DDS- Planning & Zoning: Plan Review Application

Submission date:	**3 September 2021, 1:25PM**
Receipt number:	**402**
Related form version:	**2**

Application Type

Check all that apply:	**Special Permit** **Zoning Text Amendment**

Property Information

Property Address:	**Multiple Locations-See Exhibit 4-1 No coordinates found**
Zoning District:	**DT and MX**
Parcel ID:	**Multiple Locations- See Exhibit 4-1**
Property Owner:	**See Exhibit 4-2**
Address of Property Owner:	**See Exhibit 4-2**
Email:	**kmotel@cuddyfeder.com**

Applicant

Name of Applicant:	**New Cingular Wireless PCS, LLC (AT&T)**
File Date:	**09/03/2021**
Address:	**84 Deerfield Lane, Meriden, CT 06450 No coordinates found**

Phone:	**508-596-9245**
Email:	**rd1090@att.com**

Primary Point of Contact

Name:	**Kristen Motel, Cuddy & Feder LLP (Attorneys for the Applicant)**
Phone:	**914-761-1300**
Email	**kmotel@cuddyfeder.com**

Project Narrative

Please describe your application action(s) and provide as much detail as possible. Attach additional pages if necessary:	**AT&T is enclosing this application for a batched set of 7 small cell facilities involving replacement of City-owned light poles in public rights of way in the downtown area. This application includes a petition for a minor text amendment to the Zoning Regulations, special permits and DPW review. Please see attached cover letter for more details.**

Zoning Map Change Application

Proposed Zone:	
Describe the existing use of land and buildings in the zone change area:	
Reason for this request:	

Zoning Appeal Application

Are you an aggrieved party?	
Permit or Violation Number:	

State your reason for appealing the decision of the administrator or enforcement officer:

Variance Application

Please state the paticular hardship* or unnecessary difficulty that prompts this application and the site the section of the zoning regulations that you are seeking relief from:

Subdivision Application

Number of lots to be created:

Area of each lot in square feet:

Street frontage of each of the new lots in feet:

Lot Combination Application

Addresses of lots to be combined

Map/Block/Lot for each property to be combined:

Liquor Permit Application

Please upload a copy of your State of CT Liquor Permit below.

Sign Permit Application

1. Is this sign proposed outside of the building line?

Maximum extention from building line:

2. Is this sign proposed outside of the street line?	
Maximum extension from the Street line	
3. Is the sign luminated?	
4. Engineer Name (if any):	
Phone:	
Address:	
5. Minimum distance from lowest point to the sidewalk:	
6. Maximum height of sign from lowest point of established grade:	
7. Distance from the nearest outdoor sign:	
8. Square feet of surface for one face of the sign:	
9. Wording of the sign (include all words):	
Description of work (upload additional files if necessary)	
Upload any supporting materials below.	Exhibit 4-3_ PhotoSimulations.pdf Exhibit 4-4 (a - b)_ Safety Reports.pdf Exhibit 4-5_ Structural Analysis Reports.pdf Exhibit 4-1_ Map of Proposed Small Cell Locations and Spreadsheet.pdf 0 - Application For A Text Amendment To The Zoning Regulations.pdf Exhibit 1 - Petition for Minor Zoning Text Amendment.pdf Exhibit 2 - Current Sections 4.20.7.F(1)(b) _ (3) of the Zoning Regulations.pdf Exhibit 4- 2 (a - g)_ Drawings of Small Cells.pdf Exhibit 3 - AT_T Proposed Minor Text Amendment to Sections 4.20.7.F(1)(b) _ (3).pdf Exhibit 4 - Special Permit Application Form.pdf 00 - 9-3-21 Submission Letter - AT_T Small Cell Zoning Amendment.pdf

Signatures

Signature of Applicant	 Link to signature
Printed Name of Applicant:	**New Cingular Wireless PCS, LLC (AT&T)**
Date:	**09/03/2021**
	If you are not the property owner, you must attach a Letter of Authorization from the property owner to apply.
Letter of Authorization from Property Owner	
Date:	**09/03/2021**

CUDDY +FEDER LLP

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Kristen Motel
kmotel@cuddyfeder.com

September 3, 2021

BY ELECTRONIC DELIVERY
Aimee Chambers, AICP
Director of Planning
Department of Development Services, Planning Division
City of Hartford
260 Constitution Plaza
Hartford, CT 06103

