

Application Review Process

- Pre-Application Meeting (§ 15.32.040.J)
- Application Submittal (§ 15.32.050.B)
- Town Staff / Expert Consultant Review (§ 15.32.060.A)
- Public Notice (§ 15.32.060.B)
- City Manager Evaluation and Decision
- Appeal to Town Council (§ 15.32.090)

Background

Current Applications

- 2015 to 2016 – pre-submittal activities
- Jan. 4, 2017 – applications submitted
- Feb. 1, 2017 – first incomplete notice
- May 11, 2017 – second incomplete notice
- June 27, 2017 – applications deemed complete

Background

Current Applications

- July thru Oct. 2017 – application review
- Oct. 31 / Nov. 7, 2017 – public notices issued
- Nov. 30, 2017 – WCAC meeting
- Dec. 5, 2017 – staff/Crown discuss alt. designs
- Dec. 7, 2017 – community meeting
- Dec. 14, 2017 – deadline to submit public comments

City Manager Considerations (Town Code § 15.32.080.C)

- the applicant has the burden to show a permit should be approved
- the City Manager may consider factors when determining whether to approve, conditionally approve or deny an application

City Manager Considerations (Town Code § 15.32.080.C)

1. whether the WCF and support structure additions and modifications proposed are consistent with the general plan and will not adversely affect the policies and goals set forth therein or alter the rural character of the community;
2. except . . . where the town is prohibited from considering it by law, whether the applicant has shown that the proposed WCF is necessary to close a significant gap in coverage and has further shown that its proposal is the least intrusive means of closing that significant gap;
3. whether the WCF and support structure modifications and additions proposed, comply with the design standards herein, and other applicable provisions of the Code;

City Manager Considerations (Town Code § 15.32.080.C)

4. whether the WCF and support structure modifications and additions proposed comply with applicable safety codes and laws (including without limitation the ADA);
5. whether the WCF and support structure modifications and additions interfere with the public's use of rights-of-way, or create undue risks to persons or property;
6. whether the applicant has made the required affirmation regarding compliance with the FCC's RF regulations, as the same may be amended;

City Manager Considerations (Town Code § 15.32.080.C)

7. whether the applicant is authorized to file the application;
8. whether the applicant has or will have necessary local, state or federal regulatory approvals required in connection with the WCF (including but not limited to necessary CEQA approvals, if any; and approvals for utility box design under this Code, or for structures on private property under Section 2.12); and
9. whether alternative designs or locations would be more consistent with the general plan and otherwise minimize the impact of the WCF and support structure modifications and additions required.

Limited Exception

Notwithstanding any other provision of this chapter to the contrary, the city manager may recommend to the city council that, notwithstanding the evidence supporting denial, an application be approved if he or she makes a finding that the applicant has demonstrated that the refusal to grant such an exception and approve the application would prohibit or have the effect of prohibiting the provision of personal wireless services within the meaning of 47 U.S.C. section 332(c)(7), or finds that the town authority to deny the application is otherwise preempted or prohibited by state or federal law. If a recommendation is made under this provision, the recommendation will be promptly submitted to the city council for final determination.

Summarized Design Standards (Town Code § 15.32.080.C)

- **Location**
 - preference for installations on public property over other locations
 - preference for collocations or new sites on existing utility structures
 - new poles permitted only as a last resort
 - collocation (req'd w/in 1,500 ft. from existing WCF)
- **All WCFs Must be Concealed**
 - undergrounded equipment where feasible
 - minimize visibility for above-ground equipment
 - screen with natural or manmade features
- **35-foot Height Limit (w/ some exceptions)**
- **Cannot “Incommode” Public’s Use of PROW**
 - cannot obstruct travel
 - cannot unreasonably interfere with aesthetic, social, expressive or other uses of the PROW