



# GENERAL LAND USE APPLICATION

## OFFICIAL USE ONLY

Case #: 17-4965

Master File #: 17-4965

Date: 11/13/17 JL

Received By: L.ROSARIO

Related Cases: \_\_\_\_\_

Project Planner: TBD

One or more of the following **Supplements** must be attached to this **General Land Use Application** and submitted **electronically with the application**:

- |   |  |
|---|--|
| <input type="checkbox"/> Adjacent Property Owner List           | <input type="checkbox"/> Large Lot Subdivision                       |
| <input type="checkbox"/> Annexation Notice of Intent            | <input type="checkbox"/> Parking Variance                            |
| <input type="checkbox"/> Annexation Petition (with BRB Form)    | <input type="checkbox"/> Preliminary Long Plat                       |
| <input type="checkbox"/> Binding Site Plan                      | <input type="checkbox"/> Preliminary PRD                             |
| <input type="checkbox"/> Boundary Line Adjustment               | <input type="checkbox"/> Reasonable Use Exception (Critical Areas)   |
| <input type="checkbox"/> Conditional Use Permit                 | <input type="checkbox"/> SEPA Checklist                              |
| <input type="checkbox"/> Design Review - Concept (Major)        | <input type="checkbox"/> Shoreline Development Permit (JARPA Form)   |
| <input type="checkbox"/> Design Review - Detail                 | <input type="checkbox"/> Short Plat                                  |
| <input type="checkbox"/> Environmental Review (Critical Area)   | <input type="checkbox"/> Soil and Vegetation Plan                    |
| <input type="checkbox"/> Final Long Plat                        | <input type="checkbox"/> Variance or Unusual Use (Zoning)            |
| <input type="checkbox"/> Final PRD                              | <input checked="" type="checkbox"/> Other <u>Code Text amendment</u> |
| <input type="checkbox"/> Land Use Review (Site Plan) Supplement | <u>(Zoning)</u>  |

Project Name: Verizon Small Cell

Project Address: Select PSE utility poles throughout City of Olympia

Applicant: Michael Willard

Mailing Address: 14940A NE 95th St, Redmond, WA 98052

Phone Number(s): 425-615-8940

E-mail Address: michael@quantumcontractingnw.com

Owner (if other than applicant): Puget Sound Energy

Mailing Address: 2711 Pacific Ave. SE, Olympia, WA 98501

Phone Number(s): 1-888-225-5773

Other Authorized Representative (if any): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Project Description: Municipal code text amendments to allow installation of Small Cell Wireless Communication Facilities nodes for wireless service augmentation

Size of Project Site: N/A

Assessor Tax Parcel Number(s): Various depending on node location

Section: \_\_\_\_\_

Township: \_\_\_\_\_

Range: \_\_\_\_\_

Full Legal Description of Subject Property (attached ):

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Zoning: All zones

Shoreline Designation (if applicable): N/A

Special Areas on or near Site (show areas on site plan):

Creek or Stream (name): N/A

Lake or Pond (name): N/A

Swamp/Bog/Wetland  Historic Site or Structure

Steep Slopes/Draw/Gully/Ravine  Flood Hazard Area (show on site plan)

Scenic Vistas  None

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Water Supply (name of utility if applicable): N/A

Existing: N/A

Proposed: N/A

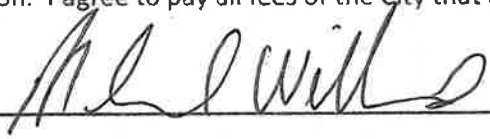
Sewage Disposal (name of utility if applicable): N/A

Existing: N/A

Proposed: N/A

Access (name of street(s) from which access will be gained): N/A

I affirm that all answers, statements, and information submitted with this application are correct and accurate to the best of my knowledge. I also affirm that I am the owner of the subject site or am duly authorized by the owner to act with respect to this application. Further, I grant permission from the owner to any and all employees and representatives of the City of Olympia and other governmental agencies to enter upon and inspect said property as reasonably necessary to process this application. I agree to pay all fees of the City that apply to this application.

Signature  Date 4/13/17

MW  
**Examiner**  
**Initials** I understand that for the type of application submitted, **the applicant is required to pay actual Hearing costs**, which may be higher or lower than any deposit amount. I hereby agree to pay any such costs.

