



AGENDA OF THE SPECIAL SESSION OF THE
COUNCIL OF THE CITY OF WASHINGTON, IOWA
TO BE HELD IN THE CONFERENCE ROOM
WASHINGTON CITY HALL, 215 E. WASHINGTON STREET
AT 9:15 A.M., FRIDAY, APRIL 12, 2019

Call to Order

Pledge of Allegiance

Roll call

Agenda for the Special Session to be held at 9:15 A.M., Friday, April 12, 2019 to be approved as proposed or amended.

PRESENTATION FROM THE PUBLIC – Please limit comments to 3 Minutes.

NEW BUSINESS

1. Discussion and Consideration of a Resolution Adopting Small Wireless Facility Design Guidelines.

MAYOR & COUNCILPERSONS

Jaron Rosien, Mayor
Brendan DeLong
Steven Gault
Elaine Moore
Danielle Pettit-Majewski
Fran Stigers
Millie Youngquist

ADJOURNMENT

Illa Earnest, City Clerk

RESOLUTION NO. _____

**RESOLUTION ADOPTING SMALL WIRELESS
FACILITY DESIGN GUIDELINES**

WHEREAS, the implementation of 5G wireless broadband is expected to lead to the installation of numerous small antennas within Washington; and

WHEREAS, the Federal Communications Commission has stated the following in their order on the subject: “We appreciate that at least some localities will require some time to establish and publish aesthetics standards that are consistent with this Declaratory Ruling. Based on our review and evaluation of commenters’ concerns, we anticipate that such publication should take no longer than 180 days after publication in the Federal Register”; and

WHEREAS, the end of this 180-day period has recently been determined to be April 15, 2019, and if the City takes no action by that time, it will be unable to regulate small antenna placement in the future.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, IOWA:

Section 1. The City Council hereby adopts the attached Small Wireless Facility Design Guidelines.

Section 2. The City Council establishes legislative intent to codify these changes at a later time.

Section 3. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this 12th day of April, 2019.

Jaron P. Rosien, Mayor

ATTEST:

Illa Earnest, City Clerk

*Jaron P. Rosien, Mayor
Illa Earnest, City Clerk
Kevin Olson, City Attorney
Brent Hinson, City Administrator*



*215 East Washington Street
Washington, Iowa 52353
(319) 653-6584 Phone
(319) 653-5273 Fax*

Memorandum

April 9, 2019

To: Mayor & City Council
Cc: Illa Earnest, City Clerk

From: Brent Hinson
City Administrator

A handwritten signature in blue ink, appearing to be "B. Hinson", is placed to the right of the "From:" line.

Re: Small Wireless (5G) Facility Design Guidelines

Mayor and Council:

I became aware today that there is a critical deadline coming up April 15 regarding the City's ability to regulate future 5G small wireless antenna installations. Basically, the next generation of wireless is expected to be delivered through small antennas placed on existing utility poles, etc. in various locations around town. The State of Iowa largely pre-empted cities from regulating the locations of these future antennas in the last legislative session, but apparently through the FCC rule-making process some level of local control has re-emerged. However, there is a hard deadline of April 15, 2019 to have any such local policy regulating these antenna placements. The City can theoretically amend the policy after that date, but if we do not have one in place by April 15, the wireless providers can place them anywhere they want, with no City authority to do anything. Where this could most prominently come into play is if a wireless provider wanted to attach an antenna to one of our decorative downtown light poles. If we do nothing, we will take all the complaints and have no ability to act on them.

Kevin has advised that a special meeting prior to April 15 is necessary to consider this policy. I have attached a recommended policy, which is very similar to what Dubuque, Coralville, and Charles City are considering this week. I have also attached the entire email string from my email listserv so you can see the evolution of this issue.

Brent Hinson

From: Kevin D. Olson
Sent: Tuesday, April 9, 2019 4:32 PM
To: Brent Hinson
Cc: Jaron Rosien; Illa Earnest
Subject: Re: FW: FW: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Everybody, this topic came up out of nowhere. Coralville basically cannibalized Dubuque's policy, so most policies across the state will be similar.

On Tue, Apr 9, 2019 at 4:25 PM Brent Hinson <bhinson@washingtioniowa.gov> wrote:

Jaron:

FYI, Kevin is thinking we should do a special meeting on or prior to April 15 to be safe. Can you let me know your schedule and I'll get something out to Council? Also, see attached and below for some details on this. This was more or less an all-new topic to me as of March 28, and no real useful information emerged until today. The League has been surprisingly absent on this issue.