Frank Dellaripa
City Engineer, Assistant Director
Department of Public Works
City of Hartford
550 Main Street
Hartford, CT 06103

Re: AT&T Small Cell Facilities – City Replacement Light Poles in Public Rights of Way
Zoning Text Amendment, Special Permit Applications & Department of Public Works License to Excavate Street/ Sidewalks
Reference to Section 4.20.7.F of the City of Hartford Zoning Regulations

Dear Ms. Chambers & Mr. Dellaripa:

On behalf of New Cingular Wireless PCS, LLC ("AT&T"), we are enclosing a batched set of applications for seven small cell facilities involving replacement of City-owned light poles in public rights of way in the downtown area of Hartford. AT&T's package of materials includes: (1) a petition for a minor text amendment to the City of Hartford Zoning Regulations to modify Sections 4.20.7.F(1)(b) & (3); and (2) special permit applications pursuant to Section 4.20.7.F of the Zoning Regulations to install seven small cell facilities ("Small Cells") as part of replacement light poles at seven (7) distinct locations. Additionally, in accordance with Section 4.20.7.F(4)(c), we are concurrently requesting Department of Public Works review and approval of AT&T's plans and issuance of any permits and licenses pursuant to Chapter 31, the City's Streets & Sidewalks Ordinance.

As more fully set forth in the enclosed Zoning Petition, AT&T is proposing a minor text

amendment to the dimensional standards for small cell antennas on light poles in order to accommodate the latest 5G technology. At the time the last zoning amendment was adopted by the Commission on July 24, 2018 allowing small cells in the right of way, 5G antenna specifications were not specifically available and the zoning dimensional limits contemplated 4G LTE equipment only.

As part of this batched submission, AT&T is also specifically proposing to install seven (7) Small Cells on City-owned light poles in public rights-of-way within the downtown area. Enclosed as **Exhibit 4-1** is a map of proposed Small Cell locations. Small Cells are permitted special permit accessory uses in the DT and MX zoning districts and the proposed installations comply with the aesthetic design standards provided for in Zoning Regulations under Section 4.20.7.F.

We respectfully request that AT&T's proposed zoning text amendment and special permit applications be presented to the Planning & Zoning Commission for consideration at a public hearing. Please note also that AT&T's batched applications to the Commission and DPW are subject to federal regulations that require a decision within 60 days and subject to a 10-day completeness review time period.[1]

Enclosed is one (1) hard copy of the City's Zoning Amendment Application Form, along with one (1) electronic copy on a USB drive, with the following supporting materials associated with the special permit applications:

Exhibit 1: Petition for Minor Zoning Text Amendment;
Exhibit 2: Current Sections 4.20.7.F(1)(b) & (3) of the Zoning Regulations;
Exhibit 3: AT&T Proposed Text Amendment to Sections 4.20.7.F(1)(b) & (3);
Exhibit 4: Special Permit Applications for 7 proposed Small Cells

1. Map of proposed Small Cell locations and spreadsheet
2. Drawings of Small Cells
    a. Node 1- "AT&T Hartford 1"
    b. Node 2- "AT&T Hartford 2"
    c. Node 3- "AT&T Hartford 9"
    d. Node 4- "AT&T Hartford 10"
    e. Node 5- "AT&T Hartford 12"
    f. Node 6- "AT&T Hartford 27"
    g. Node 7- "AT&T Hartford 28"

[1] 47 C.F.R. § 1.6003.

3. PhotoSimulations
4. Safety Reports
    a. MPE Compliance for Nodes 1 & 3 - 7
    b. MPE Compliance for Node 2
5. Structural Analysis Reports

We understand from conversations with the Planning Division that all these applications may be filed electronically under the unified Plan Review Application system and that the Planning Division will thereafter determine the appropriate application filing fees.[2]

Thank you for your assistance and we look forward to coordinating with you on the Commission's review of AT&T's applications.

Very truly yours,

Kristen Motel
Enclosures
cc: AT&T
Centerline Communications, LLC
Christopher B. Fisher, Esq.

[2] Please note that federal law specifies up to a $700 fee for a batched permit application involving 7 small cell attachments to municipal owned poles. See *In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, FCC 18-133, September 27, 2018.