*Applicants may be required to post the project site with a sign provided by the City within seven days of this application being deemed complete. Please contact City staff for more information.*





# REZONE OR CODE TEXT AMENDMENT SUPPLEMENT

## OFFICIAL USE ONLY

Case #: \_\_\_\_\_ Master File #: \_\_\_\_\_ Date: \_\_\_\_\_  
Received By: \_\_\_\_\_ Project Planner: \_\_\_\_\_ Related Cases: \_\_\_\_\_

Rezone

Text Amendment

Current land use zone: Various

Proposed zone: NIA

Answer the following questions (attach separate sheet):

This application does not seek a zoning change, so questions A-E are not applicable.

- A. How is the proposed zoning consistent with the Comprehensive Plan including the Plan's Future Land Use map as described in OMC 18.59.055? If not consistent, what concurrent amendment of the Plan has been proposed, if any?
- B. How would the proposed change in zoning maintain the public health, safety and welfare?
- C. How is the proposed zoning consistent with other development regulations that implement the Comprehensive Plan?
- D. How will the change in zoning result in a district that is compatible with adjoining zoning districts?
- E. Please describe whether public facilities and services existing and planned for the area are now adequate, or likely to be available, to serve potential development allowed by the proposed zone.

**A Rezone Or Code Text Amendment Application shall accompany a General Land Use Application and shall include:**

1. The current zoning of the site.
2. The proposed zoning of the site.
3. Specific text amendments proposed in "bill-format." (See example.)
4. A statement justifying or explaining reasons for the amendment or rezone.
5. Reproducible maps (8½" x 17" or 11" x 17") to include a vicinity map with highlighted area to be rezoned and any nearby city limits, and a map showing physical features of the site such as lakes, ravines, streams, flood plains, railroad lines, public roads, and commercial agriculture lands.
6. A site plan of any associated project.
7. A site sketch 8½" x 11" or 11" x 17" (reproducible).
8. A typed and certified list, prepared by title company, of all property owners of record within 300 feet of the proposed rezone.
9. A copy of the Assessor's Map showing specific parcels proposed for rezone and the immediate vicinity.
10. An Environmental (SEPA) Checklist.

***NOTE: Although applications may be submitted at any time, site specific rezone requests are only reviewed twice each year beginning on April 1 and October 1.***

***Applicants are required to post the project site with a sign provided by the City within seven days of this application being deemed complete. Please contact City staff for more information.***

Verizon Wireless, LLC is applying for text amendments to the following sections of the Olympia Municipal Code:

- Permitted Wireless Communication Facilities by Zoning District, Section 18.44.090— Table 44.01 Permitted Wireless Communication Facilities By Zoning District.
- Development Standards, Section 18.44.100, B. Attached Wireless Communication Facilities, 3. ROW Attached Structures.
- Approval Process, Section 18.44.110, adding a new section 5.
- Definitions 18.02.180—adding definition of small cell facility.

These amendments are offered to address an absence of an appropriate permitting process for a new wireless technology known as small cell facilities.

### **What is a small cell and why are they needed?**

Small cells are low profile wireless facilities designed to provide service in a limited geographic area. Small cells are fundamentally different from traditional wireless facilities because they involve much smaller equipment, are designed to be placed on existing infrastructure, and have much lower power and range. Small cells do not replace the need for traditional wireless facilities, but can provide broadband wireless services in high capacity or hard-to-reach areas.

Small cell facilities are sited on existing or replacement utility poles or light standards in the public right of way. The small cell facility typically consists of 1 or 2 two-foot tall antennas mounted at the top of the pole at a height of 25-40 feet. The antennas are either mounted close to the pole on mounting brackets, or in an antenna canister. Attached to the pole are also small radios, with a conduit for fiber and power running from the antennas to the radios. There is also a power disconnect switch, also mounted to the pole below the radios. A diagram of the components of a small cell facility on a utility pole is attached as Exhibit A.

The need for small cell facilities is driven by the tremendous increase in the use of smart phones and other wireless devices, and the resulting huge demand for additional data over the existing networks. Small cells can provide additional capacity to existing wireless networks by offloading some of the users and by having the small cell facilities closer to the end user than traditional towers.

A growing number of local households do not have landlines, relying on wireless devices alone for communication, email, video and 911 calls. The need for fast and reliable wireless service has never been greater and small cell facilities are a flexible solution to deliver that service where residents, businesses and visitors are using their phones and devices.

## **Comprehensive Plan**

The proposed small cell amendments are consistent with and act to advance the following policies in the Olympia Comprehensive Plan:

*PE4.9 Collaborate with public and private partners to finance infrastructure needed to develop targeted commercial, residential, industrial, and mixed-use areas (such as Downtown Investment Strategy Report opportunity areas and along Urban Corridors) with water, sewer, electricity, street, street frontage, public parking, telecommunications, or rail improvements, as needed and consistent with the Comprehensive Plan.*

The wireless industry seeks to deploy this much needed infrastructure at no cost to the city.

