

ProLand, LLC

February 25th, 2019

City of Spokane Planning and Building Services
808 West Spokane Falls Blvd. #3
Spokane, WA 99201

Re: SPO Midwick Wireless Communication Facility (WCF)
Section 17C.355A Narrative

Section 17C.355A.050 Tower Sharing, Collocation and Preferred Tower Locations

- A. Tower Sharing and Collocation. New WCF facilities must, to the maximum extent feasible, collocate on existing towers or other structures of a similar height to avoid construction of new towers, unless precluded by zoning constraints such as height, structural limitations, inability to obtain authorization by the owner of an alternative location, or where an alternative location will not meet the service coverage objectives of the applicant. Applications for a new tower must address all existing towers or structures of a similar height within 1/2 mile of the proposed site as follows: (a) by providing evidence that a request was made to locate on the existing tower or other structure, with no success; or (b) by showing that locating on the existing tower or other structure is infeasible. **There are no existing towers within 1/2 mile of the proposed site. There are no existing structures within the desired coverage area that meet the required height needed to provide reliable coverage.**
- B. Preferred Tower Locations. All new towers proposed to be located in a residential zone or within 150 feet of a residential zone are permitted only after application of the following siting priorities, ordered from most-preferred (1) to least-preferred (8);
1. City-owned or operated property and facilities, not including right-of-way and right-of-way facilities, that are not in residential zones or located within 150 feet of residential zones; **There are no City-owned properties or facilities within the desired coverage area that are not located within a residential zone..**
 2. Industrial zones and downtown zones; **There are no industrial or downtown zones within the desired coverage area. As determined at the 2/25/19 Pre Development meeting with Dave Compton.**
 3. City-owned or operated property and facilities in any zone, as long as the tower is inconspicuous from a public street, public open areas, or property that is being used for residential purposes; **No City zoned structures which meet requirements within 1/2 mile.**
 4. Community Business and General Commercial zones (CB & GC); **Verizon is proposing to locate the new 60' stealth WCF within the Community NB**
 5. office and other commercial zones;
 6. other City-owned or operated property and facilities;
 7. parcels of land in residential zones;
 8. sites in residential zones on or within 150 feet of a designated historic structure or district.

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The applicant for a tower located in a residential zone or within 150 feet of a residential zone shall address these preferences in an alternative sites analysis meeting the requirements of section 17C.355A.060 below.

Section 17C.355A.060 Application Submittal Requirements

In addition to the application materials identified in SMC 17G.060.070, Type II and Type III applications submitted under this chapter shall include the following materials.

- A. Requirement for FCC Documentation. The applicant shall provide a copy of: ***RF letter has been provided with the required FCC documentation.***
 1. its documentation for FCC license submittal or registration, and
 2. the applicant's FCC license or registration.
- B. Site plans. Complete and accurate plans and drawings to scale, prepared, signed and sealed by a Washington-licensed engineer, land surveyor and/or architect, including (1) plan views and all elevations before and after the proposed construction with all height and width measurements called out; (2) a depiction of all proposed transmission equipment; (3) a depiction of all proposed utility runs and points of contact; and (4) a depiction of the leased or licensed area with all rights-of-way and/or easements for access and utilities in plan view. ***Site plans have been provided (Exhibit D) depicting all the required information. An engineered stamped set will be provided at the time of Building Permit submittal.***
- C. Visual analysis. A color visual analysis that includes to-scale visual simulations that show unobstructed before-and-after construction daytime and clear-weather views from at least four angles, together with a map that shows the location of each view. ***Photo sims have been provided.***
- D. Statement of Purpose/RF Justification. A clear and complete written Statement of Purpose shall minimally include: (1) a description of the technical objective to be achieved; (2) a to-scale map that identifies the proposed site location and the targeted service area to be benefited by the proposed project; and (3) full-color signal propagation maps with objective units of signal strength measurement that show the applicant's current service coverage levels from all adjacent sites without the proposed site, predicted service coverage levels from all adjacent sites with the proposed site, and predicted service coverage levels from the proposed site without all adjacent sites. These materials shall be reviewed and signed by a Washington-licensed professional engineer or a qualified employee of the applicant. The qualified employee of the applicant shall submit his or her qualifications with the application. ***An RF letter has been provided meeting all the above requirements.***
- E. Design justification. A clear and complete written analysis that explains how the proposed design complies with the applicable design standards under this chapter to the maximum extent feasible. A complete design justification must identify all applicable design standards under this chapter and provide a factually detailed reason why the proposed design either complies or cannot feasibly comply. ***Verizon is proposing stealth technology and the tower will be designed to look like an evergreen tree.***
- F. Collocation and alternative sites analysis.
 1. All Towers. All applications for a new tower will demonstrate that collocation is not feasible, consistent with [SMC 17C.355A.050](#). ***There are no existing towers within ½ mile to collocate on.***
 2. Towers in a residential zone or within 150 feet of a residential zone.