City of Hartford
Planning Division
Department of Development Services

Return Form to Licenses & Inspections Division
260 Constitution Plaza
Hartford, Connecticut 06103-1822

For Assistance Contact Planning Division
860-757-9040,
250 Constitution Plaza, 4th Floor
Hartford, Connecticut 06103-1822

APPLICATION FOR A TEXT AMENDMENT TO THE ZONING REGULATIONS

APPLICANT

Name of Applicant: New Cingular Wireless PCS LLC **File Date:** 9/3/21

Address: 84 Deerfield Lane **City:** Meriden **State:** CT **Zip Code:** 06450

Phone: 508-596-9245 **Email:** rd1090@att.com

AMMENDMENT INFORMATION

Number and wording (in entirety) of existing section proposed for amendment:

See Exhibit 2.

Proposed addition or change in wording:

See Exhibit 3.

Reason for amendment:

See Exhibit 1.

Is the proposed amendment consistent with the City of Hartford Plan of Development? Yes. See Exhibit 1.

Date: 9/3/21

Signature of Applicant	**Signature of Owner**
Kristen Motel, Esq., Cuddy & Feder, LLP	N/A
Attorney for Applicant	
Printed Name of Applicant	**Printed Name of Owner**

FOR OFFICE USE ONLY:
Final Action: Approved____ Denied____ Withdrawn___ Date of Hearing:_____ Date of Action_____

City of Hartford
Planning & Zoning Commission
Petition for Minor Zoning Text Amendment – Small Cell Regulations – Section 4.20.7.F

Petitioner

The Petitioner is New Cingular Wireless PCS, LLC, an AT&T corporate entity. Petitioner is an FCC licensee that provides commercial mobile radio services to the public through a network of wireless facilities. Petitioner has legal authority to provide wireless services in the State of Connecticut.

Background Information – Current Wireless Usage Statistics

The ability to connect with one another in a mobile environment has proven essential to the public's health, safety and welfare. As of June 2020, there were an estimated over 442.5 million wireless devices in the United States amounting to approximately 1.3 devices per person.[1] The United States also saw a record-setting amount of data-traffic with over 37 trillion megabytes carried over U.S. wireless networks in 2019, which translates to 96x more data used in 2019 than 2010.[2] The pandemic resulted in a 24.3% increase in voice traffic and a 19.6% increase in U.S. data traffic.[3] The ever-increasing number of households transitioning to mobile voice connection only (i.e. abandoning land lines) has now grown to approximately 62.5% of households nationwide.[4]

Wireless access has also provided individuals a newfound form of safety. Up to 80% of all 9-1-1 calls made each year come from a wireless device.[5] Beginning May 15, 2015, wireless carriers in the U.S. voluntarily supported Text-to-911, a program that allows users to send text messages to emergency services as an alternative to placing a phone call.[6] These statistics provide important context and background on the need for Small Cell Nodes ("Small Cells") in wireless networks to meet current and anticipated consumer demand for wireless services.

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[1] CTIA 2020 Annual Survey Highlights available at https://www.ctia.org/news/report-2020-annual-survey-highlights.
[2] Id.
[3] Id.
[4] *See Wireless Substitution: Early Release of Estimates From the National Health Interview Survey, January-June 2020*, National Center for Health Statistics, Stephen J. Blumberg Ph.D and Julian V. Luke, found at https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202102-508.pdf.
[5] 911 Wireless Services Guide last reviewed November 2, 2015 available at https://transition.fcc.gov/cgb/consumerfacts/wireless911srvc.pdf.
[6] *See Text-to-911: What you need to know* available at https://www.fcc.gov/consumers/guides/what-you-need-know-about-text-911. It should be noted that while the carriers have committed to supporting 911 texting in their service areas, text-to-911 is not available everywhere. Emergency call centers, called PSAPs (Public Safety Answering Points), are the bodies in charge of implementing text messaging in their areas. These PSAPs are under the jurisdiction of their local state and counties, not the FCC, which governs the carriers. *See also Text-to-911 is now available in Connecticut* available at https://www.text911ct.org/, indicating that the State of Connecticut has recently transitioned to the Text-to-911.

Purpose for the Proposed City of Hartford Minor Zoning Text Amendment – 5G Antennas

AT&T seeks to deploy Small Cells to provide enhanced wireless coverage and capacity in current 4G (fourth generation) LTE networks as well as 5G (fifth generation) network technologies. Small Cells are a critical component of AT&T's wireless services and can support "smart city" initiatives, telemedicine, public safety and other features.