*PU15.3 Process permits and approvals for private utility facilities in a fair and timely manner, and in accordance with development regulations that foster predictability.*

The Conditional Use review is intended to condition projects with significant impacts. Small cell facilities, placed on existing or replacement structures in the right of way have minimal impacts on surrounding properties and would be more appropriately processed as other utility attachments, through the building permit process.

*PU17.1 Promote the co-location of new utility distribution and communication facilities when doing so is consistent with utility industry practices and national electrical and other codes.*

Small cell facilities use utility distribution and transmission poles in a manner consistent with industry practice and national electric and other codes.

*PU18.3 Encourage telecommunication utilities to use existing structures, such as existing towers and buildings, where a new installation will not conflict with height restrictions.*

Small cell facilities are designed to be placed on existing or replacement structures in the right of way.

## **Conclusion**

For the reasons stated above, Applicant Verizon Wireless respectfully requests that the City Council consider and adopt the proposed text amendments, set forth more fully in Exhibit B.

# EXHIBIT A

## Small Cell Components

Fiber & Coax Conduit

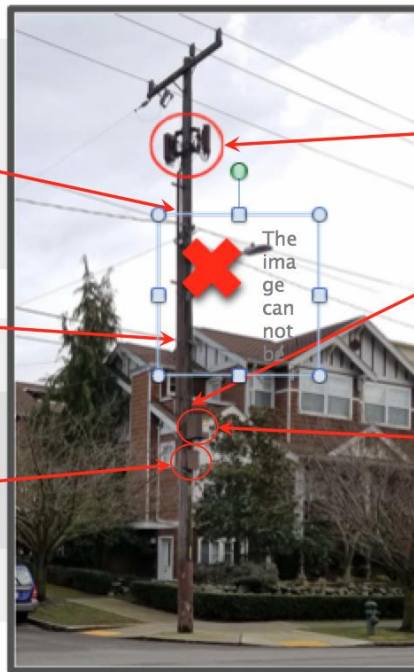
Power Conduit

Power Disconnect

Antennas

Dark Fiber  
(leased from 3<sup>rd</sup> party)

Radios & Fiber Termination Box



## EXHIBIT B

### Chapter 18.44 ANTENNAS AND WIRELESS COMMUNICATIONS FACILITIES

#### 18. 44. 090 Permitted Wireless Communication Facilities by Zoning District

A. Generally: Table 44.01, Permitted Wireless Communication Facilities by Zoning District, identifies types of Wireless Communication Facilities which are permitted outright (P), subject to a Conditional Use Permit (C), or prohibited (N). Notwithstanding the provisions of Table 44.01, any Eligible Wireless Facilities Modification subject to Chapter 18.46 is permitted outright.

B. Historic districts and properties: Table 44.01 also identifies types of Wireless Communications Facilities permitted outright (P), subject to a Conditional Use Permit (C), or prohibited (N) in National Historic Districts, or on local, state, or Federal historic register properties, depending on the Zoning District Group (as defined within Table 44.01) wherein the site is located.

**Table 44.01 PERMITTED WIRELESS COMMUNICATION FACILITIES BY ZONING DISTRICT**

Zoning District Group	Antenna Element Replacement	CONCEALED			ROW Attached Structure ** 34.5 kV+	Mitigation of Existing WCF	Expanding Existing Antenna Array	NON-CONCEALED	
		Attached WCF	Freestanding WCF	Collocated or Combined on Existing WCF				Attached WCF	Freestanding WCF
<b>Group 1. INDUSTRIAL ZONES (I, LI)</b>									
	P	P	P	P	P	P	P	P	P
<b>Group 2. COMMERCIAL ZONES (AS, CSH, DB, GC, HDC-3, HDC-4, MS, UC, UW)</b>									
	P	P	P	P	P	P	P	C	N
<b>Group 3. MIXED USE ZONES (PUD, PO/RM, RMU, UR, UW-H)</b>									
	P	P	C	P	P	C	C	N	N
<b>Group 4. NEIGHBORHOOD ZONES (COSC, HDC-1, HDC-2, MHP, MR 7-13, MR 10-18, NC, NR, NV, R1/5, R4, R4-8, R6-12, RLI, RM-18, RM24, RMH, UV)</b>									
	P	C	C	C	C	C	C	N	N
<b>NATIONAL HISTORIC DISTRICTS and LOCAL, STATE, OR FEDERAL REGISTER PROPERTIES</b>									
Groups 1-3	P	C	C	C	C	C	C	N	N
Group 4	P	N	N	N	N	N	N	N	N
<b>SITES WITHIN 300 FEET OF GROUP 4 - NEIGHBORHOOD ZONES</b>									
Groups 1-3	P	C	C	C	C	C	C	N	N

P - Permitted C - Conditional Use Permit N - Not Permitted

\* Notwithstanding the provisions of Table 44.01, any Eligible Wireless Facilities Modification subject to Chapter 18.46 is permitted outright.

