 3/13

Issue	Discussion Notes	Status
	Staff Response/Recommendation 2/20: Staff does not anticipate the Design Review Board reviewing applications for wireless communication facilities. RZC 21.76.020.E.3 Overview of the Development Process – Design Review describes that the Board has design review authority over applications requiring a building permit and having a total valuation of $50,000 or more. The small cell or small wireless facilities for 4G and 5G that are anticipated to be within the right-of-way, will require a Right-of-Way Use permit and in the Special Design Areas, a land use permit, though not a building permit (IBC 105.2.3). Permit review procedures for wireless communication facilities are provided in RZC 21.76.070.AD Wireless Communication Facilities, particularly Table 21.76.070 Wireless Communication Facilities Review Process. This review process, per RZC 21.76.070.AD.6 – Decision Criteria, requires that all proposed wireless communication facilities meet the development regulations and design standards provided in RZC 21.56. 2/27: To comply with the FCC's Shot Clocks (RZC 21.76.040.F), the design standards for wireless communication facilities are included in RZC 21.56 Wireless Communication Facilities (during an April 2017 update) for a streamlined review process. The Design Review Board provides their review based on Article III, Design Standards (RZC 21.58 to 21.62), of the Redmond Zoning Code. Since RZC 21.56 Wireless Communication Facilities is not within Article III, new macro cell facilities do not receive review by the Design Review Board. RZC Table 21.76.070 Wireless Communication Facilities Review Process provides the permit type for specific facility installations by zone and structure. Excerpts from this table are provided below in response to Commissioner Rodriguez and Commissioner Rajpathak's questions: • Application for new development of a commercial or industrial building(s) that include rooftop wireless communication facilities;	

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<tr><th>Issue</th><th>Discussion Notes</th><th>Status</th></tr>
<tr><td></td><td>
<table>
<tr><td rowspan="3">Macro Cell Facility and, ~~,~~ Small Cell Facility ~~and Small Cell Network~~ mounted to a Structure Mounted Facility and associated Equipment Enclosures</td><td>All nonresidential zones</td><td>Nonresidential, Mixed Use & Multifamily Structures</td><td>Type I~~1~~</td></tr>
<tr><td>R-20 and R-30</td><td>Multifamily Use, Nonresidential & Mixed Use Structures</td><td>Type II</td></tr>
<tr><td>All residential zones except R-20 and R-30</td><td>Nonresidential Structures</td><td>Type II</td></tr>
</table>
Application for new macro cell facility.
<table>
<tr><td>New Antenna Support Structures for Macro and Small Cell Facilities and New Antenna Support Structures for Macro and Small Cell Facilities that exceed height limits established in RZC 21.56.</td><td>All zones</td><td>Tower</td><td>Type II</td></tr>
<tr><td>Macro Cell Facility and, ~~,~~ Small Cell Facility ~~and Small Cell Network~~ attached to Utility Poles, Light Poles and Miscellaneous Poles</td><td>All residential zones</td><td>Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a</td><td>Type II

None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications for additional ~~Franchise~~ requirements</td></tr>
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<tr><td rowspan="3">Macro Cell Facility and, ~~Small Cell Facility and Small Cell Network~~ attached to Utility Poles, Light Poles and Miscellaneous Poles</td><td></td><td>New Antenna Support Structure)</td><td>Type II if located within Special Design Areas</td></tr>
<tr><td rowspan="2">All non-residential zones</td><td rowspan="2">Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a New Antenna Support Structure)</td><td>Type I

None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications, Article III, for additional ~~Franchise~~, requirements</td></tr>
<tr><td>Type II if located within Special Design Areas</td></tr>
</table>

<u>Public Comment</u>

No public comments</td><td></td></tr>
<tr><td>C3. How will the FCC's ruling and changes to the Redmond Zoning Code impact the City's aesthetics? How can current design standards be maintained? How can the City work with providers during code administration for facility deployment? (Kritzer, Miller)</td><td><u>Planning Commission Discussion</u>

Commissioners Kritzer and Miller requested additional information and examples that demonstrate the changes to the City's aesthetics that could be anticipated as a result of the FCC's ruling and associated changes to code.

Commissioners Kritzer and Miller were satisfied with staff's response and closed this item.

<u>Staff Response/Recommendation</u>

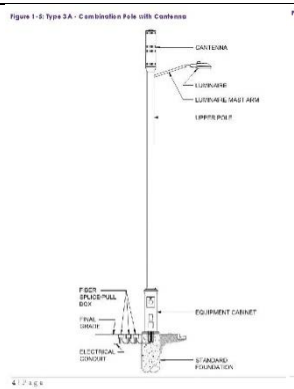
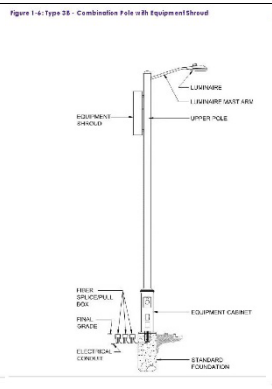
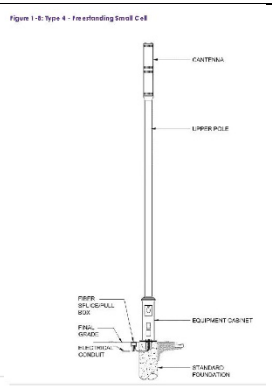
RZC 21.56.050 Design Standards for Wireless Communication Facilities provides required design standards for which all wireless communication facilities shall comply. Standards (RZC 21.56.050.4.d) specific to the Special Design Areas (RZC 21.78 Definitions) were previously</td><td>Opened 2/20

Closed 2/27</td></tr>
</table>

Issue	Discussion Notes	Status
	adopted and no changes are recommended. The current recommendation includes updates regarding size requirements and further clarification in accordance with FCC rules. For reference, the City provides standard details for signs, posts, and poles, several of which provide opportunity for internal fiber or wiring. Within the Special Design Areas, including Leary Way and a portion of Cleveland Street, service providers shall fully conceal small wireless facilities inside poles or incorporate them into street furniture. Any equipment mounted to the poles within the Special Design Areas shall be camouflaged to appear as an integrated part of the pole. Staff will continue to work with the service providers as the demand for wireless communication facilities continues to increase and as technologies change. Four of the City's standard details are attachment to this issue matrix and are provided to the Commission for reference: • 420 – Luminaire Pole (Concrete Square) (*most common*) • 425 – "J" Series Light Standard • 470 – Roadway Luminaire and Pole (*Old Town*) • 487 – Overlake Village Street Light At the Commission's February 27 study session, staff will provide additional information regarding facility design including examples from service providers. Staff will continue to work with providers such as in coordinating in-field discussions, as provided during the previous amendment process. **<u>Public Comment</u>** *No public comments*	

Issue	Discussion Notes	Status
D. Terminology		
D1. Provide clarification for the definition of Small Wireless Facilities or Small Cell(s). (Rodriguez, Rajpathak, and Wireless Policy Group LLC/Verizon).	**Planning Commission Discussion** 2/20: Commissioner Rodriguez asked staff to clarify the definition of Small Wireless Facilities or Small Cell(s), particularly that portion regarding "all other wireless equipment associated with the structure", as recommended for amendment to RZC 21.78, Definitions. 2/27: Commissioner Rajpathak requested additional information describing the difference between the federal measurement of 28 cubic feet per its updated definition of Small Wireless Facilities (Subpart U, para. 1.6002.(l)) and the state's measurement of 17 cubic feet as listed in RCW 80.36.375. 3/13: Commissioner Rajpathak also asked if any additional costs would be applied for the retrofitting of existing small wireless facilities to meet with FCC's standard. Commissioners Rodriguez and Rajpathak were satisfied with staff's response and closed this item. **Staff Response/Recommendation** 2/20: The recommended amendment to the definition of Small Wireless Facilities or Small Cell(s) is derived from the definition provided by the FCC as provided below with sections 2 and 3 (highlighted) discussing the sizing for antennas and all other wireless equipment: (l) Small wireless facilities, consistent with § 1.1312(e)(2), are facilities that meet each of the following conditions: (1) The facilities— (i) Are mounted on structures 50 feet or less in height including their antennas as defined in § 1.1320(d); or (ii) Are mounted on structures no more than 10 percent taller than other adjacent structures; or	Opened 2/20, 2/27, 3/13 Closed 3/13

Issue	Discussion Notes	Status
	(iii) Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater; (2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of ''antenna'' in § 1.1320(d)), is no more than three cubic feet in volume; (3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume; (4) The facilities do not require antenna structure registration under part 17 of this chapter; (5) The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and (6) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in § 1.1307(b). The recommended amendment would establish consistency with the federal law regarding 28 cubic feet of equipment by volume, in comparison to the state code (involving 17 cubic feet) per RCW 80.36.375. The following examples from Denver, Colorado demonstrate sizing and show how the antenna and equipment can be incorporated into and onto existing utility poles, provided as new freestanding poles, and installed on buildings:	

Issue	Discussion Notes	Status
	      2/27: A primary difference between the FCC's measurement regarding wireless communication facilities equipment at 28 cubic feet and the Washington state measurement at 17 cubic feet is that the state measurement is only for the "primary equipment enclosure". "The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: Electric meter, concealment, telecom demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch." (RCW 80.36.375). The FCC's measurement does not exclude the equipment as listed in the RCW. The FCC definition of wireless communication facilities is as follows (*cited in full above*): "All other wireless equipment associated with the structure, including the wireless	

Issue	Discussion Notes	Status
	equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume." 3/13: Existing poles are anticipated to be "grandfathered" as applied through the City's nonconforming code, RZC 21.76.100.F Legal Nonconforming Uses and Structures. Additional conditions could be subject to the City's Master License Agreement for City Owned Light Poles for which updates are in progress through the Depts. of Finance and Public Works. **Public Comment** Wireless Policy Group, LLC, for its client Verizon, requested a clarification to an amendment to reflect the following (as highlighted below): > Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including all ~~exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be the minimum size possible and shall not exceed ~~17~~ 28 cubic feet ~~for enclosures~~. Its February 20, 2019 letter requests a clarification why interior conduit would be included toward the maximum 28 cubic feet for pole mounted equipment enclosures, unified camouflage designs, and associated transmission equipment (included interior conduit), when the interior conduit would not be visible.	
D2. What is the intent regarding the FCC's ruling regarding "reasonable" and "materially inhibit"? (Miller).	**Planning Commission Discussion** Commissioner Miller asked staff to clarify the meanings of "reasonable" and "materially inhibit" and how the terms would be regulated. Commissioner Miller was satisfied with the response provided and closed this item.	Opened 2/20 Closed 2/27

Issue	Discussion Notes	Status
	Staff Response/Recommendation Staff is consulting with the legal counsel to provide this information at the Commission's February 27, 2019 study session. At the Commission's February 27, 2019 meeting, Elana Zana of Ogden Murphy Wallace PLLC described the FCC's interest regarding "reasonable" to be focused on cost in the context of reasonable cost and actual cost. She summarized the FCC's description as being actual, reasonable, and objective cost. Regarding "materially inhibit", Ms. Zana described this as a new standard for the 9th Circuit Court. The test is whether regulations prevent an applicant from doing that for which an application has been submitted. The FCC's ruling (para. 6) includes: • An effective prohibition occurs when a state or local regulation materially inhibits a provider's ability to engage in any of a variety of activities related to providing a covered service. • This test is met when filling a coverage gap, densifying a wireless network, introducing new services or otherwise improving service capabilities. • A state or local regulation could materially inhibit service by rendering a service provider unable to provide an existing service in a new geographic area, by restricting the entry of a new provider in providing service in a particular area, or by materially inhibiting the introduction of new services or the improvement of existing services. **Public Comment** *No public comments*	

<table>
<tr><th>Issue</th><th>Discussion Notes</th><th>Status</th></tr>
<tr><td>D3. What other utilities or equipment competes for collocating on city poles? (Miller).</td><td>
<u>Planning Commission Discussion</u>

Commissioner Miller requested information regarding competition for collocating utilities or equipment on City of Redmond poles.