Under the Commission's current Zoning Regulations, Small Cells can be placed on replacement City-owned utility poles, street lights or traffic signals located in the public rights of way, where utilities are underground and there are no Eversource/Frontier utility poles. Special permit applications accompany this Petition for seven specific replacement light pole installations proposed by AT&T.

At the time that the Commission's small cell regulations were further amended in 2018 to allow for right of way installations on City owned poles, the regulations contemplated specific 4G LTE equipment specifications and 5G designs were not fully available at the time. A minor zoning text amendment is now proposed to permit 5G antennas and technologies so that each small cell location can support both 4G LTE and 5G antennas to serve the residents and businesses of Hartford.

The Petitioner proposes minor amendments to the regulations to permit 2 antennas on any existing or replacement light poles, traffic signal structures or City-owned utility poles with a combined height not exceeding 6 feet. No other amendments to the Small Cell standards and approval process are proposed and Planning & Zoning Commission oversight would be retained through the current special permit review process provided for in Section the current zoning regulations.

Any small cell installations permitted under the proposed amendment would still have to be consistent with the example of a permitted small cell replacement City-owned light pole contained in Figure 4.20-G of the Zoning Regulations. AT&T's proposed installations are consistent as depicted on the drawings and in the photosimulations accompanying AT&T's site specific special permit applications.

It is respectfully submitted that the proposed minor text amendment accommodates the latest available 5G technology while reserving the Commissions' zoning authority over small cell applications and reasonably guides the City in providing access to municipally owned infrastructure in public rights of way for use as small cell facilities.

The Proposed Text Amendment is Consistent with the City of Hartford POCD

In 2020, Hartford adopted its current Plan of Conservation and Development entitled *Hartford 2035* (the "POCD"). The POCD sets the goal of building high-speed communications infrastructure by 2035 to ensure businesses in the commercial corridors have the latest technology to equalize access to economic opportunity and can connect to the world (POCD, p. 28).

In 2018, the Commission amended the City's zoning regulations to add small cells as a special permit use in various zoning districts and public rights of way, particularly for downtown Hartford where utility lines are underground. It is respectfully submitted that the proposed minor text amendment

is consistent with the POCD and enhances various priorities and action areas articulated therein as follows:

Grow 400- Economic Development

Wireless services are integral to overall smart city planning and technical innovation for economic development, particularly on the path to 5G wireless technologies.

Play 400- Downtown Development

Wireless connectivity and mobility are an important part of activating the streetscape with small cells adding to the growth and sustainability of downtown Hartford.

Move 400- Traffic Planning

The City has adopted a Complete Streets policy, one that recognizes streets are not just places for automobiles. The public right of way has always been a critical place for communications infrastructure and utilities. Wireless infrastructure and the proposed amendment takes a "complete street" approach by facilitating the use of existing City-owned pole locations for small cells in serving the community's needs and maintaining aesthetic controls.

Live 400- Infrastructure, Community Facilities & Programs

One of the stated goals in this section of the POCD is to enhance public safety. AT&T is the private sector partner of FirstNet and currently deploying public safety solutions throughout the State as part of a national interoperable network. See http://www.portal.ct.gov/Office-of-the-Governor/Press-Room/Press-Releases/2017/12-2017/Gov-Malloy-Announces-Connecticut-Opts-into-FirstNet-Network. AT&T's wireless infrastructure in Hartford is used to provide such solutions to first responders.

C. Freestanding Radio or Wireless Tower. A freestanding tower associated with a wireless transmission facility or a commercial radio station fully licensed by the Federal Communications Commission.

(1) **Yard.** Towers that are accessory to a principal structure shall be located in the rear yard.

(2) **Setback.** Freestanding radio or wireless towers shall have the following setbacks:

(a) Towers shall be set back a minimum of 50 feet from any lot line.

(b) Towers shall be set back from any MX-1, N, or NX district a minimum of 100 feet.

(3) **Height.** Freestanding radio or wireless towers shall have the following heights:

(a) **CX Districts.** Towers shall not exceed 50 feet in height.

(b) **ID Districts.** Towers shall not exceed 75 feet in height. Additional height may be permitted by special permit (refer to 1.3.4).

(4) **Screening.** Refer to 6.12 Screening of Necessary Appurtenances.

(5) **Co-Location and Stealth Installations.** New facilities shall be developed using the following techniques unless otherwise authorized for good cause during the required site plan review (refer to 1.3.5).