Brent D. Hinson

City Administrator
City of Washington (Pop. 7,266)
215 East Washington St.
Washington, IA 52353
(p) 319-653-6584 X134
(f) 319-653-5273

Please note change of email address to [washingtioniowa.gov](mailto:bhinson@washingtioniowa.gov)

From: Kevin D. Olson <kevinolsonlaw@gmail.com>
Sent: Tuesday, April 9, 2019 4:18 PM
To: Brent Hinson <bhinson@washingtioniowa.gov>
Cc: Steve Donnolly <sdonnolly@washingtioniowa.gov>
Subject: Re: FW: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Brent, I think we can just do it as a policy. However a special council meeting would be the safest bet.

On Tue, Apr 9, 2019 at 11:17 AM Brent Hinson <bhinson@washingtioniowa.gov> wrote:

Kevin:

Thanks. That is correct; we have decorative poles around the square, and will be adding more in the streetscape expansion.

If we want to do something, do we need to run it through P&Z (tonight)? Do we need a special City Council meeting? Or can I have Council confirm after the fact?



Brent D. Hinson

City Administrator
City of Washington (Pop. 7,266)
215 East Washington St.
Washington, IA 52353
(p) 319-653-6584 X134
(f) 319-653-5273

Please note change of email address to [washingtioniowa.gov](mailto:info@washingtioniowa.gov)

From: Kevin D. Olson <kevinolsonlaw@gmail.com>
Sent: Tuesday, April 9, 2019 11:13 AM
To: Brent Hinson <bhinson@washingtioniowa.gov>
Cc: Steve Donnolly <sdonnolly@washingtioniowa.gov>
Subject: Re: FW: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Brent and Steve, this all came about from a convoluted process of federal and state statutes and regulations from the FCC. Basically, the statutes and regulations took away almost any powers the City has to affect the placement of these items. Basically, the City cannot refuse to allow these on city light and traffic poles. The biggest things cities are doing now is making these facilities match the poles the companies want to place their facilities upon. The only area where it may affect Washington would be the new streetscape around the square. Do you have black iron poles and not the usual wood poles?

On Tue, Apr 9, 2019 at 10:56 AM Brent Hinson <bhinson@washingtioniowa.gov> wrote:

Steve:

FYI. Kevin, can you fill us in if this is something we need to get adopted like our hair is on fire? That seems to be the sentiment on the Grapevine.



Brent D. Hinson

City Administrator
City of Washington (Pop. 7,266)
215 East Washington St.
Washington, IA 52353
(p) 319-653-6584 X134
(f) 319-653-5273

Please note change of email address to washingtioniowa.gov

From: grapevine@simplelists.com <grapevine@simplelists.com> **On Behalf Of** steven.diers@cityofcharlescity.org
Sent: Tuesday, April 9, 2019 10:26 AM
To: grapevine@simplelists.com
Subject: FW: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Hello all,

On the matter of 5g antenna policies, here is ours that we Frankensteined from Coralville and Center Point. We are looking to approve on the 15th.

Steve

Steven T. Diers, ICMA-CM

City Administrator

City of Charles City, pop. 7652

105 Milwaukee Mall

Charles City, IA 50616

Ph: 641-257-6300

Fax: 641-257-6331

Steven.diers@cityofcharlescity.org

www.cityofcharlescity.org



City of Charles City

From: steven.diers@cityofcharlescity.org <steven.diers@cityofcharlescity.org>

Sent: Tuesday, April 9, 2019 9:39 AM

To: 'Beth Bonz' <ebonz@cityofasbury.com>; 'James W. Bronner' <jwbronner@ci.waverly.ia.us>; 'kdowns@hiawatha-iowa.com' <kdowns@hiawatha-iowa.com>

Cc: 'Mickey Shields' <mickeyshields@iowaleague.org>; 'robertplamer@iowaleague.org' <robertplamer@iowaleague.org>; 'Chelsea Huisman' <cityadministrator@centerpointia.com>; 'Ellen Habel' <ehabel@coralville.org>

Subject: RE: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Beth et al,

Attached is the policy that our City attorney put together. We based it from both Coralville and Center point plans. Council initially reviewed last night at a workshop and for the most part we proposed it as "we want to just have a policy in place and we can amend and change later."

So please feel free to borrow and change to your needs.