In Commissioner Miller's absence, Commissioner Captain was satisfied with the response provided by staff and closed this item.

<u>Staff Response/Recommendation</u>

The following describes facilities or equipment collocated with City of Redmond light poles:

<table>
<tr><th>Type</th><th>Total</th><th>Example</th></tr>
<tr><td>Traffic cameras (CCTV)</td><td>Approx. 6</td><td>  </td></tr>
<tr><td>Rectangular Rapid Flash beacons</td><td>Approx. 8</td><td>  </td></tr>
</table>
</td><td>Opened 2/27

Closed 3/13</td></tr>
</table>

Issue	Discussion Notes			Status
	Signs	More than 50		
	Wireless communications antenna	1		

The following is also an example of a CCTV camera and wireless antenna collocated with two City of Redmond light poles:

Issue	Discussion Notes	Status
	Public Comment *No public comments*	
D4. 5G antennas cannot be screened or painted, refine code to include "to the fullest extent technologically feasible." (Wireless Policy Group LLC/Verizon, Captain).	**Planning Commission Discussion** Commissioner Captain asked staff to describe whether holding this item for future discussion and referring the applicant to the Special Exceptions portion of the Code inadvertently creates undue delays in facility deployment. Commissioner Captain was satisfied with the response provided and staff's recommended approach. He closed this item. **Staff Response/Recommendation** 2/27: Staff recommends reserving this request for consideration at a later date. The City has not reviewed many applications for small cell facilities and has not had the opportunity to realize changes to streetscape and neighborhood character that could occur as a result of 4G and 5G deployment. Equally, the technologies to support small cell wireless continue to evolve, with different systems being promoted among the variety of service providers. Staff wishes to monitor the progress of deployment and the implementation of RZC 21.56 Wireless Communications Facilities, as well as to continue discussion with wireless communication service providers. Staff also recognizes the opportunity for the City to grant special exceptions (RZC 21.56.060 Special Exceptions) when adherence to all development and design standards would result in a physical or technical barrier to signal reception or transmission, or would otherwise be an effective prohibition of wireless service. 3/13: The Shot Clock schedule would continue to apply during the Technical Committee's review of a Special Exception. Staff will also continue to work with the wireless	Opened 2/27, 3/13 Closed 3/13

Issue	Discussion Notes	Status
	communications service providers, including monitoring the permit review process and providers' implementation of Code during deployment. If issues arise in this regard or for example, if technologies evolve in ways that require code refinement, staff will propose addressing these issues through subsequent code amendments. **Public Comment** Wireless Policy Group LLC (WPG), for its client Verizon, requested a refinement to RZC 21.56.050(3)(b) and 21.56.050(4)(d) to include "to the fullest extent technologically feasible" as follows: 21.56.050(3)(b) Antenna Arrays for Macro and Small Cell facilities mounted on rooftops of mixed-use, commercial, multifamily and other similar structures shall be fully screened to the fullest extent technologically feasible. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening. Omni-directional antennas shall be of a color compatible with the roof, structure or background. Antenna Arrays attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30. 21.56.050(4)(d) Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets to the fullest extent technologically feasible. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole. WPG's February 20, 2019 letter describes that the requirement for full concealment would not be possible for Verizon's deployment of 5G. Specifically, the letter states that 5G	

Issue	Discussion Notes	Status
	antennas cannot be screened or painted and that the concealment requirement for areas such as Cleveland Street, Gilman Street, Redmond Way, and in parts of Overlake would inhibit 5G deployment.	
E. Additional Topics		
E1. Which party (applicant or the City) pays for a new pole in the Right-of-Ways? (Rodriguez).	**Planning Commission Discussion** Commissioner Rodriguez asked which party, the applicant or the City, pays for the installation of a new poles within the Right-of-Ways when a replacement is determined to be necessary. Commissioner Rodriguez was satisfied with staff's response and closed this item. **Staff Response/Recommendation** The applicant is required to pay for a new pole as regulated by the Master Permit & Master Licensing Agreement. The rules and regulations are being updated under the Redmond Municipal Code update aspect to the FCC order. **Public Comment** *No public comments*	Opened 2/27 Closed 3/13
E2. Does the City provide incentives for installation of the 5G network or equipment? (Rodriguez).	**Planning Commission Discussion** Commissioner Rodriguez asked whether the City provides any incentives regarding the Fifth Generation (5G) network or equipment. Commissioner Rodriguez was satisfied with staff's response and closed this item.	Opened 2/27 Closed 3/13

Issue	Discussion Notes	Status
	Staff Response/Recommendation The City does not provide incentives for the installation of the 5G network or its equipment. Though, City staff continues to work with wireless communications service providers such as in touring Special Design Areas and reviewing aesthetics and characteristics that the City desires of current and future wireless communications facilities. In addition, the Redmond Comprehensive Plan, Utilities Element includes policies regarding telecommunications such as: • **UT-81 Work with telecommunications providers to ensure facility plans reflect and support Redmond's Land Use Plan and that resources are available to support the Land Use Plan.** • **UT-82 Negotiate mutually beneficial franchise contract conditions that support the delivery of cost-effective services desired by Redmond residents and businesses.** • **UT-83 Promote a wide range of telecommunications options. This can include:** o Making City facilities available for placement of antennas, o Treating attached cellular base antennas as other building or rooftop appurtenances, and o Support website communication between the City and its residents and customers. • **UT-88 Maintain Redmond's competitiveness in support of businesses, residents and visitors by promoting access to advanced and affordable communications technology citywide.** **Public Comment** *No public comments*	

Issue	Discussion Notes	Status
E3. Do other carriers have similar issues to those stated in Verizon's February 20, 2019 letter? (Rajpathak).	**Planning Commission Discussion** Commissioner Rajpathak asked if other wireless communication service providers have similar concerns as those expressed by Verizon via Wireless Policy Group LLC's February 20, 2019 letter. Commissioner Rajpathak was satisfied with staff's response and closed this item. **Staff Response/Recommendation** In addition to Verizon, AT&T had submitted comments during the development of the draft proposed amendments. Staff continued to coordinate with AT&T and all regional service providers to seek comments during the draft phase. This included a joint meeting with Planning and Public Works staff, regional wireless communications service providers, and the City's legal counsel. It is common for wireless communications service providers to prioritize certain cities for engagement and coordination. While the concerns stated by Verizon may be significant in the context of their deployment in Redmond, the same issues might not have the same level of significance for other providers. This may be a factor of the variety of equipment designs currently in use and continuing to evolve throughout the industry. **Public Comment** *No public comments*	Opened 2/27 Closed 3/13

Issue	Discussion Notes	Status
E4. Additional refinements recommended for clarity, consistency, and accuracy.	**Planning Commission Discussion** Commissioners agreed with staff's recommended approach in clarifying and correcting the code as shown below. **Staff Response/Recommendation** In review of Planning Commission's recommended changes and public comments received regarding the recommended amendments to the RZC, staff recommends the following refinements to RZC 21.56.050 for clarification and accuracy: 1. Section 5g: The original recommendation inserted the term "small wireless facilities" whereas the rest of the code uses "small cell facilities". This change maintains consistency with the FCC's definition of *Small Wireless Facilities or small cell(s)* (RZC 21.78). Staff recommends the following as highlighted below. 5.g Attachment of additional small ~~wireless~~ **cell** facilities to a utility pole which has an existing small ~~wireless~~ **cell** facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact. 2. Section 7e: This section addresses macro cell facilities attached to existing and replacement utility poles. Therefore, staff recommends the following. 7e Attachment of additional ~~small~~ wireless facilities to a utility pole which has an existing ~~small~~ wireless facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact. Canister antennas attached to the top of the pole shall be stacked as technically feasible. RZC 21.56.060 includes a typographical error and is corrected as highlighted below:	Opened 2/27 Closed 3/13

Issue	Discussion Notes	Status
	A. **Purpose.** The purpose of this section is to provide for the granting of special exceptions when adherence to all development and design standards of this chapter would result in a physical or technical barrier which would block signal reception or transmission or ~~in~~ would otherwise ~~circumstances which prevent~~ be an effective prohibition of wireless service~~communication.~~ **Public Comment** *No public comments*	

TECHNICAL COMMITTEE REPORT
TO THE PLANNING COMMISSION

To:	Planning Commission
From:	Technical Committee
Staff Contacts:	Steve Fischer, Manager Development Review, 425-556-2432 Sarah Pyle, Manager of Strategic Initiatives, 425-556-2426 Scott Reynolds, Planner, 425-556-2409 Kimberly Dietz, Senior Planner, 425-556-2437 Cameron Zapata, Planner, 425-556-2480
Date:	February 14, 2019
Project File Number:	LAND-2019-00094 & SEPA-2019-00100
Project Name:	Amendment to Redmond Zoning Code Regarding Wireless Communication Facilities
Applicant:	City of Redmond
Reason the Proposal Should be Adopted:	The Technical Committee recommends approving the amendment to the Redmond Zoning Code (RZC) because: • The proposal is consistent with the Redmond Comprehensive Plan, as it will reinforce existing policies which support telecommunications as a key component of maintaining Redmond's communication systems and competitiveness in support of businesses, residents and visitors by promoting access to advanced and affordable communications technology citywide (UT-83); • The primary focus of the proposal is to bring the existing RZC into compliance with federal regulations; • The proposal maintains consistency between the Zoning Code, Redmond Municipal Code and Comprehensive Plan policies for telecommunications; and • The proposal aligns with current amendments to Redmond Municipal Code.

I. APPLICANT PROPOSAL

The City of Redmond proposes amendments to the Redmond Zoning Code in accordance with the most recent Federal Communications Commission (FCC) update to wireless communications facility laws.

II. RECOMMENDATION

The Technical Committee recommends amending the Redmond Zoning Code to bring the Wireless Communication Facilities regulations into compliance with recently updated federal regulations and provide minor legal updates. *Exhibit A-D* shows the Technical Committee recommended amendments.

III. BACKGROUND, FACTORS CONSIDERED, AND ALTERNATIVES

Wireless Telecommunication Facilities, allowing for the transmission and/or reception of radio frequency signals, consist of antennas or a group of antennas and associated equipment such as electrical cabling, cabinets, shelters, or other similar enclosures. These antennas are generally mounted on the rooftops of buildings, water tanks, utility poles or antenna support structures. The associated equipment is typically located on building rooftops with the antennas or within leased areas on the ground.

The next generation of technology —4th and 5th generation 4G and 5G/LTE— includes Small Cell Facilities and Small Cell Networks. Small cells are self-contained cell sites that are small, lightweight and low power (see Exhibit B—Macro Cell and Small Cell Images). When installed they become an extension of either existing or new macro networks and can cover up to 1,500 feet. The macro networks consist of much larger antennas and are mounted to tall Antenna Support Structures (towers) or to building rooftops. These macro sites typically provide coverage up to several miles. The RZC provides review procedures and development and design standards for such facilities Antenna Support Structures and Small Cell Facilities, however, require a series of amendments to comply with a new ruling by the Federal Communications Commission (FCC). The City's legal counsel identified amendments to the RZC that will ensure the City's compliance with federal regulations for Wireless Communications Facilities; 47 CFR Part 1 (effective January 14, 2019); this includes timelines ("shot clocks"), minor aesthetic standards, and clarification of definitions.

The Wireless Communications Facilities section of the RZC was last updated on April 14, 2018 in accordance with federal regulations (Spectrum Act). On January 14, 2019, the FCC issued a ruling regarding the deployment of Fourth Generation (4G) and Fifth Generation (5G) Mobile communication system infrastructure.

The Technical Committee is recommending that current regulations be modified to comply with current FCC standards.

A. ALTERNATIVES

1. No RZC changes. Not amending the Wireless Communication Facilities in the RZC and maintaining the current regulations would mean that Redmond's Zoning Code would be noncompliant with federal regulations regarding definitions, processes for certain scopes of work, and design standards.