(a) **Co-Location.** A wireless service antenna support structure designed, constructed, and installed to be of a sufficient size and capacity to allow the location of additional personal wireless service antennas to accommodate at least 2 additional personal wireless service provider in the future.

(b) **Stealth Installation.** A wireless service antenna whose appearance is concealed or disguised to appear like another object, such as a tree or steeple.

(6) Towers shall comply with all Federal Communications Commission and Federal Aviation Authority regulations.

D. Mechanical Equipment. Heating and air conditioning equipment and outdoor utility equipment (excluding other types of accessory utility structures independently defined herein) for the ordinary function of a building or use.

(1) **Screening.** Ground-mounted mechanical equipment must be screened in accordance with 6.12 Screening of Necessary Appurtenances.

(2) Roof-mounted mechanical equipment shall be located on the rear pitch of a roof where possible and shall be set back either a minimum of 10 feet from each roof edge or a minimum of 10% of the roof depth (measured from the edge facing public street to opposite edge of roof) and, if visible from a public right of way, appropriately screened. The applicant shall demonstrate that the roof-mounted mechanical equipment is the minimum height required to function satisfactorily.

E. Rainwater Collection/Cistern. A container or series of containers for the collection and reuse of rainwater.

(1) A cistern is exempted from inclusion in the site impervious area calculation.

(2) **Front Yard.** In the CX and ID districts, a cistern may be located in the front yard of the principal structure, but shall still fulfill the required setbacks.

F. Small Cell Node. A cellular radio access node that has as its key components an antenna and an equipment box, operates in licensed and unlicensed spectra, and is designed or used to increase capacity and stability of a wireless communications network.

(1) **Size**. A Small Cell Node shall be sized as follows:

(a) The smallest practical size shall be used for each component of any Small Cell Node.

(b) The size of the antenna associated with a Small Cell Node shall not exceed a maximum of 5 feet in height, except for Small Cell Nodes visible from the public right of way, which shall not exceed a maximum of 3 feet in height.

(2) **Location.** A Small Cell Node shall be located as follows:

(a) In the rear of a lot or in any other location where no part of the Small Cell Node is visible from the public right of way; or

(b) On the roof of an existing building, with all components being set back from the roof edges sufficiently to shield all components from a person viewing the building from any public right of way, except that, in any allowed district other than the MS, MX, and OS districts, a cylindrical antenna with a

maximum cross-section of 30 square inches may project up to 5 feet from the parapet wall of a building with a flat roof, as long as the building is at least 4 stories tall and as long as there is only one Small Cell Node visible from the public right of way per street façade face; or

(c) On an existing or replacement, light pole, traffic signal structure, or City-owned utility pole; or

(d) In the OS district, only on an existing or replacement, light pole, traffic signal structure, or City-owned utility pole.

(3) **Number.** No more than one Small Cell Node antenna may be located on a single pole.

(4) **Design.**

(a) The Small Cell Node equipment must be a consistent color to the structure to which it is mounted or fully enclosed in a replacement structure.

(b) The Small Cell Node, other than a Small Cell Node not visible from the public right of way, shall be designed to minimize the visibility of cables and other appurtenances.

(c) For Small Cell Nodes on City-owned utility poles, light poles, and traffic signal structures, the department of public works must determine that:

(i) The Small Cell Node can be reasonably supported by such infrastructure considering the structural condition of the specific structure and as shown in an engineering analysis filed by the applicant; and

(ii) The Small Cell Node location, design, and equipment will not interfere with pedestrian or vehicular travel.

(d) For a Small Cell Node visible from the public right of way, equipment other than the antenna and a disconnect switch box of a size no larger than 1 cubic foot, shall be designed and located to minimize visibility of the equipment from the public right of way which requires a concealment element or underground installation. See Figure 4.20-G. for an allowed configuration.

Figure 4.20-G Small Cell Node Allowed Configuration

(5) Evidence, in the form of renderings, at least two sightline perspectives, a coverage map, and engineering analysis regarding the suitability of any existing structure to which a Small Cell Node is proposed to be mounted, and representations about the size and nature of the components shall be provided to the zoning administrator with each application. Generic drawings and photographs of equipment will not be accepted.

(6) Modification of any Small Cell Node shall be approved by the zoning administrator through a zoning permit process if each and every piece of equipment is a modification which does not substantially change the physical dimensions of the eligible facility or support structure. The following constitute substantial changes:

(a) It increases the height of the support structure or the Small Cell Node by more than 10 percent or more than 10 feet, whichever is less;

(b) It involves installation of any new equipment cabinets on the ground if there are no pre-

existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure;

(c) It entails any excavation or deployment outside the current site; or

(d) It would defeat the concealment elements of the eligible support structure.