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- a. For towers in or within 150 feet of a residential zone, the applicant must address the City's preferred tower locations in [SMC 17.355A.050](#) with a detailed explanation justifying why a site of higher priority was not selected. The City's tower location preferences must be addressed in a clear and complete written alternative site analysis that shows at least five (5) higher ranked, alternative sites considered that are in the geographic range of the service coverage objectives of the applicant, together with a factually detailed and meaningful comparative analysis between each alternative candidate and the proposed site that explains the substantive reasons why the applicant rejected the alternative candidate. An applicant may reject an alternative tower site for one or more of the following reasons: ***There are no existing towers within ½ mile of the proposed site.***
 1. preclusion by structural limitations;
 2. inability to obtain authorization by the owner;
 3. failure to meet the service coverage objectives of the applicant;
 4. failure to meet other engineering requirements for such things as location, height and size;
 5. zoning constraints, such as the inability to meet setbacks;
 6. physical or environmental constraints, such as unstable soils or wetlands; and/or
 7. being a more intrusive location despite the higher priority in this chapter as determined by the Planning Director or Hearing Examiner, as applicable.
 - b. A complete alternative sites analysis provided under this subsection (F)(2) may include less than five (5) alternative sites so long as the applicant provides a factually detailed written rationale for why it could not identify at least five (5) potentially available, higher ranked, alternative sites.
3. Required description of coverage objectives. For purposes of disqualifying potential collocations and/or alternative sites for the failure to meet the applicant's service coverage objectives the applicant will provide (a) a description of its objective, whether it be to close a gap or address a deficiency in coverage, capacity, frequency and/or technology; (b) detailed technical maps or other exhibits with clear and concise RF data to illustrate that the objective is not met using the alternative (whether it be collocation or a more preferred location); and (c) a description of why the alternative (collocation or a more preferred location) does not meet the objective.
- G. DAS and small cells. As outlined in [SMC 17C.355A.010](#), the City encourages, but it does not require, the use of DAS and small cells. Each applicant will submit a statement that explains how it arrived at the structure and design being proposed. ***A small cell will not reach the desired coverage area and is too small of a range. A Marco site is needed to cover the large gap in coverage. See RF letter for coverage objective.***
- H. Radio frequency emissions compliance report. A written report, prepared, signed and sealed by a Washington-licensed professional engineer or a competent employee of the applicant, which assesses whether the proposed WCF demonstrates compliance with the exposure limits established by the FCC. The report shall also include a cumulative analysis that accounts for all emissions from all WCFs located on or adjacent to the proposed site, identifies the total exposure from all facilities and demonstrates planned compliance with all maximum permissible exposure limits established by the FCC. The

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report shall include a detailed description of all mitigation measures required by the FCC.

- I. Noise study. A noise study, prepared, signed and sealed by a Washington-licensed engineer, for the proposed WCF and all associated equipment in accordance with the Spokane Municipal Code.
- J. Collocation consent. A written statement, signed by a person with the legal authority to bind the applicant and the project owner, which indicates whether the applicant is willing to allow other transmission equipment owned by others to collocate with the proposed wireless communication facility whenever technically and economically feasible and aesthetically desirable.
- K. Other published materials. All other information and/or materials that the City may, from time to time, make publicly available and designate as part of the application requirements.

Section 17C.355A.070 General Development Standards Applicable to WCFs

The following criteria shall be applied in approving, approving with conditions or denying a WCF. Unless otherwise provided in this chapter, WCF construction shall be consistent with the development standards of the zoning district in which it is located.