   The Technical Committee does not recommend this alternative because this would not be responsive to federal mandates.

2. Approve some of the RZC changes. The City could approve some, but not all, of the proposed amendments. To be in compliance with federal mandates, regulations preempted by federal ruling such as, shot clocks, definitions, or associated equipment size minimums need to be adopted.

   The City could choose to not adopt other proposed modifications such as minor clean-ups which may be updated at a later time.

IV. ADDITIONAL SUPPORTING ANALYSIS

A. COMPLIANCE WITH CRITERIA FOR AMENDMENTS

Redmond Comprehensive Plan Policy PI-16 directs the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan. PI-16 Items1 through 6 apply to all proposed amendments.

The following is an analysis of PI-16 of how this proposal complies with the requirements for amendments.

1. **Consistency with Growth Management Act (GMA), State of Washington Department of Commerce Procedural Criteria, VISION 2040 or its successor, and the King County Countywide Planning Policies.**

   The proposed amendments take into account direction by the GMA, including encouraging public facilities and services. GMA, the State of Washington Department of Commerce, VISION 2040, and King County Countywide Planning Policies also emphasize providing needed services such as telecommunications to support the economy and quality of life for all who

rely on these resources. The King County Countywide Planning Policies, Policy F-345 states: "Telecommunication services are to be encouraged as a means to mitigate the transportation impact of development and growth, including Greenhouse Gas Emissions".

2. **Consistency with Redmond's Comprehensive Plan, including the following sections as applicable:**

   a. **Consistency with the goals contained in the Goals, Vision and Framework Policy Element.**

      One of the eight goals for Redmond contained in the Goals, Vision and Framework Policy Element is "To cultivate a well-connected community, working together and with others in the region to implement a common vision for Redmond's sustainable future." The proposed amendment supports this goal and is consistent with other goals within this Element.

   b. **Consistency with the preferred land use pattern as described in the Land Use Element.**

      The proposed amendment is consistent with the preferred land use pattern by encouraging needed facilities that serve the general public.

   c. **Consistency with Redmond's community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.**

      The proposed amendment is consistent with Policy CC-2, which reads "Recognize and encourage Redmond as a center for intellectual and technological innovation." Wireless communication provides sharing data quickly and efficiently among users.

   d. **Consistency with other sections including the Transportation Element as applicable.**

      The proposed amendment is consistent with Transportation Element policies are not directly applicable to the proposed amendment; however, the Utilities Element Policy TR-34, which reads "Use advanced technology to manage the transportation system by: Improving the efficiency of the system; disseminating travel, roadway, incident and emergency information to system users; and improving information collection for the purpose of traffic management."

      The proposed amendment is consistent with UT-83 which reads "Promote a wide range of telecommunications options. This can include making City facilities available for placement of antennas, treating attached cellular base antennas as other building or rooftop appurtenances, and support website communication between the City and its residents and customers."

The proposed amendment is also consistent with UT-88 which reads "Maintain Redmond's competitiveness in support of businesses, residents and visitors by promoting access to advanced and affordable communications technology citywide."

3. **Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.**

   The changes proposed will not affect the degrade the current environmental protections within the current WCF and RZC Article 4; Environmental Regulations.

4. **Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.**

   The proposed amendment will enhance the capacity of public facilities and services due to the fact that these modifications to the RZC by creating greater flexibility as future advancements come to telecommunication technology including 5G. Providing technology will also create greater telecommunication density and improve cost predictability.

5. **Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.**

   The proposed amendment will provide opportunities for 4G and 5G Technology deployment to the Redmond community in compliance with the current FCC standards.

6. **For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.**

   The current series of amendments has not been considered within the last four annual updates, nor has there been a need to remedy a mistake. The amendments address a change in circumstances due to recently updated federal mandates and new wireless technologies.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC Sections 21.76 require that amendments to the Comprehensive Plan or Zoning Code be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on

the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. SUBJECT MATTER JURISDICTION

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment.

C. WASHINGTON STATE ENVIRONMENTAL POLICY ACT (SEPA)

This Zoning Code Amendment is SEPA exempt pursuant of WAC 197-11-800.19 issued for this exemption on February 1, 2019. *(See Exhibit C)*

B. 60-DAY STATE AGENCY REVIEW

State agencies were sent 60-day notice of this proposed amendment on January 30, 2019.

C. PUBLIC INVOLVEMENT

The proposed amendments have been provided to the wireless industry representatives for review and feedback as well as to the parties of record list from the Wireless Communication Facilities Code Update that was done last year (LAND-2017-00190, Ordinance 2919). Comments have been received on behalf of Verizon and AT&T. Some of those comments regarding the modifications have been summarized below:

- *Clarify why interior conduit is included toward the minimum 28 cubic feet for pole mounted equipment enclosures, unified camouflage designs, and associated transmission equipment (including interior conduit).*

- *Include the FCC's definition of "antenna equipment" for purposes of defining small wireless facility instead of stating "equipment enclosure" includes "antenna equipment." Antenna equipment is not necessarily in an enclosure.*

D. APPEALS

RZC 21.76.070.J identifies Zoning CodeAmendments as a Type VI permit. Final action is by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to applicable requirements.

VI. LIST OF EXHIBITS

Exhibit A: Recommended Zoning Code Amendment for Wireless Communications Facilities

Exhibit B: Macro Cell and Small Cell images

Exhibit C: Public Hearing Notice

Exhibit D: SEPA Exemption

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA). Therefore, the Technical Committee recommends approval of the proposed amendments.

Erika Vandenbrande

ERIKA VANDENBRANDE,
Planning Director
Planning and Community Development Department

Kristi Wilso

KRISTI WILSON,
Interim Director of Public Works
Public Works Department

DRAFT CODE FOR PC

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

21.56.010 Purpose

The purpose of this chapter is to:

A. Establish clear regulations for the siting and design of Wireless Communication Facilities (WCFs) consistent with state and federal regulations;

B. Promote the health, safety, and general welfare of the Redmond community by regulating the siting of WCFs;

C. Minimize visual, safety, aesthetic, and environmental impacts of WCFs on surrounding areas by establishing standards for location, structural integrity, and compatibility;

D. Encourage the location and collocation of wireless communications equipment on existing structures; and

E. Accommodate the growing need and demand for wireless communication services.

21.56.020 APPLICABLE PERMITS, EXEMPTIONS AND PROHIBITED FACILITIES

A. **Permits Required.**

1. A land use permit is required to locate or install any Wireless Communication Facility (WCF) outside public rights-of-way, and in certain instances within public rights-of-way, unless the WCF is exempt under subsection B below. Table 21.76.070 *Wireless Communication Facilities Review Process* in Redmond Zoning Code (RZC) Chapter 21.76, sets forth the type of permit required based upon the nature of the facility and its location.

2. Redmond Municipal Code (RMC) Chapter 12.14, Telecommunications, governs the installation of any WCF within p~~P~~public ~~Rights~~rights-of-~~Way~~way. A Facilities Lease Agreement is required to install any WCF on ~~other~~ City-owned property or infrastructure within the City of Redmond, including public rights-of-way.

B. **Exemptions.** The following WCFs shall be exempt from the requirement to obtain land use permits:

1. VHF and UHF Receive-Only Television Antenna(s). VHF and UHF receive-only antenna(s) shall not be required to obtain land use permit approval nor shall they be required to obtain building permit approval. VHF/UHF antenna(s) shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.

2. 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~~.

Such antennas shall not be required to obtain building permit approval, but installation must comply with any applicable provisions of the City Building Code.

3. Small Cell Facilities attached to Utility Poles, Light Poles and Miscellaneous Poles within public rights-of-way shall be exempt from obtaining land use permit approval except for Small Cell Facilities located within Special Design Areas where a Type II land use permit is required. See RMC Chapter 12.14, Telecommunications~~, Article III,~~ for additional requirements.

4. Eligible Facilities Requests that meet the definition as set forth in RZC 21.78 shall be exempt from having to obtain a land use permit. A written request for an Eligible Facilities Request must be submitted to determine if the modification qualifies for this exemption. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facility modification will substantially change the physical dimensions of an eligible support structure.

5. The addition of a new antenna(s) attached to an existing antenna support structure or structure mounted facility which already has at least one WCF ~~Collocation of new antennas~~; removal or replacement of existing antennas; and associated ground mounted equipment enclosures on existing legally established structure mounted facilities (other than towers) that have received previous WCF approval and that comply with size and concealment requirements established in RZC 21.56 or the applicable permit approving the WCF. Other applicable permits such as building permits and right-of-way use permits may be required. This exemption shall not apply to small cell facilities.

6. Routine maintenance and repair or replacement of antennas and equipment associated with ~~and~~ wireless communication facilities. Replacement antennas shall be located within the same location as existing antenna and shall be of similar size, weight and height and shall comply with concealment requirements established in RZC 21.56 and in the applicable permit approving the WCF, unless such replacement antennas are ~~approved~~ exempted as ~~under~~ an Eligible Facilities Request ~~application~~. Other applicable permits such as building permits and right-of-way use permits may be required.

7. Temporary WCF for emergency communications equipment during a declared public emergency.

8. Wireless communication equipment, including, ~~such as~~ but not limited to, the support of traffic signal systems, Supervisory Control and Data Acquisition (SCADA) devices, Intelligent Transportation Systems (ITS), LED Street Light Gateways, transit signal priority devices and other similar devices shall not be required to obtain land use permit approval.

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C. Permits may be conditioned to allow review of the continued use of the antenna support structure or structure mounted facility at five-year intervals in order to recognize that rapid technological advancements, changing markets, and legal interpretations by the FCC and by the courts may require periodic design review.

D. In addition to complying with the requirements of this chapter and the International Building Code, all wireless communication facilities located within the shorelines of the City shall comply with RZC 21.68.160, *Utilities Within Shorelines*.

E. All permits for WCF's shall be expressly conditioned upon compliance with the removal requirements of RZC 21.56.080, *Cessation of Use*, below upon cessation of use of any such facility.

F. **Performance Assurance.** The Administrator may require a performance assurance under Redmond Municipal Code (RMC) Chapter 12.14 Telecommunications when located within public rights-of-way to ensure compliance with any aspect of this chapter. The Administrator may require a performance assurance under RZC ~~Chapter~~ 21.76.090 when located outside of public rights-of-way or when located on any private property.

G. **Prohibited Devices.** WCF's that are not permanently affixed to a support structure and which are capable of being moved from location to location (e.g., "cell on wheels" or ballast mounts) are prohibited except for when allowed as a Temporary WCF consistent with RZC 21.56.021 below.

21.56.021 Temporary Wireless Communication Facilities

A. **Permits Required.**

1. A Type I land use permit is required to locate or install any t~~T~~emporary Wireless Communication Facility (WCF) on private property within the City of Redmond unless specially exempted per RZC 21.56.020(B)(6). See Table 21.76.070 *Wireless Communication Facilities Review Process* in Redmond Zoning Code (RZC) Chapter 21.76.

2. Except during a declared public emergency a l~~L~~ease a~~A~~greement is required, consistent with RMC Chapter 12.14 Telecommunications to install any t~~T~~emporary WCF on City-owned property within the City of Redmond.. ~~See Redmond Municipal Code (RMC) Chapter 12.14 Telecommunications.~~ Temporary WCF's are not permitted within public rights-of-way except for exempt facilities per RZC 21.56.020(B)(~~6~~7).

B. **Temporary WCF's shall only be allowed for:**

1. The reconstruction of a permanent WCF and limited to a duration of 18 months from the date of approval unless an extension is requested at least 30 days prior to the expiration date; or

2. Large scale events and limited to the duration of the event, plus ten days prior to the event and ten days after; or
3. Emergency communications equipment during a declared public emergency.

C. **Temporary WCF facilities shall be portable without a permanent foundation.** Roof mounted Temporary WCF facilities shall comply with size requirements established for Structure Mounted Facilities and ground mounted Temporary WCF facilities shall comply with size requirements for Antenna Support Structures as established in RZC 21.56.040, *General Development Standards for Wireless Communication Facilities*.