Steve

Steven T. Diers, ICMA-CM

City Administrator

City of Charles City, pop. 7652

105 Milwaukee Mall

Charles City, IA 50616

Ph: 641-257-6300

Fax: 641-257-6331

Steven.diers@cityofcharlescity.org

www.cityofcharlescity.org



City of Charles City

From: grapevine@simplelists.com <grapevine@simplelists.com> **On Behalf Of** Beth Bonz

Sent: Tuesday, April 9, 2019 8:59 AM

To: James W. Bronner <jwbronner@ci.waverly.ia.us>; 'kdowns@hiawatha-iowa.com' <kdowns@hiawatha-iowa.com>; steven.diers@cityofcharlescity.org; grapevine@simplelists.com

Cc: Mickey Shields <mickeyshields@iowaleague.org>; robertplamer@iowaleague.org

Subject: RE: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

It has been a slow process in getting Curtis Dean to respond and then to be referred to Ken Demlow, HR Green who was the presented the webinar.

Ken was not interested in sharing any of the information they developed for their clients. He thought the Illinois League of Cities or the Texas League of Cities had postings on their websites we could use. I checked those sites and did not find anything available to a "nonmember."

I did find the attached "Model Ordinance" on the National League of Cities website and from that I drafted the attached resolution to "reserve the right" which will be going on our agenda for tonight. (My agenda went out without this resolution attached) in the spirit of the April 15th deadline.

Good Luck

Elizabeth Bonz

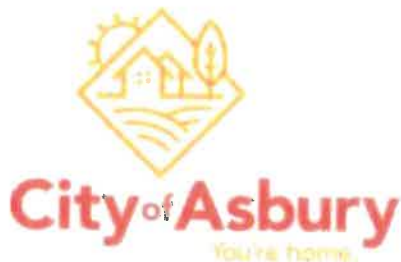
City Administrator

ebonz@cityofasbury.com

5290 Grand Meadow Drive, Suite 1

Asbury, IA 52002

p 563.585.1867 Ext. 206 | c 563.580.5963



From: Beth Bonz

Sent: Thursday, March 28, 2019 2:08 PM

To: 'James W. Bronner' <jwbronner@ci.waverly.ia.us>; 'kdowns@hiawatha-iowa.com' <kdowns@hiawatha-iowa.com>; steven.diers@cityofcharlescity.org; grapevine@simplelists.com

Cc: Mickey Shields <mickeyshields@iowaleague.org>; robertplamer@iowaleague.org

Subject: RE: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Steve,

I was going to contact Curtis Dean that coordinated this webinar to see if they had any example resolutions to get out in front of this to reserve the right to set policy.

Beth

Elizabeth Bonz

City Administrator

ebonz@cityofasbury.com

5290 Grand Meadow Drive, Suite 1

Asbury, IA 52002

p 563.585.1867 Ext. 206 | c 563.580.5963



From: grapevine@simplelists.com <grapevine@simplelists.com> **On Behalf Of** James W. Bronner
Sent: Thursday, March 28, 2019 1:57 PM
To: 'kdowns@hiawatha-iowa.com' <kdowns@hiawatha-iowa.com>; steven.diers@cityofcharlescity.org;
grapevine@simplelists.com
Cc: Mickey Shields <mickeyshields@iowaleague.org>; robertplamer@iowaleague.org
Subject: RE: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

I had the same understanding that we had no control over this. If there is a possibility of any limitations I would also be interested if anyone has prepared anything to date.

James W. Bronner

City Administrator

City of Waverly, Iowa

Phone: (319) 352-9211

Email: jwbronner@ci.waverly.ia.us



From: grapevine@simplelists.com <grapevine@simplelists.com> **On Behalf Of** K Downs
Sent: Thursday, March 28, 2019 1:54 PM
To: steven.diers@cityofcharlescity.org; grapevine@simplelists.com
Cc: Mickey Shields <mickeyshields@iowaleague.org>; robertplamer@iowaleague.org
Subject: RE: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Steve-

My understanding was that last years legislation pretty much took any local control away from the small cell antenna. If we have the ability to regulate like you say below I for one would be working on a plan.

Robert and Mickey-can you confirm?