(7) Alternative designs for Small Cell Nodes, including those designed to be mounted to a building façade or designs that involve a City-owned replacement structure for a utility pole, light pole, traffic signal, or other structure, may be considered by the commission under special permit review.

(8) Staff shall have the authority to approve, on behalf of the commission, the design of a Small Cell Node which has been approved by the commission pursuant to a previous special permit application, if such design is exactly duplicated and does not otherwise violate this section, provided that staff may also decline to exercise such authority and request that the commission review. The preceding sentence shall not relieve the responsibility of an applicant to tender special permit fees applicable to Small Cell Node applications.

G. Transportation – Bike Share Structure. A stand-alone structure, commonly known as a dock, and used for the storing of shared bicycles.

(1) The design and exact location of any bike share structure must be approved by the department of public works, which shall take into account relevant site conditions, including but not limited to the width of the sidewalk for which the structure is proposed, the sight lines from nearby streets and driveways, the location of windows of adjacent buildings used for commercial purposes, and the locations of other nearby street furniture.

(2) Each bike share structure in the DT, MS, CX, ID, or MX-2 zones may have off-site advertising signage, provided that:

(a) The bike share structure is located at least 600 feet away from another bike share structure with off-site advertising signage, which is on the same side of the street, except in the DT zoning districts where there is no such dispersion requirement, and except that 2 bike share structures with off-site advertising signage may be located on opposite sides of the same block of the same street;

(b) The off-site advertising signage may be internally illuminated in accordance with 8.1.8 Illumination; and

(c) No portion of the off-site advertising signage shall be a Dynamic Display.

(d) The off-site advertising signage shall conform to the design (but not location or placement) standards of 8.11, Ped-Scale Pole-Mounted Sign, except that the height of such signage shall not exceed 6 feet.

H. Transportation – Bus Shelter. A stand-alone, open-air structure with 3 vertically screened sides and a roof that may be located on public or private property for use by patrons awaiting a regional public transit service.

(1) The design and exact location of any shelter must be approved by the department of public works, which shall take into account relevant site conditions, including but not limited to the width of the sidewalk for which the shelter is proposed, the sight lines from nearby streets and driveways, the location of windows of adjacent buildings used for commercial purposes, and the locations of other nearby street furniture.

(2) Both sides of one of the vertical screens of a transportation shelter in the DT, MS, CX, ID, or MX-2 zones may have off-site advertising signage, provided that:

(a) The transportation shelter is located at least 600 feet away from another transportation shelter with off-site advertising signage, which is on the same side of the street, except in the DT zoning districts where there is no such dispersion requirement, and except that 2 transportation shelters with off-site advertising signage may be located on opposite sides of the same block of the same street;

(b) The off-site advertising signage may be internally illuminated in accordance with 8.1.8 Illumination; and

(c) No portion of the off-site advertising signage shall be a Dynamic Display.

(3) During the permit review process, the decision-making body may, in consultation with the

Redline Comparison

Proposed City of Hartford Zoning Text Amendment
4.20.7

F. Small Cell Node. A cellular radio access node that has as its key components an antenna and an equipment box, operates in licensed and unlicensed spectra, and is designed or used to increase capacity and stability of a wireless communications network.

(1) **Size**. A Small Cell Node shall be sized as follows:

(a) The smallest practical size shall be used for each component of any Small Cell Node.

(b) The size of any antenna associated with a Small Cell Node shall not exceed a maximum of 5 feet in height, and Small Cell Nodes visible from the public right of way shall not exceed a maximum of 6 feet in total combined antenna height.

(2) **Location**. A Small Cell Node shall be located as follows:

(a) In the rear of a lot or in any other location where no part of the Small Cell Node is visible from the public right of way; or

(b) On the roof of an existing building, with all components being set back from the roof edges sufficiently to shield all components from a person viewing the building from any public right of way, except that, in any allowed district other than the MS, MX and OS districts, a cylindrical antenna with a maximum cross-section of 30 square inches may project up to 5 feet from the parapet wall of a building with a flat roof, as long as there is only one Small Cell Node visible from the public right of way per street façade face; or

(c) On an existing or replacement, light pole, traffic signal structure, or City-owned utility pole; or

(d) In the OS district, only on an existing or replacement, light pole, traffic signal structure, or City-owned utility pole.