21.56.030 General Siting Criteria

A. RZC 21.76.070.AD, *Wireless Communication Facilities*, identifies zoning districts, standards and the review process for Wireless Communication Facilities.

B. New antenna support structures shall:
1. Comply with the siting standards and hierarchy set forth in the following subsections.
2. Not be permitted within public rights-of-way unless the applicant can demonstrate that alternative locations outside the right-of-way are not feasible.
3. Not be permitted if an existing antenna support structure is in a higher priority location within one-quarter mile and such existing structure is suitable for attachment of an antenna or collocation, unless the applicant demonstrates that the alternative location is not feasible. The applicant shall provide a map showing all existing antenna support structures and existing structure mounted facilities housing WCFs located within one-quarter mile of the proposed site.

C. New antenna support structures for macro cell facilities and small cell facilities located outside public rights-of-way and macro cell facilities located within public rights-of-way shall be sited within the zoning districts of the City according to the following siting hierarchy, with (1) being the highest (most preferable) ranking site and (9) being the lowest (least preferable) ranking site. New antenna support structures for small cell facilities located within public rights-of-way shall be sited according to the siting hierarchy established in section D below. New antenna support structures must be located on the highest ranking site unless the applicant can demonstrate that the site is not technically feasible or available given the location of the proposed structure and the network need. This demonstration shall be provided in a report prepared by a qualified licensed radio frequency engineer, professional engineer, or a professional with training in the field of wireless communications facility siting. In order of ranking, from highest to lowest, the sites are:

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1. ~~Collocated~~ Attached to ~~on~~ an existing legally established antenna support structure~~s~~ or structure mounted ~~facilities~~facility with an existing WCF.
2. Attached to a structure mounted facility on sites used exclusively for business park, general commercial, industrial or manufacturing park uses within the BP, GC, I and MP zones.
3. Attachment to a structure mounted facility, such as a water tower within all zoning districts.
4. Attached to a structure mounted facility on sites used exclusively for manufacturing, research and development, commercial, and office uses in the commercial, Downtown, and Overlake zoning districts. Within these zoning districts, the highest to lowest ranking sites are I, MP, BP, GC, NC-2, RR, OBAT, OV1-5, Downtown Zones, and NC-1.
5. On institutional structures, places of worship, and other nonresidential structures located in residential zones.
6. Attached to multifamily residential structures in the R-20 and R-30 zoning districts. Wireless communication facilities attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30. ~~(Ord. 2614)~~
7. Placement on a new antenna support structure located within BP, GC, I and MP zones.
8. Placement on a new antenna support structure located within all zones except BP, GC, I, MP, UR, RA-5, R-1, R-2, R-3, R-4, R-5, R-6 and Shoreline Areas
9. Placement on a new antenna support structure located within UR, RA-5, R-1, R-2, R-3, R-4, R-5 and R-6 and Shoreline Areas. See RZC 21.56.060 for additional requirements. Antenna Support Structures located within R-2, R-3, R-4, R-5 and R-6 are subject to Special Exceptions outlined RZC 21.56.060.

D. New Antenna Support Structures for Small Cell Facilities located within public rights-of-way shall be in accordance with the following siting hierarchy, with (1) being the highest (most preferable) ranking site and (8) being the lowest (least preferable) ranking site. A new Small Cell Facility must be located on the highest ranking site unless the applicant can demonstrate that the site is not technically feasible or available given the location of the proposed structure and the network need. This demonstration shall be provided in a report prepared by a qualified licensed radio frequency engineer, professional engineer, or a professional with training in the field of wireless communications facility siting. In order of ranking, from highest to lowest, the sites are:

1. Placement of small cell facility on existing ~~and~~ or replacement utility poles, light poles or miscellaneous poles in nonresidential zones.

2. Placement of small cell facility on existing or~~and~~ replacement utility poles, light poles or miscellaneous poles in residential zones.

3. Attachment ~~Collocation~~ of a small cell facility ~~or a macro facility~~ on an existing structure mounted facility or existing antenna support structure which has an existing WCF in any zone.

4. Placement of a small cell facility on a new light pole when pole design standards are met and a lighting analysis is submitted showing the need and correct placement for a new light pole.

5. Placement on a ~~new~~ structure mounted facility in any zone.

6. Placement on a new antenna support structure located within BP, GC, I and MP zones.

7. Placement on a new antenna support structure located within all zones (except BP, GC, I, MP, UR, RA-5, R-1, R-2, R-3, R-4, R-5, R-6 and Shoreline Areas).

8. Placement on a new antenna support structure located within UR, RA-5, R-1, R-2, R-3, R-4, R-5 and R-6 and Shoreline Areas. See RZC 21.56.060 for additional requirements. Antenna Support Structures located within R-2, R-3, R-4, R-5 and R-6 zones are subject to Special Exceptions outlined RZC 21.56.060.

21.56.040 General Development Standards

A. All Wireless Communication Facilities shall be installed and operated in accordance with the regulations of the Federal Communications Commission (FCC) and in compliance with the development standards set forth in the following subsections.

1. Large Satellite Dish Antenna(s):
   a. 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.

   b. Ground mounted and roof mounted antennas are allowed in all zones except for Urban Recreation (UR) zones and Residential (R) zones where only ground mounted antennas are allowed. Ground mounted antennas shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from existing grade. Roof mounted antennas shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from the roof line.

   c. Mountings and satellite dishes shall be no taller than the minimum required for obtaining an obstruction-free reception window.

d. Construction plans and final construction of the mounting bases of all large satellite dish antenna(s) shall be approved by the City's Building Division.

2. Amateur Radio Towers:
   a. Towers in all zones shall not be located within any easements, front, side, or rear yard building setback areas. Shall be located at a point farthest from lot lines as feasible, or the point farthest from residential structures on abutting properties. Towers located in Semi-Rural (RA-5) zone, UR, and Bear Creek Design District 2 (BCDD2) zone shall be located in the yard of the residence and avoid using land that is available for crops, pasturage, or other agricultural activities.
   b. Ground mounted and roof mounted antennas are allowed in all zones. Ground mounted towers shall not exceed 65 feet in height unless a proposal demonstrates that physical obstructions impair the adequate use of the tower. Telescoping towers may exceed the 65-foot height limit only when extended and operating.
   c. The combined structure of a roof-mounted tower and antenna(s) shall not exceed a height of 25 feet above the existing roofline. Within the shoreline jurisdiction, the height limit for ground-mounted and roof-mounted towers and antennas, inclusive of building height, is 50 feet (SMP). Screening shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.
   d. Mountings and Amateur Radio Towers shall be no taller than the minimum required for the purposes of obtaining an obstruction-free reception window.
   e. Construction plans and final construction of the mounting bases of amateur radio towers covered by this section shall meet the structural design requirements of this section and shall be approved by the City's Building Division.
   f. Applications shall document that the proposed tower and any mounting bases are designed to withstand wind and seismic loads as established by the International Building Code.

3. Macro Cell Facilities and Small Cell Facilities located on Structure Mounted Facilities and associated Equipment Enclosures:
   a. Macro cell facilities and small cell facilities shall be structure mounted only (rooftop or façade) under this subsection. Standalone ground mounted facilities are not allowed and associated equipment enclosures may be roof or ground mounted. Ground mounted equipment enclosures shall not be located within

public rights-of-way and shall not be permitted in any public easements or building setback areas.

b. Associated above-ground equipment enclosures for macro cell facilities shall be minimized, and shall not exceed 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed.

c. Associated above-ground equipment enclosures for small cell facilities shall be minimized, and shall not exceed a footprint of 16 square feet (e.g., 4 by 4 feet) unless operators can demonstrate that more space is needed.

d. Where an antenna is to be mounted on the roof of a building, the combined antenna(s) and all associated equipment and required screening shall not extend more than 15 feet above the existing or proposed roof structure. Attachment to residential structures are not permitted in any residential zoning district other than R-20 and R-30.

4. New Antenna Support Structures for Small Cell Facilities and Macro Cell Facilities and associated Equipment Enclosures:

   a. New antenna support structures shall be ground mounted only and shall not be located in any setback area on private and public property.

   b. In all zones except for UR and R zones, the combined height inclusive of antennas shall not exceed 85 feet, except when collocation is specifically provided for, then the new antenna support structure shall not exceed 100 feet. New antenna support structures located within public rights-of-way shall be limited to ~~45~~ 50 feet in height inclusive of antennas.

   c. In UR and R zones, the combined height inclusive of antenna(s) shall not extend more than 15 feet above the maximum height of the zone for which it is proposed to a maximum of 60 feet. A height increase of 15 feet may be allowed by the Administrator when collocation is specifically provided. New antenna support structures located within public rights-of-way shall be limited to the maximum height allowed in the underlying zone.

   d. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside the public rights-of-way shall not exceed a footprint of 240 square feet (e.g., 12 by 20 feet) for macro cell facilities and 16 square feet (e.g., 4 by 4 feet) for small cell facilities unless operators can demonstrate that more space is needed.

e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment~~,~~ (excluding antennas but including all exterior or interior conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet ~~for enclosures~~.

f. Placement of a new antenna support structure shall be denied unless the applicant can demonstrate through an alternative site analysis or other supporting documentation that other existing WCF sites and the siting hierarchy per RZC 21.56.030(C) or (D) were considered and are either not technically feasible or available.

g. Special Exceptions per RZC 21.56.060 apply to locate ~~an~~ a new Antenna Support Structure in UR, RA-5, R-1, R-2, R-3, R-4, R-5 & R-6 zones or within shoreline areas of the City or to exceed height limits in any zone.

5. Small Cell Facilities attached to existing and replacement Utility Poles (excluding Light Poles) and Miscellaneous Poles:

   a. Antennas and pole-top extenders, to the extent allowed by RZC 21.56.050, shall not extend more than 15' above the top of pole or electrical lines, if any. Additional height may be allowed to meet the pole owner's separation requirements. Antenna canisters or shrouds on top of a utility pole shall not exceed sixteen (16) inches in diameter or three (3) inches outside the diameter of the existing/replacement pole whichever is greater measured at the top of the pole. Pole-top antenna canisters or shrouded panel antennas on miscellaneous poles shall not exceed more than three (3) inches outside the diameter of the existing/replacement pole measured at the top of the pole. An increase in diameter may be allowed for pole-top antennas if compatible with the pole design.

   b. Distribution utility poles shall be limited to a maximum height of 50 feet inclusive of antennas measured above grade unless additional height is required by the pole owner.

   c. Transmission utility poles shall be limited to a maximum height extension of 15 feet unless additional height is required by the pole owner.

   d. Miscellaneous poles shall be limited to a maximum height of 35 feet.

e. When additional height is required to meet separation requirements of the pole owner, the applicant shall be required to submit a letter from the pole owner specifying the height required for antennas attached to the top of pole or the height required for the pole.

f. Replacement poles shall be limited to a 25% increase in diameter measured from the base of the existing pole to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole. A minimal increase above the 25% limit may be allowed to accommodate more equipment inside the pole. Any increase in diameter is subject to meeting ADA requirements, sight distance triangles, sidewalk clearance requirements and other applicable requirements.

g. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(G).~~

h. Ground mounted equipment enclosures ~~and associated transmission equipment~~ are not permitted in public rights-of-way except for pole mounted equipment or when incorporated into street furniture (including ~~such as~~ but not limited to mailboxes, garbage cans and benches and other similar features), the base of a pole or other similar concealment techniques.

i. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including all exterior or interior conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole (excluding antennas) shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet for ~~enclosures~~ equipment on utility poles and 3 cubic feet for ~~enclosures~~ equipment on miscellaneous poles.

j. Vertical clearance shall be reviewed by the Public Works Department and verified by the underlying utility owner to ensure that structures will not pose a hazard to other users of the right-of-way.