Kim

From: grapevine@simplelists.com <grapevine@simplelists.com> **On Behalf Of** steven.diers@cityofcharlescity.org
Sent: Thursday, March 28, 2019 1:28 PM
To: grapevine@simplelists.com
Subject: [grapevine] FCC 5G Cell Deployment - Establishing City Policy Deadline April 15th

Good afternoon Viners,

I just sat in on a CBAN webinar that discussed preparing for 5G Small Cell antenna roll out. One of the discussion points that stood out was the FCC Ruling that effectively limits local municipalities from having much control on where these small cell antennas can be placed, pre-determined rental rates and etc. As these antennas are needed every 500 feet or so, this could mean a lot of antennas on city street lights, traffic lights and so forth.

Apparently cities have until April 15th to approve a policy that places restrictions on aesthetics and pathway and the like for these antennas. This is the first I've heard of this and it sounds as though it could be something of some urgency.

Has anyone been working on this or have you passed a policy to address it? Would you be willing to share? It appears that this is more of large community issue as I've just read that Waterloo and Dubuque were dealing with policy development.

Thoughts or comments?

Thank you,

Steve

Steven T. Diers, ICMA-CM

City Administrator

City of Charles City, pop. 7652

105 Milwaukee Mall

Charles City, IA 50616

Ph: 641-257-6300

Fax: 641-257-6331

Steven.diers@cityofcharlescity.org

**SMALL WIRELESS FACILITY DESIGN GUIDELINES
CITY OF WASHINGTON, IOWA**

I. PURPOSE AND COMPLIANCE

The purpose of these guidelines is to establish general procedures and standards, consistent with all applicable federal and state laws, for the siting, construction, installation, collocation, modification, relocation, operation and removal of pole-mounted (or other structure-mounted) utility facilities within the City's right-of-way. The goals of these guidelines are to:

- A. Provide standards, technical criteria and details for utility facilities in the City's right-of-way to be uniformly applied to all applicants and owners of utility facilities or support structures for such facilities.
- B. Enhance the ability of utility providers to deploy services in the City quickly, effectively and efficiently so that residents, businesses and visitors benefit from ubiquitous and robust utility service availability.
- C. Preserve the character of the City's neighborhoods and corridors.
- D. Ensure that utility facilities and support structures conform to all applicable health and safety regulations and will blend into their environment to the greatest extent possible.

Comply with, and not conflict with or preempt, all applicable state and federal laws.

II. DEFINITIONS

Abandoned means any utility facilities or support structures that are unused for a period of three hundred sixty-five (365) days without the operator otherwise notifying the City and receiving the City's approval.

Antenna means communications equipment that transmits or receives radio frequency signals in the provision of wireless service.

Applicant means any Person applying for a Permit hereunder.

City means the City of Washington.

City property means property other than right-of-way owned by the City.

Collocation or Collocate means to install, mount, maintain, modify, operate, or replace utility facilities on a utility support structure.

County means Washington County, Iowa.

Decorative Pole means a pole, arch, or structure other than a street light pole placed in the right-of-way specifically designed and placed for aesthetic purposes and on which no appurtenances or attachments have been placed except for any of the following (a) electric lighting; (b) specially designed informational or directional signage; (c) temporary holiday or special event attachments.

Historic District means City-designated Historic Districts, Landmark Sites, and Conservation Districts, as well as National Register of Historic Places districts and sites.

Industrial Area means an industrially-zoned area.

Operator means a utility service provider, cable operator, or a video service provider that operates a utility facility and provides utility service. *Operator* includes a wireless service provider, cable operator, or a video service provider that provides information services as defined in the "Telecommunications Act of 1996," 110 Stat. 59, 47 U.S.C. 153(2), and services that are fixed in nature or use unlicensed spectrum.

Ornamental Pole means a pole or structure placed in the right-of-way to support traffic signals and/or streetlights which has been specifically designed and placed for aesthetic purposes.

Ornamental Poles may include appurtenances or attachments for banners and/or other aesthetic features.

Permit means the non-exclusive grant of authority issued by the City of Washington to install a utility facility and/or a utility support structure in a portion of the right-of-way in accordance with these guidelines. Utility facilities and support structures include small cell facilities and support structures utilized for small cell and wireless uses.

Permittee means the owner and/or operator issued a Permit pursuant to these guidelines.

Person means any natural person or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit.

Retail and Commercial Areas means a commercially-zoned area.

Residential Area means a residentially-zoned area.

Right-of-way means the surface of, and the space within, through, on, across, above, or below, any public street, public road, public highway, public freeway, public lane, public path, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, public easement, and any other land dedicated or otherwise designated for a compatible public use, which is owned or controlled by the City of Washington.

