

Chapter 16.14
WIRELESS COMMUNICATION FACILITIES

Section I. Purpose and Goals

- A. The purpose of this chapter is to establish a siting process for wireless communication facilities (WCF). This process is intended to provide opportunities for WCFs consistent with rights of wireless service providers while providing for an orderly development of the Town and protecting the health, safety, and general welfare of the Town's residents and property owners.
- B. A primary objective of this chapter is to preserve the existing visual and aesthetic character of the Town. In furtherance of these objectives, the Town shall give due consideration to the zoning code, existing land uses, and environmentally sensitive areas when approving sites for the location of wireless communication facilities.
- C. In reviewing any application to place, construct or modify wireless communication facilities, the Town shall comply with all applicable state and federal regulations. Any decision to deny, approve or condition an application shall be in writing, supported by substantial evidence contained in a written record.

Section II. Application for Wireless Communication Facility.

- A. A complete application for a WCF and the applicable permit fee must be submitted to the Town before the applicant may begin any construction or installation on a proposed WCF. An application and the contents of the proposed WCF must comply with all development and other standards set forth in this Chapter, unless a variance has been requested and approved by the Town as set forth herein.
- B. An application for a WCF permit is complete for the purposes of this section when it has been determined by the Town to contain the information described below. Any permit fee shall be established by resolution of the Town Council. A complete application is sufficient for continued processing even though additional information may be required or modifications may subsequently be made. The Town's determination of completeness shall not preclude the Town from requesting additional information or studies, either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the application occur.
- C. A complete application for a WCF shall contain:
 - 1. A complete application form, permit fee, and attachments signed and dated by the owner/agent.
 - 2. The name, address, phone number and signature of the applicant or authorized representative;
 - 3. A complete legal description of the subject property;
 - 4. Locational maps, including:
 - i. A vicinity map showing the location of the proposed WCF and the location of any existing WCFs of the licensed carrier within the service area; and
 - ii. A map depicting the area immediately around the proposed site, showing the zoning designation of the subject property and of all adjacent properties.

5. A site plan depicting the proposed and existing improvements on the property. The site plans shall include the following information, to the extent applicable:
 - i. Dimensions and shape of the lot, and street names;
 - ii. Location and dimensions of existing and proposed buildings and structures, including setbacks;
 - iii. Adjacent street improvements;
 - iv. Existing and proposed landscaping;
 - v. Storm drainage, sidewalks, and exterior lighting; and
 - vi. Elevations for all proposed improvements on the site.
6. A description of the support structure or building upon which the WCF is proposed to be located, and detailed description of the design and configuration of the WCF;
7. Information necessary to determine the intended service area of the WCF;
8. Design information, including equipment brochures, color and material boards, and dimensional information;
9. A sworn declaration signed by an RF engineer with knowledge of the proposed project affirming that the WCF will be compliant with all FCC and other governmental regulations in connection with human exposure to radio frequency emissions for every frequency at which the facility and associated wireless backhaul will operate.
10. Necessary information for review of environmental impacts;
11. Application fee and environmental trust fee (if subject to SEPA review); and
12. Such other information as the Town, in its discretion, shall deem appropriate to effectively evaluate the application based on technical, engineering, and aesthetic considerations.

D. The Town may waive any of the specific submittal requirements set forth in this section when determined to be unnecessary for review of the application.

Section III. Processing timelines.

- A. Notice of final decision from the Town Council following public hearing on an application for a WCF shall issue within sixty days from the time a completed application is submitted.
- B. The Town shall notify the applicant in writing if a notice of final decision on the project has not been made within the time limits specified in this section. The notice shall include a statement of reasons why the time limits have not been met and an estimated date of issuance of a notice of final decision.

Section IV. Development Standards

- A. The maximum height of any wireless communication facility or any accompanying equipment shall not exceed 300 feet.
- B. Any wireless communication facility equipment must meet the setbacks of the underlying zone in Ch. 16.12 WCMC.

- C. Wireless communication facilities are permitted in the following zones:
 - 1. Commercial
 - 2. Ag-Industrial Zone
 - 3. Airport Development Zone
- D. The following wireless communication facilities are prohibited in the Town:
 - 1. Guyed towers
 - 2. Lattice towers
- E. Any applicant may request a variance from the requirements contained in Section IV(A)-(D) from the Town Council based upon a special or unique parcel configuration and the unavailability of other parcels within the Town without such special or unique characteristics as set forth in applicable state and federal regulations. The burden of justifying any requested variance shall at all times be on the applicant.

Section IV. Maintenance

Each permittee shall maintain its WCF in a good and safe condition and preserve its original appearance and concealment, disguise, or camouflage elements incorporated into the design at the time of approval and in a manner which complies with all applicable federal, state, and local requirements. Such maintenance shall include, but not be limited to, such items as painting, repair of equipment, and maintenance of landscaping.