6. Small Cell Facility attached to existing, replacement and new Light Poles:

a. Antennas on top of the light pole are not to extend more than six (6) feet above the height of the existing pole and shall be equal to the diameter of the existing/replacement pole. An increase in diameter for pole-top canister antennas or shrouded panel antennas may be allowed if compatible with the

pole design when the applicant demonstrates it is the minimum diameter necessary to meet technical requirements. Antennas may extend beyond six (6) feet up to a maximum of ten (10) feet if the applicant can demonstrate that more space is needed.

b. Replacement poles shall be limited to a 25% increase in diameter measured from the base of the existing pole to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole. A minimal increase above the 25% limit may be allowed to accommodate more equipment inside the pole. Any increase in diameter is subject to meeting ADA requirements, sight distance triangles, sidewalk clearance requirements and other applicable requirements.

c. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(G).~~

d. New light poles are allowed when determined necessary through a lighting analysis and when illumination design standards and pole standards are met. New light poles shall be the same height as other nearby light poles of the same pole design. A minimal increase in diameter may be allowed to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole subject to meeting ADA requirements, sight-distance triangle and other applicable requirements.

e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including all exterior or interior conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole, ~~(excluding antennas)~~ shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet for enclosures.

f. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside public rights-of-way shall not exceed a footprint of 16 square feet (e.g., 4 by 4 feet) for Small Cell Facilities unless ~~operators~~ applicants can demonstrate that more space is needed.

g. Ground mounted equipment enclosures are not permitted in public rights-of-way except for pole mounted equipment or when incorporated into street furniture (including but not limited to mailboxes, garbage cans and benches and

other similar features), the base of a pole or other similar concealment techniques.

h. Small Cell Facilities are prohibited on all traffic signal poles.

i. Vertical clearance shall be reviewed by the Public Works Department and verified by the underlying utility owner to ensure that the structures will not pose a hazard to other users of the right-of-way.

7. Macro Cell Facility attached to existing and replacement Utility Poles:

a. Antennas shall not extend more than 20' above the top of the pole or electrical lines, if any. Additional height may be allowed to meet the pole owner's separation requirements. An increase in diameter for pole-top canister antennas or shrouded panel antennas may be allowed if compatible with the pole design when the applicant demonstrates it is the minimum diameter necessary to meet technical requirements.

b. Distribution utility poles shall be limited to a maximum height of 50 feet inclusive of antennas measured above grade unless the existing pole is taller or unless additional height is required by the pole owner.

c. Transmission utility poles shall be limited to a maximum height extension of 15 feet. A maximum height of 100 feet inclusive of antennas may be allowed if required by the pole owner or as required to match the height of the existing pole.

d. When additional height is required to meet separation requirements of the pole owner, the applicant shall be required to submit a letter from the pole owner specifying the height required for antennas attached to the top of pole or the height required for the pole.

e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including all exterior or interior conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be of the minimum size possible and shall not exceed 28 cubic feet for enclosures.

~~f. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment, (excluding antennas) shall be of the minimum size possible and shall not exceed 17 cubic feet for enclosures.~~

g. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside public rights-of-way shall not exceed a footprint of 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed. Ground mounted equipment enclosures for macro cell facilities are not permitted within the rights of way, unless in an underground vault.

h. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(G).~~

i. Macro cell facilities are prohibited on utility poles along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets.

B. Macro Cell Facilities are prohibited on all light poles, miscellaneous poles and traffic signal poles in all public rights-of-way. Macro cell facilities are prohibited on utility poles along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets.

C. No Wireless Communication Facility shall be used for the purposes of signage or message display of any kind, other than signage required by FCC regulations, or as specifically approved as stealth concealment.

D. Rooftop antenna(s) and all associated rooftop equipment shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof unless otherwise specified.

E. A professional engineer licensed by the State of Washington shall certify in writing, over his or her seal, that both construction plans and final construction of the WCF are designed to withstand wind and seismic loads as established by the International Building Code.

21.56.050 Design Standards for Wireless Communication Facilities

Compliance Required. All wireless communications facilities shall comply with the design standards set forth in the following subsections below:

1. Large Satellite Dish Antenna(s):
   a. Aluminum mesh dishes should be used whenever possible instead of a solid fiberglass type.

b. Screening shall be as high as the dish if technically feasible or shall be as high as the center of the dish. Full screening shall be provided as high as the dish if the proposed location abuts an adjoining residential zone.

c. Ground Mounted: Screening shall be provided with one or a combination of the following methods: solid fencing, walls, landscaping or structures, to block the view of the facility as much as possible. Chain-link fencing with slats shall not be permitted unless in combination with a Type I visual landscape screen (90 percent solid or more) pursuant to RZC 21.32.080, *Types of Planting*. When landscaping alone is proposed for screening purposes, a Type I visual screen as specified above is required. Landscaping for the purpose of screening shall be maintained in a healthy condition.

d. Roof Mounted: Shall be placed as close to the center of the roof as possible. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening.

e. To the extent technically feasible and in compliance with safety regulations, specific paint colors shall be required for camouflage purposes.

2. Amateur Radio Towers:

a. The tower shall be painted to camouflage the facility with its surroundings when technically feasible and when in compliance with safety regulations.

b. Ground Mounted: Screening shall be provided for all associated ground mounted equipment with one or a combination of the following methods: solid fencing, walls, landscaping or structures, to block the view of the facility as much as possible. Chain-link fencing with slats shall not be permitted unless in combination with a Type I visual landscape screen (90 percent solid or more) pursuant to RZC 21.32.080, *Types of Planting*. When landscaping alone is proposed for screening purposes a Type I visual screen as specified above is required. Landscaping for the purpose of screening shall be maintained in a healthy condition.

c. Roof Mounted: Screening shall be placed as close to the center of the roof as possible. Screening shall be of a material and design compatible with the

building, and can include penthouse screening, parapet walls, or other similar screening.

3. Macro Cell Facilities and Small Cell Facilities located on Structure Mounted Facilities and associated Equipment Enclosures:
    a. Antenna arrays located on existing buildings or other structures and associated equipment shall be screened to block the view of the antennas as much as possible and specific paint colors shall be required for camouflage purposes.
    b. Antenna Arrays for Macro and Small Cell facilities mounted on rooftops of mixed-use, commercial, multifamily and other similar structures shall be fully screened. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening. Omni-directional antennas shall be of a color compatible with the roof, structure or background. Antenna Arrays attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30.
    c. Antenna s ~~Arrays~~ for Small Cell Facilities attached to a building façade shall be flush mounted, mimic the façade they are attached to by use of color and materials and/or use other stealth tactics and shall not project above the facade wall on which they are mounted. Antenna Arrays for Macro Cell Facilities are not permitted on any building façade other than water towers.
    d. Macro Cell Facilities and Small Cell Facilities are prohibited on any historic landmark.
    e. Operators shall consider undergrounding equipment if technically feasible or placing the equipment within existing structures.
    f. Above-ground equipment enclosures for antenna s ~~arrays~~ located on a building shall be located within the building, on the building rooftop or, on the sides or behind the building and screened to the fullest extent possible. Screening of associated above ground equipment enclosures shall be of a material, color and design compatible with the building to appear as part of the building and/or a Type I visual screen, as shown in RZC 21.32.080, *Types of Planting*, shall be created around the perimeter of the Equipment Enclosure. Landscaping for the purpose of screening shall be maintained in a healthy condition.
    g. The use of concrete or concrete aggregate shelters is not allowed in UR, RA-5 and R zones.

h. Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040.D, *Accessory Standards*.

4. New Antenna Support Structures for Small Cell Facilities and Macro Cell Facilities and associated Equipment Enclosures:

   a. For macro cell facilities ~~S~~stealth technology shall be required using structures such as monopines (that mimic a native tree), slimline poles, flagpoles or other similar poles. The pole type chosen shall blend with existing characteristics of the subject site when located outside public rights-of-way or shall blend with the streetscape and street poles when located within public rights-of-way. Glulam poles may be allowed if compatible and only when blended with existing characteristics such as mature trees and/or other existing wooden poles. The new antenna support structure ~~tower~~ shall be painted to blend with the background of the surrounding environment. Guyed and Lattice Antenna Support Structures are prohibited.

   b. For small cell facilities located in the rights of way, applicants shall use utility or light poles that have a similar or compatible design to existing neighboring utility or light poles in the rights of way.

   c. Antennas shall be internal to the pole or placed in a canister at the top of the pole, if technically feasible, otherwise external antenna mounts are allowed and shall be flush mounted. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(4)(e) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than ~~twelve~~ 12 inches off the pole, measured from the inside edge of the antenna to the surface of the pole.

   d. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

e. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(4)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

f. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.

g. Collocations shall be prohibited for macro cell facilities located within public rights-of-way, except where fully concealed within a stealth or slimline pole.

h. Cable and/or conduit shall be routed through the inside of all poles.

i. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, *Types of Planting*, shall be required for any ground equipment enclosure located within a new compound/lease area outside public rights-of-way. Landscaping for the purpose of screening shall be maintained in a healthy condition. The use of concrete or concrete aggregate shelters is not allowed in UR, RA-5 and R zones. Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040.D, *Accessory Standards*.

j. Within the shoreline jurisdiction, additional screening shall be provided through plantings or double rows of native conifers surrounding the base of the structure. (SMP)

5. Small Cell Facility attached to existing and replacement Utility Poles (excluding Light Poles) and Miscellaneous Poles:
   a. Except for wooden utility poles, antennas shall be internal to the pole whenever technically feasible otherwise external antenna mounts are allowed and shall be flush mounted to the surface of the pole. Unified camouflage designs concealing

antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(5)(i) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than twelve (12) inches off the pole, measured from the inside edge of the antenna to the surface of the pole, unless otherwise required by the pole owner. Side arm brackets are prohibited.

b. Antennas attached to the top of a miscellaneous pole shall be flush mounted as close to the top of the pole as technically feasible. Antennas shall be shrouded or screened to blend with the pole except for canister antennas which shall not require screening. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and shall be painted to match the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole.

c. Antennas attached to the top of a utility pole and associated mounting hardware such as pole toppers or pole extenders are not allowed unless they are canister antennas or designed to blend with the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole and shall substantially match the diameter of the pole. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and painted to match the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be concealed.

d. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

e. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole,

unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(5)(i). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

f. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted or tinted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.

g. Attachment of additional small wireless facilities to a utility pole which has an existing small wireless facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact.

h. Cable and/or conduit shall be routed through the inside of all poles except for wooden poles where cable and/or conduit shall be allowed on the outside of the pole. The outside conduit shall be painted to match the pole and shall comply with the engineering standards of the pole owner.

i. New poles for the sole purpose of accommodating WCF's shall be reviewed as a new antenna support structure.

6. Small Cell Facilities attached to existing, replacement and new Light Poles:

a. Antennas shall be internal to the pole whenever technically feasible otherwise external antenna mounts are allowed and shall be flush mounted to the surface of the pole. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(6)(e) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than twelve (12) inches off the pole, measured from the inside edge of the antenna to the surface of the pole, unless otherwise required by the pole owner. Side arm brackets are prohibited.

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b. Antennas attached to the top of the pole shall be flush mounted as close to the top of the pole as technically feasible. Antennas shall be shrouded or screened to blend with the pole except for canister antennas which shall not require screening. Canister antennas or screening/shrouding for all other antennas shall be painted to match the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole.

c. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

d. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(6)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

e. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted or tinted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility

f. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, *Types of Planting*, shall be required for any Equipment Enclosure located within a new compound area outside public rights-of-way.

g. Cable and/or conduit shall be routed through the inside of all poles.

h. Replacement and new light poles shall meet City design standards.

i. New poles for the sole purpose of accommodating WCF's shall be reviewed as a new antenna support structure except for when deemed necessary through a lighting analysis submitted by the applicant and when illumination design standards and pole standards are met.