- A. Height. Refer to [SMC Tables 17C.355A-1 and 2](#). **The Maximum height is 60' and the proposed WCF is 60'.**
- B. Setback Requirements. Refer to [SMC Tables 17C.355A-1 and 2 for towers](#). All equipment shelters, cabinets or other on-the-ground ancillary equipment shall be buried or meet the setback requirement of the zone in which located. Notwithstanding the setbacks provided for in [Tables 17C.355A-1 and 2](#), when a residence is located on an adjacent parcel, the minimum side setback from the lot line for a new tower must be equal to the height of the proposed tower, unless: **The facility meets all required setbacks. See zoning drawings for more detail.**
 1. The setback is waived by the owner of the residence; or
 2. The tower is constructed with breakpoint design technology. If the tower has been constructed using breakpoint design technology, the minimum setback distance shall be equal to 110 percent (110%) of the distance from the top of the structure to the breakpoint level of the structure, or the applicable zone's minimum side setback requirements, whichever is greater. (For example, on a 100-foot tall monopole with a breakpoint at eighty [80] feet, the minimum setback distance would be twenty-two [22] feet [110 percent of twenty (20) feet, the distance from the top of the monopole to the breakpoint] or the minimum side yard setback requirements for that zone, whichever is greater.) Provided, that if an applicant proposes to use breakpoint design technology to reduce the required setback from a residence, the issuance of building permits for the tower shall be conditioned upon approval of the tower design by a structural engineer.
- C. Landscaping. All landscaping shall be installed and maintained in accordance with this chapter. Existing on-site vegetation shall be preserved to the greatest extent reasonably possible and/or improved, and disturbance of the existing topography shall be minimized. The director may grant a waiver from the required landscaping based on findings that a different requirement would better serve the public interest.
 1. Tower bases, when fenced (compounds), or large equipment shelters (greater than three feet by three feet by three feet), shall be landscaped following the provisions of this section. In all residential, O, OR, NR, NMU, CC, CA, CB, GC, Downtown, and other commercial zones, landscaping shall consist of a six-foot wide strip of L2 landscaping as described in [SMC 17C.200.030](#). Street Frontage

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and perimeter property landscaping where required shall follow standards set forth in [SMC 17C.200.040](#) Site Planting Standards. **A 6-foot landscape buffer has been proposed meeting the L2 standards.**

2. If fencing is installed, it shall consist of decorative masonry or wood fencing. Chain link is not allowed in residential, O, OR, NR, NMU, CC, and CA zones, except that in a CB and GC zone up to 3 strands of barbed wire may be placed atop a lawful fence exceeding six feet in height above grade. In Downtown and industrial zones, three strands of barbed wire may be placed atop a lawful fence if the fence is not visible from an adjacent street or is placed behind a sight-obscuring fence or wall. Electrified fences are not permitted in any zone. Razor or concertina wire is not allowed. **A 6-foot cedar fence is proposed - see ZDs.**
 3. Applicant shall meet the irrigation requirements of [SMC 17C.200.100](#) where feasible and ensure the full establishment of plantings for two years in accordance with [SMC 17C.200.090](#). **The landscape buffer will be irrigated.**
- D. Visual Impact. All WCFs in residential zones and within 150 feet of residential zones, including equipment enclosures, shall be sited and designed to minimize adverse visual impacts on surrounding properties and the traveling public to the greatest extent reasonably possible, consistent with the proper functioning of the WCF. Such WCFs and equipment enclosures shall be integrated through location and design to blend in with the existing characteristics of the site. Such WCFs shall also be designed to either resemble the surrounding landscape and other natural features where located in proximity to natural surroundings, or be compatible with the urban, built environment, through matching and compliment`ary existing structures and specific design considerations such as architectural designs, height, scale, color and texture, and/or be consistent with other uses and improvements permitted in the relevant zone. **The proposed WCF is being designed to minimize adverse visual impact on surrounding properties with the proposal of stealth technology and designing the WCF to resemble an evergreen tree to blend in with the existing landscape. The equipment enclosure will be fully screened with a cedar fence and a landscape buffer around the leased area,**
- E. Use of Stealth Design/Technology. The applicant shall make an affirmative showing as to why they are not employing stealth technology. More specifically: **Verizon is employing stealth technology. See ZDs and photo simulations for more details.**
1. Stealth design is required in residential zones and to the extent shown in [Tables A-1 and A-2](#). Stealth and concealment techniques must be appropriate given the proposed location, design, visual environment, and nearby uses, structures, and natural features. Stealth design shall be designed and constructed to substantially conform to surrounding building designs or natural settings, so as to be visually unobtrusive. Stealth design that relies on screening wireless communications facilities in order to reduce visual impact must screen all substantial portions of the facility from view. Stealth and concealment techniques do not include incorporating faux-tree designs of a kind that are not native to the Pacific Northwest.
- F. Lighting. For new wireless communication support towers, only such lighting as is necessary to satisfy FAA requirements is permitted. All FAA-required lighting shall use lights that are designed to minimize downward illumination. Security lighting for the equipment shelters or cabinets and other on-the-ground ancillary equipment is also permitted as long as it is down shielded to keep light within the boundaries of the site. Motion detectors for security lighting are encouraged in residential, O and OR zones or adjacent to residences. **All lighting standards are being meet. The tower is not required to be lighted and all security lighting will be downward shielded and keep within the boundaries of the site. See ZDs for more details.**