Small Cell Facility means a wireless facility that meets both of the following requirements:

- (1) Each antenna is located inside an enclosure of not more than six (6) 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 enclosure of not more than six (6) cubic feet in volume.
- (2) All other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

State means the State of Iowa.

Toll means the pause or delay of the running of the required time period.

Utility means a private company providing electric, gas and/or telecommunications service with conduits, cables or other facilities within the public right-of-way. *Utility* includes any company providing fiber optic or small cell communications services.

Utility Pole means a structure that is designed for, or used for the purpose of, carrying lines, cables, or wires for electric or telecommunications service. "Utility pole" excludes street signs and decorative poles.

Utility Support Structure means a pole, such as a monopole, either guyed or self-supporting, street light pole, traffic signal pole, a fifteen (15) foot or taller sign pole, or utility pole capable of supporting utility facilities, including small cell facilities. *Utility Support Structure* excludes a utility pole or other facility owned or operated by an electric utility.

III. REQUIREMENT TO COMPLY

Placement, modification, operation, relocation and removal of a utility facility and/or utility support structure shall comply with the Washington Code of Ordinances, design standards and permitting requirements which are current at the time the permit for installation, modification, relocation or removal is approved, and as amended from time to time.

IV. AESTHETIC REQUIREMENTS FOR SMALL WIRELESS FACILITIES

A. ANTENNAS

1. Each small wireless antenna shall be located entirely within a shroud or canister type enclosure.

2. The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure. The enclosure shall not exceed six cubic feet in volume.

3. All antenna enclosures shall either be mounted to the top of the wireless support structure pole and aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure with the height of the side mounted antenna being at a location on the wireless support structure noted in the application and approved by the City, but at least 10 feet above ground level at its lowest point.

4. Tree “topping” or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs or other landscaping already existing in the ROW must be noted in the application and must be approved by the City.

B. CABLES AND WIRES

All cables, wires and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure. There shall be no external cables and wires related to the small wireless facility hanging off or otherwise exposed on the wireless support structure.

C. COLORS

All colors shall match the background of any wireless support structure that the facilities are located upon, including equipment cabinets. Notwithstanding the foregoing, in the case of existing wood utility poles, finishes of conduit shall be zinc, aluminum or stainless steel, or colored to match those metal finishes, and equipment cabinets shall be the color of brushed aluminum.

D. EQUIPMENT ENCLOSURES/CONCEALMENT

1. Equipment enclosures, including electric meters, shall be as small as possible, but in no event larger than 28 cubic feet in volume. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching color and materials of the wireless support structure, unless other materials or colors are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic placement in less obtrusive locations and placement within existing or replacement street furniture.

2. Radio equipment shall be fully enclosed within an equipment cabinet or concealed within the antenna shroud enclosure matching the color and materials of the wireless support structure, unless other materials or colors are approved by the City.

3. Landscaping concealing equipment enclosures shall be planted in such quantity and size such that 100% screening is achieved within two years of installation.

E. SIGNAGE/LOGOS/LIGHTS/DECALS/COOLING FANS

1. Signage: The small wireless facility permittee shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the small wireless facility that is visible to the public. Signage required under this section shall not exceed 4 inches by 6 inches, unless otherwise required by law (e.g. radio-frequency (RF) ground notification signs) or the City. If no cabinet exists, the signage shall be placed at the base of the pole.
2. Lights: New small wireless facilities and wireless support structures shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.
3. Logos/Decals: The small wireless facility operator/permittee shall remove or paint over unnecessary equipment manufacturer decals. The color shall match or shall be as approved by the City. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state or local agency. The small wireless facility operator/permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.
4. Cooling Fans: In residential areas, the small wireless facility operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.

V. LOCATION OF UTILITY FACILITIES

A. MOST PREFERABLE LOCATIONS

The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):

1. *Industrial Districts* if not adjacent to a park, residential district or historic district.
2. *Highway Rights of Way* areas if not adjacent to a park, residential district, or in the Downtown Business B-1 Commercial District.
3. *Retail and Commercial Districts* if not adjacent to a park, residential district or in the Downtown Business B-1 Commercial District.

B. COLLOCATION PREFERENCE

It is the City's strong preference that whenever an applicant proposes to place a new utility support structure with a utility facility within two hundred fifty (250) feet from an existing utility support

structure, the applicant either collocate with the existing facility or demonstrate that a collocation is either not technically feasible or space on the existing facility is not potentially available.