7. Macro Cell Facility attached to existing and replacement Utility Poles:

a. External antenna mounts are allowed and shall be flush mounted. Unified camouflage designs concealing antennas and equipment within a single enclosure are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible. Side arm brackets are prohibited.

b. Antennas attached to the top of a utility pole and associated mounting hardware such as pole toppers or pole extenders are not allowed unless they are canister antenna or designed to blend with the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole and shall substantially match the diameter of the pole. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and painted to match the pole. All cabling and mounting hardware from the bottom of the antenna to the top of the pole shall be concealed.

c. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(7)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.

d. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and all associated equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.

e. Attachment of additional small wireless facilities to a utility pole which has an existing small wireless facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact. Canister antennas attached to the top of the pole shall be stacked as technically feasible.

f. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, Types of Planting, shall be required for any Equipment Enclosure located within a new compound area outside public rights-of-way.

g. Cable and/or conduit shall be allowed on the outside of the pole. The outside conduit shall be painted to match the pole and shall comply with the engineering standards of the pole owner.

h. New poles for the sole purpose of accommodating WCF's are reviewed as a new antenna support structure.

21.56.060 Special Exceptions

A. **Purpose.** The purpose of this section is to provide for the granting of special exceptions when adherence to all development and design standards of this chapter would result in a physical or technical barrier which would block signal reception or transmission or ~~in~~ would otherwise ~~circumstances which prevent~~ be an effective prohibition of wireless service~~communication.~~

B. **Applicability.**

1. A special exception is required whenever an applicant desires to:

   a. Vary from the height, location, or setback limitations on the siting of amateur radio towers; or

   b. Vary from the setback limitations for antenna support structure; or

   c. Locate a~~n~~ new antenna support structure within the UR, RA-5, R-1, R-2, R-3, R-4, R-5, and R-6 zones or within the shoreline areas of the City; or

   d. Exceed the height limit on Structure Mounted Facilities; or

   e. Vary from the setback, size, screening, landscape, and service area requirements for large satellite dishes in all zones; or

   f. Requests to exceed the height limit for a proposed new or replacement antenna support structure in any zone.

2. The special exceptions provided in this section do not apply to variations from the International Building Code.

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3. A variance pursuant to RZC 21.76, *Review Procedures*, is required for variations from applicable zoning regulations not described in this section.

C. **Procedures.**

1. A request for a Special Exception shall be processed in conjunction with the permit approving the Wireless Communication Facility and shall not require any additional application or fees. The final approval authority for granting of the Special Exception shall be the same as that for the permit approving the antenna(s) location.

2. Upon review of Special Exception requests, the approval authority shall consider first those standards having the least effect upon the resulting aesthetic compatibility of the antenna(s) or tower with the surrounding environment. The approval authority shall review setback, size, screening requirements, and height limits.

3. The decision-making body for review of a Special Exception shall be the Technical Committee.

D. **Special Exception Decision Criteria.**

1. The applicant shall justify the request for a Special Exception by demonstrating that the exception is requested for technological or aesthetic reasons or that the obstruction or inability to receive or transmit a communication signal is the result of factors beyond the property owner's or applicant's control, taking into consideration potential permitted development on adjacent and neighboring lots with regard to future reception window obstruction or other necessary facility design requirements. Pictures, drawings (to scale), maps and/or manufacturer's specifications, and other technical information as necessary, should be provided to demonstrate to the City that the Special Exception is necessary.

2. The applicant for a Special Exception shall demonstrate that the proposed materials, shape, and color of the antenna(s) will, to the greatest extent possible, minimize negative visual impacts on adjacent or nearby residential uses and recreational uses in the Agriculture and Urban Recreation zones and shoreline areas. The use of certain materials, shapes and colors, and landscaping may be required in order to minimize visual impacts.

3. Large Satellite Dish Antenna(s) – Special Exceptions. In addition to the general criteria for approval of Special Exceptions, the following criteria apply to large satellite dishes:

   a. Urban Recreation, Semirural, Residential Zones and Shorelines (SMP).

      i. Modifications to requirements for setback, size, screening, and maximum height limit may be considered by Special Exception. If a Special Exception from the height limit for a ground-mounted dish is requested, the height of the dish shall be limited to a maximum of 18 feet.

ii. Only if these modifications would still block an electromagnetic signal shall rooftop location be considered. If a Special Exception is sought to obtain a rooftop location, the diameter of the dish shall be limited to six feet and maximum permitted height shall be 15 feet above the roofline. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal.

b. Other Zones.

i. Ground-Mounted Antenna(s). Exceptions to be first considered shall be from setback, landscape and service area requirements, size and screening requirements. Only if these waived regulations would still block an electromagnetic signal shall a Special Exception from height requirements be considered. If a Special Exception is sought to vary from the height limit, the height of the dish shall be limited to a maximum of 20 feet.

ii. Roof-Mounted Antenna(s). The first exception to be considered shall be the center-of-roof requirement; the second exception shall be from the size and screening requirements, respectively. Only if these waived regulations would still result in a block of the signal shall a Special Exception from height requirements be considered. A Special Exception from the height limit shall be allowed up to a maximum of 20 feet above the existing or proposed structure. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal and structural considerations allow the alternative placement.

4. Additional Requirements for locating a new~~n~~ antenna support structure in UR, RA-5, R-1, or shoreline areas; or proposals to exceed height limits for a proposed antenna support structure in any zone:

a. An applicant will be required to provide an evaluation of alternative sites during this process. ~~and that there is a gap in coverage.~~

b. An amplified public involvement process shall be required and shall be conducted and paid for by the applicant. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts, and to determine potential mitigation measures that would make siting of that facility more acceptable.

i. The applicant shall propose an acceptable public involvement plan to be reviewed and approved by the Administrator.

ii. The public involvement process shall be initiated within 30 days of the issuance of a notice of application.

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c. In addition to meeting the criteria established in RZC 21.56.040 and RZC 21.56.050, the following criteria shall be used to make a determination on the application:

i. The impact of the facility including the design and operation on the surrounding uses, the environment and the City has been minimized;

ii. The proposal considers possible mitigation measures that can be developed which would make siting the facility within the community more acceptable.

Effective on: 4/16/2011

21.56.070 Technical Evaluation

In addition to the specific technical evaluations required in this chapter, whenever the Administrator determines that technical expertise, evaluation, or peer review is required in order to determine whether an application meets the requirements of this chapter, the Administrator may require that an applicant provide such expertise, evaluation, or review at the applicant's expense, or the Administrator may obtain such expertise, evaluation, or peer review on the Administrator's own and may require that the applicant pay the cost of such expertise, evaluation, or review.

The selection of the third party expert shall be by mutual agreement between the applicant and the City; such agreement shall not be unreasonably withheld by either party. The third party expert shall have recognized training and qualifications in the field of radio frequency engineering.

The expert review is intended to be a site-specific analysis of technical aspects of the wireless communication facility and other matters as described herein. In particular, but without limitation, the expert shall be ~~entitled to~~ provide a recommendation on the location and height of the proposed facility relative to the applicant's ~~gap in coverage~~ technical and system design parameters. Such review shall address the accuracy and completeness of the technical data, whether the analysis techniques and methodologies are legitimate, the validity of the conclusions and any specific technical issues outlined by the City or other interested parties. Based on the results of the third party review, the City may require changes to the application for the wireless communication facility that comply with the recommendations of the expert.

21.56.080 Cessation of Use

An antenna support structure or wireless communications faculty shall be removed by the owner if operation of the same ceases for a period of 12 consecutive months or if the facility falls into disrepair and is not maintained. 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, the entire wireless communications facility shall be removed, including but not limited to all antennas, antenna

supports, feeder lines, equipment enclosures, all associated equipment, conduit, and the concrete pad upon which the structure is located. This requirement does not extend to the removal of a utility pole, light pole or miscellaneous pole. All permits issued for new antenna support structures and equipment enclosures under this chapter shall be conditioned upon removal as required in this section.

21.76.040 TIME FRAMES FOR REVIEW

A. **Purpose.** The purpose of this chapter is to comply with RCW 36.70B.070 and 36.70B.080, which require that a time frame be established to ensure applications are reviewed in a timely and predictable manner. This chapter establishes the time frame and procedures for a determination of completeness and final decision for Type II, III, IV and V reviews, except where the review involves a development agreement or a land use permit for which a development agreement is required. No time frames are established by this chapter for Type I or Type VI reviews or for the review of development agreements or land use permits for which a development agreement is required. See also, RZC 21.68.200, *Shoreline Administration and Procedures*.

B. **Computing Time.** Unless otherwise specified, all time frames are indicated as calendar days, not working days. For the purposes of computing time, the day the determination or decision is rendered shall not be included. The last day of the time period shall be included unless it is a Saturday, Sunday, or a day designated by RCW 1.16.050 or by the City's ordinances as a legal holiday, in which case it also is excluded, and the time period concludes at the end of the next business day.

C. **Complete Application Review Time Frame.** The following procedures shall be applied to new applications to which this chapter applies, except for Wireless Communications Facilities.

1. Applications shall only be accepted during a scheduled appointment and deemed complete only when all materials are provided in accordance with the applicable application submittal requirements brochure. For applications deemed complete, a determination of completeness shall be issued. For applications deemed incomplete, a determination of incompleteness will be issued identifying the items necessary to complete the application. The applicant has 90 days to submit the required items to the City. While RCW 36.70B.070 requires that a determination of completeness or incompleteness be issued within 28 days after the application is filed, the City makes every effort to issue such determinations sooner than required, and may be able to issue a determination on the same day as the application is filed.

2. If a determination of completeness or a determination of incompleteness is not issued within the 28 days, the application shall be deemed complete at the end of the twenty-eighth (28th) day.

3. When a determination of incompleteness has been issued advising an applicant that additional items must be submitted before an application can be considered complete, the applicant shall be notified within 14 days after receipt of such additional items whether the application is then complete or whether additional items are still needed.

4. An application is complete for purposes of this section when it meets the submittal requirements established by the Administrator and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the Administrator from requesting additional information or studies either at the time of the determination of completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.

5. To the extent known by the City, other agencies with jurisdiction over the project permit application shall be identified in the City's determination of completeness required by subsection C.1 of this section.

D. **Application Review and Decision Time Frame.** The following procedures shall be applied to new applications to which this chapter applies, except for applications for Wireless Communications Facilities.

1. Decisions on Type II, III, IV or V applications, except applications for short plat approval, preliminary plat approval, or final plat approval, applications for development agreements and applications for land use permits for which a development agreement is required, shall not exceed 120 days, unless the Administrator makes written findings that a specified amount of additional time is needed for processing of a specific complete land use application or unless the applicant and the City agree, in writing, to an extension. Decisions on short plat approval and final plat approval shall not exceed 30 days and decisions on preliminary plat approval shall not exceed 90 days. For purposes of calculating timelines and counting days of permit processing, the applicable time period shall begin on the first working day following the date the application is determined to be complete pursuant to RZC 21.76.040.C, *Complete Application Review Time Frame*, and shall only include the time during which the City can proceed with review of the application.

2. Appeals. The time period for consideration and decision on appeals shall not exceed:

   a. Ninety (90) days for an open record appeal hearing; and

b. Sixty (60) days for a closed record appeal;

c. The parties may agree in writing to extend these time periods. Any extension of time must be mutually agreed upon by the applicant and the City in writing.

3. Exemptions. The time limits established in this title do not apply if a project permit application:

a. Requires approval of the siting of an essential public facility as provided in RCW 36.70A.200;

b. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

4. See also RZC 21.68.200, *Shoreline Administration and Procedures*.

E. **Calculating Decision Time Frame.** In determining the number of days that have elapsed after the City has notified the applicant that the application is complete for purposes of calculating the time for issuance of the decision, the following periods shall be excluded:

1. Any period during which the applicant has been requested by the City to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date the City notifies the applicant of the need for additional information until the earlier of the date the City determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the City;

2. If the City determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies, and the procedures under subsection E.1 of this section shall apply as if a new request for information had been made;

3. Any period during which an Environmental Impact Statement is being prepared following a Determination of Significance pursuant to RCW Chapter 43.21C, or if the City and the applicant in writing agree to a time period for completion of an Environmental Impact Statement;

4. Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed.