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- G. Noise. At no time shall transmission equipment or any other associated equipment (including, but not limited to, heating and air conditioning units) at any wireless communication facility emit noise that exceeds the applicable limit(s) established in [SMC 10.08D.070](#).
- H. Signage. No facilities may bear any signage or advertisement(s) other than signage required by law or expressly permitted/required by the City.
- I. Code compliance. All facilities shall at all times comply with all applicable federal, State and local building codes, electrical codes, fire codes and any other code related to public health and safety.
- J. Building-mounted WCFs. ***Not proposing a building-mounted WCF.***
 - 1. 1. In residential zones, all transmission equipment shall be concealed within existing architectural features to the maximum extent feasible. Any new architectural features proposed to conceal the transmission equipment shall be designed to mimic the existing underlying structure, shall be proportional to the existing underlying structure or conform to the underlying use and shall use materials in similar quality, finish, color and texture as the existing underlying structure.
 - 2. 2. In residential zones, all roof-mounted transmission equipment shall be set back from all roof edges to the maximum extent feasible.
 - 3. 3. In all other zones, antenna arrays and supporting transmission equipment shall be installed so as to camouflage, disguise or conceal them to make them closely compatible with and blend into the setting and/or host structure.
- K. WCFs in the public rights-of-way. ***Not proposing a WCF in the ROW.***
 - 1. *Preferred locations.* Facilities shall be located as far from residential uses as feasible, and on main corridors and arterials to the extent feasible. Facilities in the rights-of-way shall maintain at least a two hundred (200) foot separation from other wireless facilities (except with respect to DAS or Small Cells), except when collocated or on opposite sides of the same street.
 - 2. *Pole-mounted or tower-mounted equipment.* All pole-mounted and tower-mounted transmission equipment shall be mounted as close as possible to the pole or tower so as to reduce the overall visual profile to the maximum extent feasible. All pole-mounted and tower-mounted transmission equipment shall be painted with flat, non-reflective colors that blend with the visual environment.
 - 3. For all WCFs to be located within the right-of-way, prior to submitting for a building permit, the applicant must have a valid municipal master permit, municipal franchise, or exemption otherwise granted by applicable law, to the extent consistent with RCW 35.21.860.
- L. Accessory Equipment. In residential zones, all equipment shall be located or placed in an existing building, underground, or in an equipment shelter that is (a) designed to blend in with existing surroundings, using architecturally compatible construction and colors; and (b) located so as to be unobtrusive as possible consistent with the proper functioning of the WCF. ***The site is not located within a residential zone.***
- M. Spacing of Towers. Towers shall maintain a minimum spacing of one-half mile, unless it can be demonstrated that physical limitations (such as topography, terrain, tree cover or location of buildings) in the immediate service area prohibit adequate service by the existing facilities or that collocation is not feasible under [SMC 17C.355A.050](#). ***There are no existing WCF within one-half mile of the proposed site. See ASR search for details.***
- N. Site Design Flexibility. Individual WCF sites vary in the location of adjacent buildings, existing trees, topography and other local variables. By mandating certain design standards, there may result a project that could have been less intrusive if the location of the various elements of the project could have been placed in more appropriate locations within a given site. Therefore, the WCF and supporting equipment may be installed so as

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to best camouflage, disguise them, or conceal them, to make the WCF more closely compatible with and blend into the setting and/or host structure, upon approval by the Planning Director or the Hearing Examiner, as applicable. The design flexibility allowed under this subsection includes additional height for a tower located within tall trees on (i) City property or (ii) other parcels at least 5 acres in size, so that the impact of the tower may be minimized by the trees while still allowing for the minimum clearance needed for the tower to achieve the applicant's coverage objectives. A formal exception from standards under SMC 17C.355A.090 is not required for proposals meeting this subsection by being a less intrusive design option. ***The site is being placed in the rear of the parcel and will be constructed with stealth technology and designed to look like an evergreen tree. The impact of the tower will be minimized through the stealth design and proposed cedar fence with landscaping. The WCF meets the above Site Design Flexibility requirements. See ZDs for more details.***

- O. Structural Assessment. The owner of a proposed tower shall have a structural assessment of the tower conducted by a professional engineer, licensed in the State of Washington, which shall be submitted with the application for a building permit.

Sincerely,

Derek Budig

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