C. LEAST PREFERABLE LOCATIONS

The following are the least preferred areas for new small wireless facilities in the order of preference (3 being least preferable).

1. *Residential Districts*
2. *Parks*
3. *Downtown Business District (B-1) or other historical districts*

D. ORDER OF PREFERENCE FOR UTILITY SUPPORT STRUCTURES

The following list indicates the order of preference for utility support structures for utility facilities.

- A. *Existing Utility Poles:* It is the City's preference that utility facilities be installed on existing utility poles (electric or telephone) or lashed onto existing telephone or electrical lines between existing utility poles.
- B. *Non-Ornamental Municipal Service Poles:* If the applicant does not have the right to use existing utility poles or lines under reasonable terms and conditions or the utilization imposes technical limits, the City prefers that the applicant next look to existing non-ornamental municipal street lights or traffic signal structures.
- C. *New Poles:* If Items A-B listed above have proven to be unavailable, the City prefers the installation of a new pole to serve as a utility support structure.
- D. *Ornamental Municipal Service Poles:* The use of ornamental municipal street lights and traffic signals as utility support structures is discouraged. These should only be proposed if Items A-C listed above are unavailable or when requested by the City based on the proposed location. Use of ornamental traffic signal mast arms is preferred over use of ornamental street lights.

E. CONSIDERATION OF ALTERNATE LOCATIONS

The City reserves the right to propose an alternate location for a small wireless facility and/or wireless support structure to the location proposed in the application within one hundred feet of the proposed location or within a distance that is equivalent to the width of the ROW in or on which the small wireless facility and/or wireless support structure is proposed, whichever is greater, which the operator shall use if it has the right to use the alternate location on reasonable terms and conditions and the alternate location does not impose technical limits or additional costs.

F. GUIDELINES ON PLACEMENT

The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless services to the community. Generally, a small wireless facility and/or wireless support structure shall match and be consistent with the materials and finish of the wireless support structure, adjacent City poles, and of the surrounding area adjacent to their location. In the absence of adjacent City poles, the wireless support structure shall match the materials and finish of the adjacent utility poles.

The following additional guidelines on placement shall apply:

1. Small wireless facilities and wireless support structures shall be located no closer than 150 feet away, radially, from another small wireless facility and wireless support structure.
2. A combination wireless support structure and streetlight pole should only be located where an existing pole can be removed and replaced, or at a new location where it has been identified that a streetlight is necessary.
3. Small wireless facilities and wireless support structures shall be located in a manner that does not impede, obstruct, or hinder usual public pedestrian or vehicular travel or public safety on a ROW.
4. Small wireless facilities and wireless support structures shall be located in a manner that does not obstruct the legal use of a ROW by a utility provider.
5. Small wireless facilities and wireless support structures shall be located in a manner that does not violate or conflict with the City Code, applicable law and regulations, or these Guidelines.
6. Small wireless facilities and wireless support structures shall be located in a manner that does not violate the federal Americans with Disabilities Act.
7. Small wireless facilities and wireless support structures shall be located in a manner that does not negatively impact the structural integrity of the associated wireless support structure.
8. Small wireless facilities and wireless support structures shall be located in alignment with existing trees, utility poles, and streetlights.
9. Small wireless facilities and wireless support structures shall be located equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.
10. Small wireless facilities and wireless support structures shall be located with appropriate clearance from existing utilities.
11. Small wireless facilities and wireless support structures shall be located so as not to be located along the frontage of any building deemed to be of historic significance on a federal, state, or local level.

12. Small wireless facilities and wireless support structures shall be located not within sight triangles at street intersections.

13. New wireless support structures shall not be located directly in front of any existing residential, commercial or industrial structure.

14. To the greatest extent possible, new wireless support structures shall be located in line with existing lot lines or an equidistance from any two existing structures. In areas of the City where multiple structures abut each other and/or where no side lot setback requirements exist, new wireless support structures shall not be located directly in front of an entrance or window of any existing structure.

VI. LIMITATIONS

While the City fully intends to apply the guidelines established in this policy uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In these cases, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this policy.

VII. EFFECTIVE DATE OF POLICY

This Policy will be effective as of the 15th day of April, 2019. Modifications of the Policy will be effective on the date said modifications are approved by the City Council.