F. **Wireless Communications Facilities.** In order to comply with Federal law and FCC guidelines, applications for the following wireless communications facilities and systems shall be finally approved, denied or conditionally approved within the following timeframes.

1. For all WCF applications, other than applications for Eligible Facilities Requests as described below, the City shall approve, deny or conditionally approve the application within the timeframes fixed by Federal or State law, unless review of such application is tolled by mutual agreement.

2. Eligible Facilities Requests

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

a. *Type of Review.* Upon receipt of an application for an Eligible Facilities Request, the City shall review such application to determine completeness.

b. *Approval; Denial.* An Eligible Facilities Request shall be approved upon determination by the City that the proposed facilities modification does not substantially change the physical dimensions of an eligible support structure. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facilities modification will substantially change the physical dimensions of an eligible support structure.

c. *Timing of Review.* The City shall issue its decision within sixty (60) days of receipt of an application, unless the review period is tolled by mutual agreement by the City and the applicant or according to subsection F.2.d.

d. *Tolling of the Timeframe for Review.* The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the City and the applicant, or in cases where the City Administrator determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

    i. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.

    ii. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness.

    iii. Following a supplemental submission, the City will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

e. Failure to Act. In the event the City fails to approve or deny an Eligible Facilities Request within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the City Administrator in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

f. Remedies. Any action challenging a denial of an application or notice of a deemed approved remedy, shall be brought in King County Superior Court or Federal Court

for the Western District of Washington within thirty (30) days following the date of denial or following the date of notification of the deemed approved remedy.

3. The Administrator is hereby authorized to take appropriate administrative action, such as the hiring of a special hearing examiner, as well as expedited processing of applications, review and appeals, if any, in order to meet Federal or State time limits.

RZC 21.76 REVIEW PROCEDURES

RZC 21.76.070 LAND USE ACTIONS AND DECISION CRITERIA

AD. Wireless Communication Facilities.

1. Purpose. The purpose of this section is to provide a mechanism to address issues of safety and appearance associated with Wireless Communication Facilities and to provide adequate siting opportunities at appropriate locations within the City to support existing communications technologies as needed for Redmond businesses and institutions to stay competitive. See (RZC 21.56.030(C)and(D) for siting hierarchy).
2. Collocation requirements. All new Antenna Support Structures built for the purpose of siting a macro cell facility shall be constructed in a manner that would provide sufficient structural strength to allow the collocation of additional antennas from other service providers.
3. Construction plans and final construction of the WCF shall be approved by the City's Building Division, when applicable.
4. Time frame for Review. Refer to RZC 21.76.040(F)
5. Scope. The chart below identifies the land use permit process type based on the facility and its location (Note that ~~a franchise or lease agreement~~ additional approvals may be required per RMC Chapter 12.14):

Table 21.76.070
Wireless Communication Facilities Review Process

Wireless Communication Facility Type (WCF)	Zone	Structure	Land Use Permit Type
Small satellite dish antenna	All	All	None required
Large satellite dish antenna	All	All	Type I
Amateur radio towers	All	All	Type I
Temporary Wireless Communication Facility	All	See definition of Temporary WCF	Type I
New Antenna Support Structures for Macro and Small Cell Facilities and New Antenna Support Structures for Macro and Small Cell Facilities that exceed height limits established in RZC 21.56.	All zones	Tower	Type II

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Table 21.76.070 Wireless Communication Facilities Review Process			
Wireless Communication Facility Type (WCF)	**Zone**	**Structure**	**Land Use Permit Type**
Collocation of new antennas; removal or replacement of existing antennas~~;~~ and/or associated ground mounted equipment enclosures on previously approved Structure Mounted Facilities ~~and~~ that comply with size and concealment requirements established in RZC 21.56.	All	All structures except Towers	None required
Collocation of new antennas; removal or replacement of existing antennas~~;~~ and/or associated ground mounted equipment enclosures on existing Antenna Support Structures that are not an Eligible Facilities Request and comply with height limits established in RZC 21.56.	All	Tower	Type I (None Required for removal of antennas)
Eligible Facilities Request	All	All	None required, however see RZC 21.56.020(B)(4)
Macro Cell Facility and~~,~~ Small Cell Facility ~~and Small Cell Network~~ mounted to a Structure Mounted Facility and associated Equipment Enclosures	All nonresidential zones	Nonresidential, Mixed Use & Multifamily Structures	Type I~~1~~
	R-20 and R-30	Multifamily Use, Nonresidential & Mixed Use Structures	Type II
	All residential zones except R-20 and R-30	Nonresidential Structures	Type II
Macro Cell Facility and~~,~~ Small Cell Facility ~~and Small Cell Network~~ attached to Utility Poles, Light Poles and Miscellaneous Poles	All residential zones	Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a New Antenna Support Structure)	Type II None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications for additional ~~Franchise~~ requirements
			Type II if located within Special Design Areas

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Table 21.76.070 Wireless Communication Facilities Review Process			
Wireless Communication Facility Type (WCF)	**Zone**	**Structure**	**Land Use Permit Type**
Macro Cell Facility and, ~~Small Cell Facility and Small Cell Network~~ attached to Utility Poles, Light Poles and Miscellaneous Poles	All non-residential zones	Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a New Antenna Support Structure)	Type I None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications, Article III, for additional ~~Franchise~~, requirements
			Type II if located within Special Design Areas

5. Decision Criteria. All proposed wireless communication facilities shall not be approved unless the development regulations and design standards provided in RZC 21.56, *Wireless Communication Facilities*, are met.

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 Federal Communications Commission. Guy wires for amateur radio antenna(s) are considered part of the structure for the purposes of meeting development standards.

Antenna(s). means an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC 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 Part 15 of Title 47 of the Code of Federal Regulations. Types of antenna(s) include, but are not limited to: ~~Any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points; includes, but is not limited to, radio antenna(s), television antenna(s), satellite dish antenna(s), and cellular antenna(s). Types of antenna(s) include:~~

1. Omnidirectional (or "whip") antenna(s) transmits and receives radio frequency signals in a 360-degree radial pattern. For the purpose of this document, an omnidirectional antenna(s) is up to 15 feet in height and up to six inches in diameter.
2. Directional (or "panel") antenna(s) transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees.
3. Parabolic antenna(s) (or "dish") antenna(s) is a bowl-shaped device for the reception and/or transmission of communications signals in a specific directional pattern.

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Antenna Array. A single or group of antenna elements and associated mounting hardware, feed lines, or other appurtenances that may share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Support Structure. A vertical projection composed of metal or other material with a foundation that is designed for the purpose of accommodating antennas at a desired height. Types of support structures include the following:

1. Guyed antenna support structure - a style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.
2. Lattice antenna support structure - a tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.
3. Monopole antenna support structure - a style of antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground. These facilities may also include, flagpoles, slimline poles, monopines or new utility poles and new miscellaneous poles.

Base Station. A structure or equipment at a fixed location that enables licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower or any equipment associated with a tower.

1. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
2. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

3. The term includes any structure other than a tower that supports or houses equipment described in paragraphs (1) and (2) above and that has been reviewed and approved under RZC 21.56, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
4. The term does not include any structure that does not support or house equipment described in paragraphs (1) and (2) above.

Collocation. Includes the (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modification of a structure for the purpose of mounting or installing an antenna facility on that structure. ~~The practice of installing and operating antennas for multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility, using different and separate antenna, feed lines, and radio frequency generating equipment.~~ 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.

Eligible Facilities Request. Means a request for modification of an existing tower or base station that does not result in a substantial change of the physical dimensions of such tower or base station, involving [See Substantial Change]:

1. Collocation of transmission equipment;
2. Removal of transmission equipment; or
3. Replacement of transmission equipment.

Equipment Enclosures. The wireless service provider's enclosure used to house any transmission related 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 to a utility pole, light pole or miscellaneous pole.

Large Satellite Dish. Any satellite dish antenna(s) whose diameter is greater than one meter in the Urban Recreation, Semirural, Residential zones, or Shorelines areas of the City, or two meters within any zone. *[See Satellite Dish Antenna(s).]*

Light Pole – A utility pole used primarily for lighting streets, parking areas, parks or pedestrian paths.

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Macro Cell Facility. *A large wireless communication facility that provides radio frequency coverage served by a high power cellular tower. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other existing structures, at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three cubic feet per antenna and typically cover large geographic areas with relatively high capacity and are capable of hosting multiple wireless service providers.*

Miscellaneous Pole. A City owned pole other than a Traffic Signal or Light Pole including but not limited to a pole used exclusively for signage, banners, plants or decorative features. A new pole originally constructed for the purpose of providing support for a Wireless Communication Facility (WCF) shall be regulated as a new Antenna Support Structure.

Mixed Use. A land use where more than one classification of land use (for example, residential, commercial, and recreational) permitted within a zoning district is combined on a lot or within a structure.

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.

Small Wireless Facilities or small cell(s). Are facilities that meet each of the following conditions:

(1) The facilities—

(i) are mounted on structures 50 feet or less in height including their antennas, or

(ii) are mounted on structures no more than 10 percent taller than other adjacent structures, or

(iii) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;

(2) Each antenna associated with the deployment, excluding associated antenna equipment, is no more than three cubic feet in volume;

(3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

(4) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR § 1.1307(b).

~~**Small Cell Facility.** (RCW 80.36.375) means a personal wireless service facility that meets both of the following qualifications:~~

~~1. Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its~~

RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

~~exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and~~

2. ~~Primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: Electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch.~~

~~**Small Cell Network.** A collection of interrelated small cell facilities designed to deliver personal wireless services.~~

Small Satellite Dish. Any satellite dish antenna(s) that has a diameter less than or equal to one meter located in Urban Recreation, Semirural, Residential zones or Shoreline areas of the City or two meters within any other zone. *[See Satellite Dish Antenna(s).]*

Special Design Areas. Special Design Areas are public rights-of-way, including streets, in the following locations:

1. Cleveland Street between Redmond Way and 164th Avenue NE
2. Leary Way between NE 80th Street and West Lake Sammamish Parkway NE
3. Gilman Street between the Redmond Central Connector and NE 80th Street
4. Bear Creek Parkway and 170th Ave NE from Redmond Way to Redmond Way in Downtown Redmond
5. 152nd Avenue NE between NE 20th and NE 31st streets in the Overlake Neighborhood

Full concealment of all wireless communication facilities within the Special Design Areas is required, including within poles, street furniture, garbage cans, mailboxes and other similar features. In limited circumstances, the City can allow wireless communication facilities in Special Design Areas under the following conditions:

1. They are camouflaged,
2. They are designed, integrated into, and consistent with the design theme of a pole, and
3. That that there is no alternate location outside of the Special Design Area that can provide similar service.

Structure. That which is constructed and placed permanently on or under the ground or over the water, or attached to something having a permanent location on or under the ground or over the water, excluding residential fences less than six feet in height; retaining walls, rockeries, patios, and decks less than 30 inches in height; and similar improvements of a minor character. For the purpose of administering the Shoreline Master Program, structure shall have the meaning given in WAC 173-27-030(15). For the purpose of administering the Wireless Communication Facilities code, structure shall have the meaning given in under 47 CFR 1.6002.

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Structure Mounted Facility - A structure or building that can accommodate a Wireless Communication Facility that is mounted on the top/roof or side/façade of the structure or building. The term does not encompass a tower or antenna support structure, or any equipment associated with a tower or antenna support structure, or a utility pole, light pole, traffic signal pole or miscellaneous pole.

Substantial Change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the Tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site;
5. It would defeat the concealment elements of the eligible support structure; or
6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified above.

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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 typically used for large-scale events, or to provide wireless coverage in the event an existing permanent WCF is removed to allow for construction activity at the underlying site.

Tower. An Antenna Support Structure.

Traffic Signal Pole. A Utility Pole that supports equipment used for controlling traffic including but not limited to traffic lights, rapid flashing beacons, speed radar, school zones flasher, etc.

