

## Small Wireless Facilities: Aesthetic Requirements

This regulation establishes the aesthetic standards for the installation of Small Wireless Facilities and Structures on public right of way.

### **I. Scope of the regulations – Small Wireless Facilities.**

- (a) If a Small Wireless Facility installation on public right of way meets the standards expressed in this regulation, the facility will be fast-tracked through the Planning Department and otherwise presumed to be permitted as a matter of right, provided the appropriate permits are obtained and all other requirements are satisfied.
- (b) If a Small Wireless Facility installation fails to meet one or more of the expressed standards, the proposed facility must undergo a review performed on proposed facilities that have not been fast-tracked and otherwise presumed to have been permitted as a matter of right.

### **II. Scope of the regulations – Replacement Structures.**

As expressed in this regulation, the installation of a Replacement Structure may be fast-tracked and otherwise presumed to be permitted as a matter of right.

### **III. Scope of the regulations – Structures other than Replacement Structures**

- (a) The installation of a Structure other than a Replacement Structure cannot be fast-tracked or presumed to be permitted as a matter of right.
- (b) A Structure is eligible for approval only if the Structure meets the aesthetic standards contained in this regulations, as well as any other requirements that may established by law or regulation.

### **IV. Scope of the regulations = Exclusions.**

This regulation does not affect:

- (a) The permits required for the installation of a Small Wireless Facility or a Structure on public right of way;
- (b) The zoning regulations applicable to the installation of a Small Wireless Facility or a Structure on private property; or
- (c) The installation of a cell tower.

### **V. Definitions**

- (a) “Antenna” means an apparatus designed for the purpose of emitting radiofrequency (RF) radiation.
- (b) “Antenna Equipment” means equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with an antenna, located at the same fixed location as the antenna, and, when collocated on a structure, is mounted or installed at the same time as such antenna.
- (c) “Antenna Facility” means an Antenna and Antenna Equipment.
- (d) “Collocation” means:
  - (1) Mounting or installing an antenna facility on a pre-existing structure; and/or
  - (2) Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.
- (e) “Distributed Antenna System” or “DAS” means a network of multiple, spatially separate antenna Nodes connected to a common source via a high capacity transport medium (such as fiber optic cable), for the purpose of providing wireless service within a geographic area.
- (f) “Replacement Structure” means a structure:
  - (1) That is installed at the same location as the original pole;
  - (2) That is no more than 3 feet or 10 percent taller than the original pole;
  - (3) That is consistent with the quality and appearance of the original pole; and
  - (4) Whose installation does not require ground disturbance significantly different than that required to install the original pole, unless the disturbance is less than that required to install the original pole.
- (g) “Small Cell” means a wireless communications technology installation that typically employs low powered wireless base stations, each of which may include only a single node. A Small Cell provides telecommunication services for a single service provider and typically serves a smaller geographical area than that provided by a single node in a Distributed Antenna System.
- (h) “Small Wireless Facility” means Small Cell or Distributed Antenna System equipment at a fixed location.

(1) The term includes any radio transceiver, Antenna Facilities including visible coaxial or fiber-optic cable on a structure, regular or backup power supply, and comparable equipment, regardless of technological configuration.

(2) The term does not include:

- a. The structure or improvements on, under, or within which the equipment is located; or
- b. Coaxial or fiber-optic cable that located between wireless structures or Poles; or not otherwise immediately adjacent to or directly associated with a particular Antenna.

(i) “Structure” means a pole used or to be used for the provision of personal wireless service on public right of way. The term does not include a structure commonly known as a “cell tower.”

## **VI. Standards for a Small Wireless Facility**

(a) A Small Wireless Facility must be installed on a Structure in the public right of way.

(b) A Small Wireless Facility may not be installed with 125 feet of another Small Wireless Facility unless it is collocated on a Structure on which a Small Wireless Facility is already installed.

(c) A Small Wireless Facility may not be installed within 40 feet in the perpendicular line of sight from a living room, bedroom or kitchen window of a residential structure.

(d) A Small Wireless Facility may not be installed within 12 feet of a front residential lot line.

(e) A Small Wireless Facility may not be installed within 6 feet of a side residential lot line.

(f) A Small Wireless Facility may not be installed on a Structure less than 14 feet in height.

(g) A Small Wireless Facility may not be installed on a Structure whose combined height exceeds 35 feet.

(h) The dimension of a Small Wireless Facility installed on a Structure may not exceed 22 cubic feet. This dimension includes the sum of all associated equipment installed on the Structure.

- (i) The coloration of a Small Wireless Facility must be visually similar to and consistent with the coloration of the Structure on which it is installed.
- (j) A Small Wireless Facility must be consistent and uniform in appearance and installed to achieve a visually smooth transition between different attachments.
- (k) A Small Wireless Facility must be shrouded.
- (l) A shroud must be installed at least 12 feet from the ground surface.
- (m) Wiring that extrudes from the location of shrouded equipment must itself be shrouded with a flex shroud whose color matches the structure.
- (n) Wiring that extrudes from the location of shrouded equipment may not cumulatively exceed 24 inches.
- (o) A Small Wireless Facility must be installed in an elongated fashion to comport with the elongation of the Structure so that the length of the installed equipment is greater than its width.
- (p) A Small Wireless Facility may not advertise products or contain pictorial drawings or written messages unrelated to the equipment's functionality.
- (q) A Small Wireless Facility may not employ flashing lights.
- (r) In an historic district, a Small Wireless Facility must be screened and be designed for stealth.

**VII. Standards for a Replacement Structure.**

- (a) A Replacement Structure may be installed on public right of way.
- (b) A Replacement Structure must be designed to accommodate a luminaire and the installation of technology known as Smart City applications or the Internet of Things. *{I note that this is an engineering standard, not an aesthetic one. If challenged, we'd need to drop it}*

**VIII. Standards for a Structure.**

- (a) A Structure must be designed to accommodate luminaire and the installation of technology known as Smart City applications or the Internet of Things. *{I note that this is an engineering standard, not an aesthetic one. If challenged, we'd need to drop it}*

- (b) A Structure may not be installed within 40 feet in the direct line of sight from a picture window of a residential structure. A picture window includes a living room, bedroom and kitchen window.
- (c) A Structure may not be installed within 125 feet of a pole that is currently installed, regardless of whether the existing pole is capable of supporting a Small Wireless Facility.
- (d) The installation of a series of Structures on the same blockface must comport with the uniform pole spacing of an adjoining blockface.
- (e) A Structure may not exceed the height of any pole on a blockface.
- (f) A Structure must have the same general dimensions, coloration and appearance as other poles on a blockface.