(3) **Number**. No more than two Small Cell Node antennas may be located on a single pole.

(4) **Design**.

(a) The Small Cell Node equipment must be a consistent color to the structure to which it is mounted or fully enclosed in a replacement structure.
(b) The Small Cell Node, other than a Small Cell Node not visible from the public right of way, shall be designed to minimize the visibility of cables and other appurtenances.
(c) For Small Cell Nodes on City-owned utility poles, light poles, and traffic signal structures, the department of public works must determine that:

(i) The Small Cell Node can be reasonably supported by such infrastructure considering the structural condition of the specific structure and as shown in an engineering analysis filed by the applicant; and
(ii) The Small Cell Node location, design, and equipment will not interfere with pedestrian or vehicular travel.

(d) For a Small Cell Node visible from the public right of way, equipment other than the antenna and a disconnect switch box of a size no larger than 1 cubic foot, shall be designed and located to minimize visibility of the equipment from the public right of way which requires a concealment element or underground installation. See Figure 4.20-G for an allowed configuration.

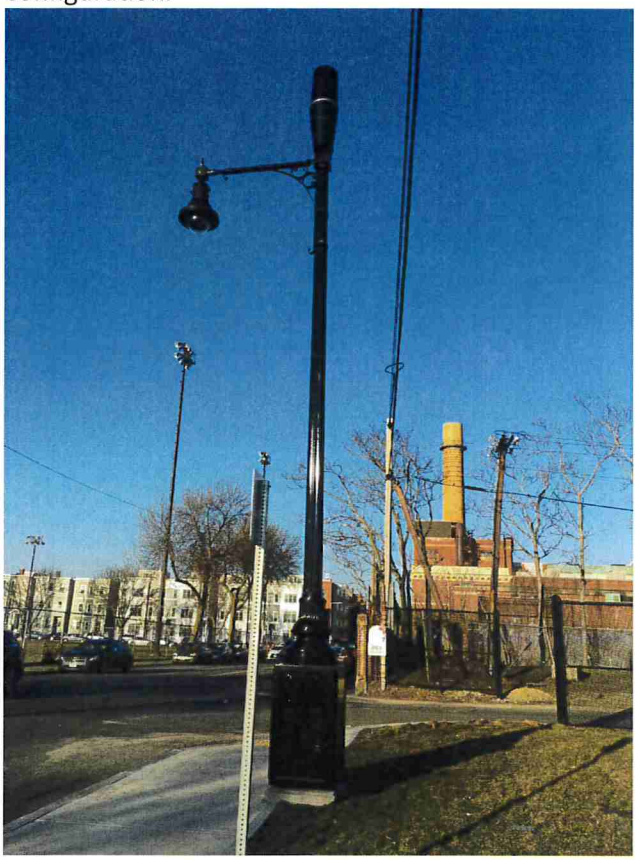

Figure 4.20-G Small Cell Node Allowed Configuration

(5) Evidence, in the form of renderings, at least two sightline perspectives, a coverage map, and engineering analysis regarding the suitability of any existing structure to which a Small Cell Node is proposed to be mounted, and representations about the size and nature of the components shall be provided to the zoning administrator with each application. Generic drawings and photographs of equipment will not be accepted.

(7) Modification of any Small Cell Node shall be approved by the zoning administrator through a zoning permit process if each and every piece of equipment is a modification which does not substantially change the physical dimensions of the eligible facility or support structure. The following constitute substantial changes:

(a) it increases the height of the support structure or the Small Cell Node by more than 10 percent or more than 10 feet, whichever is less;

(b) it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground

cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure;

(c) it entails any excavation or deployment outside the current site; or

(d) it would defeat the concealment elements of the eligible support structure.

(7) Alternative designs for Small Cell Nodes, including those designed to be mounted to a building façade or designs that involve a City-owned replacement structure for a utility pole, light pole, traffic signal, or other structure, may be considered by the commission under special permit review.

(8) Staff shall have the authority to approve, on behalf of the commission, the design of a Small Cell Node which has been approved by the commission pursuant to a previous special permit application, if such design is exactly duplicated and does not otherwise violate this section, provided that staff may also decline to exercise such authority and request that the commission review. The preceding sentence shall not relieve the responsibility of an applicant to tender special permit fees applicable to Small Cell Node applications.