Transmission Equipment. Equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup 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.

Unified Camouflage Design. Concealment of antennas and equipment within a single enclosure.

Utility Pole. A structure designed and used primarily for the support of electrical wires, telephone wires, television cable and may also include lighting. A new utility pole originally constructed for the purpose of providing support for a Wireless Communication Facility (WCF) shall be regulated as a new Antenna Support Structure.

Wireless Communications. Any personal wireless service, which includes, but is not limited to, cellular, Personal Communications Services (PCS), Specialized Mobile Radio (SMR), Enhanced Specialized Mobile Radio (ESMR), and unlicensed spectrum services utilizing devices described in Part 15 of the Federal Communications Commission rules and regulations (e.g., wireless internet services and paging).

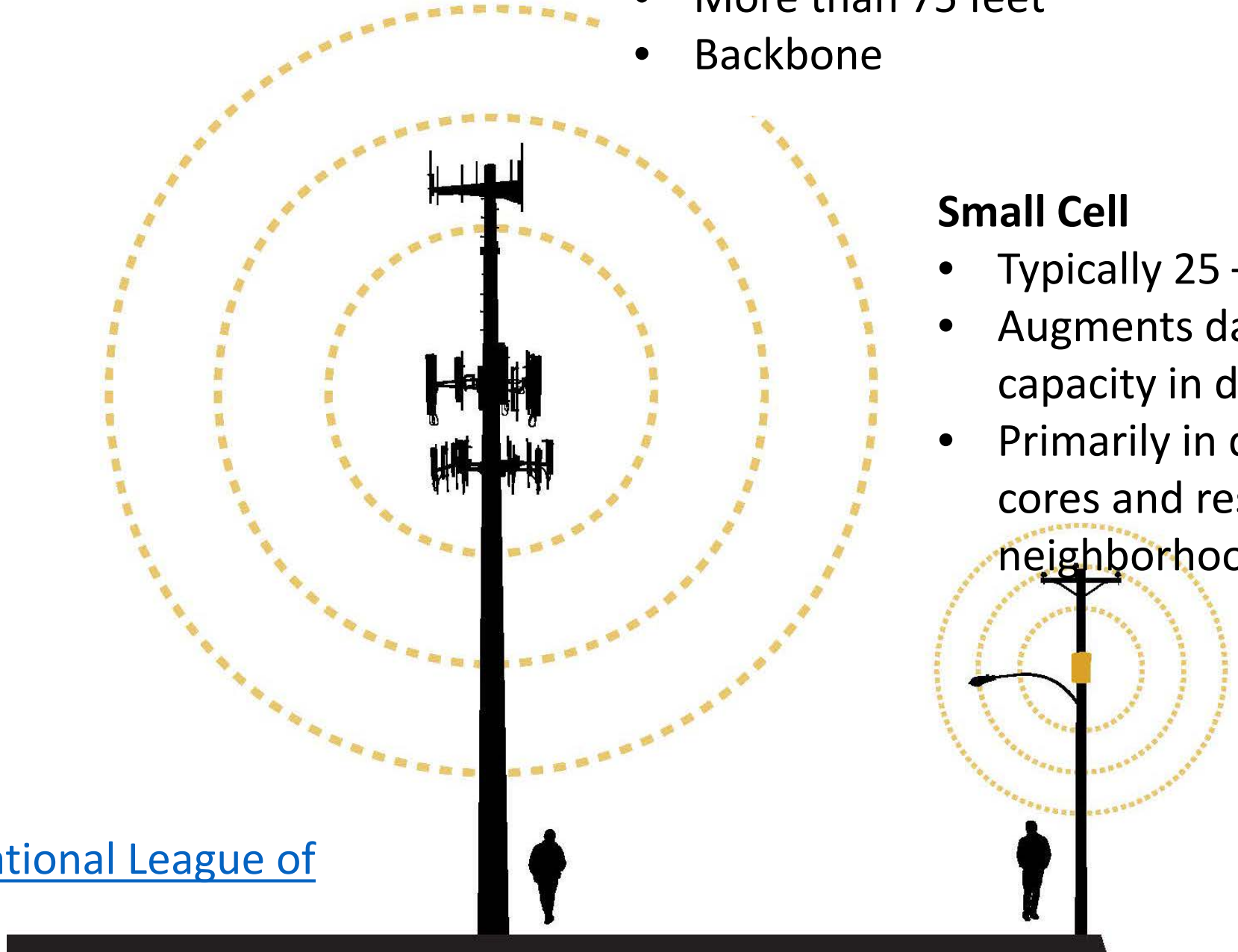
RZC 21.56 WIRELESS COMMUNICATIONS FACILITIES

Wireless Communication Facility Permit. A permit required to ensure compliance with regulations in RZC 21.56, Wireless Communication Facilities, for large satellite antenna(s), amateur radio towers and other wireless communication facilities.

Wireless Communication Facility (WCF). An unstaffed facility for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, equipment enclosures, and an antenna support structure.

Macro Cell Towers

- More than 75 feet
- Backbone

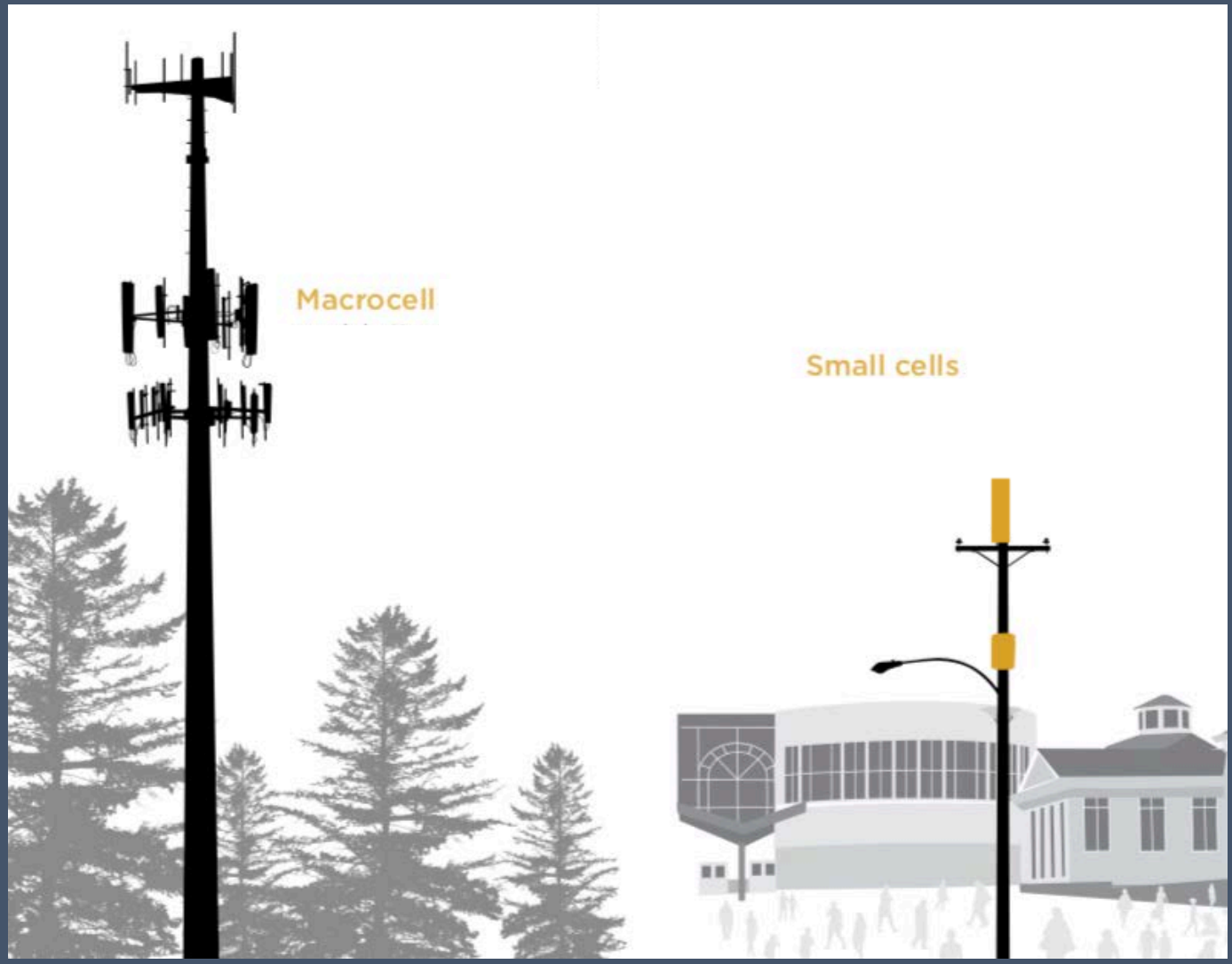


Small Cell

- Typically 25 – 45 feet
- Augments data traffic capacity in dense areas
- Primarily in downtown cores and residential neighborhoods

Source: National League of Cities

A small cell pole in the median of the Las Vegas Strip. (Photograph by SmartWorks Partners)



Source: National League of Cities *Small Cell Wireless Technology in Cities*,

City of Redmond
WASHINGTON

The Seattle Times

-Notice Details-

These are the details of your notice scheduled to run on the dates indicated below.

Prepayment Information

Date	Method	Card Type	Last 4 Digits	Check #	Amount

Account Information

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Agency Name:	
Contact:	
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Run Date(s)

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NWclassifieds	02/06/19
NWclassifieds	02/07/19
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NOTICE OF PUBLIC HEARING
CITY OF REDMOND

Zoning Code Amendment: Wireless Communications Facilities (WCF) Code Update Per Federal Communications Commission (FCC) Ruling - Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment

The City of Redmond Planning Commission will hold a Public Hearing in the **Council Chambers, 15670 NE 85th St., Redmond, WA** on February 27, 2019, 7:00 p.m. or as soon thereafter as possible, on:

SUBJECT:

Amendments to the Redmond Zoning Code (RZC) are recommended as result of FCC ruling to 47 CFR Part 1 (eff. January 14, 2019) regarding the deployment of Fourth Generation (4G) and Fifth Generation (5G) mobile communication system infrastructure. 5G deployments — small cell wireless facilities — feature equipment that is smaller and more densely sited than 4G and macro wireless facilities and is primarily located in the right-of-way.

REQUESTED ACTION: Planning Commission recommendation on the proposed RZC amendment.

All persons are invited to comment in person at the hearing, or in writing prior to the hearing, to the Planning Dept. at City Hall, P.O. Box 97010, Redmond, WA 98073-9710. Tel. : 425-556-2440, Fax: 425-556-4242, or e-mail planningcommission@redmond.gov. **Contact Scott Reynolds 425-556-2409, sreynolds@redmond.gov for more information**.

A copy of the proposal will be available no later than Feb. 6, 2019 from the Planning Department, 4th Fl., City Hall and on the City's web site at www.redmond.gov/planningcommission

If you are hearing or visually impaired, please notify the Planning Dept. at 425-556-2440 one week in advance of the hearing to be provided assistance.

LEGAL NOTICE: Feb. 6, 2019

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF SEPA EXEMPTION

For more information about this project visit www.redmond.gov/landuseapps

PROJECT NAME: Zoning Code Amendment - Wireless Communication Facilities (WCF) Code Update

SEPA FILE NUMBER: SEPA-2019-00100

PROJECT DESCRIPTION:

Update RZC 21.56 Wireless Communication Facilities, RZC 21.78 Definitions to comply with the most recent FCC order a well as minor code cleanup.

PROJECT LOCATION: Citywide

SITE ADDRESS:

APPLICANT: Scott Reynolds

LEAD AGENCY: City of Redmond

THE LEAD AGENCY FOR THIS PROPOSAL HAS DETERMINED THAT THE PROPOSAL IS CATEGORICALLY EXEMI FROM THRESHOLD DETERMINATION AND EIS REQUIREMENTS PURSUANT TO WAC 197-11-800.19