\*\* Small cell facilities attached to existing or replacement utility poles or towers, as outlined in Section 18.44.100.B.3, are permitted outright. New utility poles or towers for small cell facilities are subject to administrative review.



Note: Deleted from first row-ROW Attached Structure: **34.5 kV+**

## 18. 44 .100 Development Standards

### B. Attached Wireless Communication Facilities

#### 3. ROW attached structures.

a. Allowable locations: Shall only be allowed where the applicant has an agreement with the applicable utility or other authority that exercises jurisdiction over the subject right of way, on existing or replacement electrical transmission or distribution poles with up to 15 feet of additional height, if needed to maintain required clearances and towers carrying thirty four and one half kilovolts (34.5 kV) or greater, and greater than fifty (50) feet in height, subject to approval of the designated staff or other appropriate agency designee and/or the utility company.

b. Equipment compound or cabinets: Equipment compounds or cabinets for WCFs under this subsection shall be designed, located, and screened or concealed in such a manner as to not interfere with the subject right of way or its primary utilization. ~~Depending on site conditions, the~~The review authority applicant may require install equipment on the pole or placement in an underground vault to provide for traffic safety, pedestrian access, or other right-of-way utilization requirements.

c. A single permit may be used for multiple small cell facilities spaced to provide wireless coverage in a contiguous area.

d. Small cell facilities attached to existing or replacement utility poles or towers are permitted outright. Small cells are only subject to approval via administrative review if their installation requires the construction of a new utility support structure.



#### 18.44.110 Approval Process

All approvals are subject to the review processes outlined in Title 18 OMC, Unified Development Code. Additionally, in accordance with Table 44.01 in Section 18.44.090 Permitted Wireless Communications Facilities by Zoning District, the following approval process shall apply:

##### A. New WCFs and Antenna Element Replacements Not Subject to Chapter 18.46 (Eligible Wireless Communication Facilities Modifications).

1. Any application submitted pursuant to this section shall be reviewed by City staff for completeness. If any required item fails to be submitted, the application shall be deemed incomplete. Staff shall advise an applicant in writing within twenty (20) business days after submittal of an application regarding the completeness of the application. If the application is incomplete, such notice shall set forth the missing items or deficiencies in the application, which the applicant must correct and/or submit in order for the application to be deemed complete.
2. Within twenty (20) days of receiving a timely response from an interested potential co-applicant, the applicant shall inform the respondent and the City in writing as to whether or not the potential collocation or combining is acceptable and under what conditions. If the collocation or combining is not acceptable, then the applicant must provide the respondent and the City written justification as to why the collocation or combining is not feasible.

##### B. Supplemental Review. The City reserves the right to require a supplemental review for any type of WCF, subject to the following:

1. Due to the complexity of the methodology or analysis required to review an application for a wireless communication facility, the City will require a technical review by a third party expert approved by the City, the costs of which shall be borne by the applicant and be in addition to other applicable fees.
2. The applicant shall submit the required fee as published in the City's current fee schedule.
3. Based on the results of the expert review, the approving authority may require changes to the applicant's application or submittals.
4. The supplemental review may address any or all of the following:
  - a. The accuracy and completeness of the application and accompanying documentation.
  - b. The applicability of analysis techniques and methodologies.

- c. The validity of conclusions reached.
- d. Whether the proposed wireless communications facility complies with the applicable approval criteria set forth in this Chapter.
- e. Other items deemed by the City to be relevant to determining whether a proposed wireless communications facility complies with the provisions of the Olympia Municipal Code.

5. This section will not apply to applications to place small cell facilities on existing or replacement utility poles and/or, if the height of a replacement structure, including antennas, is no more than:

(a) Fifteen feet (15') taller than the existing utility support structure; or

(b) The minimum height necessary to provide the required safety clearances from transmission or distribution lines.

C. Post Construction Field Testing. Within thirty days of becoming fully operational, all facilities shall be field tested by a third party reviewer, at the applicant's expense, to confirm the theoretical computations of RF emissions.

### **18.02.180 Definitions**

Small cell facility. A personal wireless services facility that meets both of the following qualifications:

(i) 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

(ii) 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, and battery back-up power.