

## CELL SERVICE STATEMENT OF DIRECTION

The Paradise Valley Mayor & Town Council hereby provides the Planning Commission with the following Statement of Direction (SOD) concerning cellular service.

- Amend Chapter 12, Personal Wireless Service Facilities (PWSF), of the Town Zoning Code to come into compliance with a new state statute captured in House Bill 2365.
  - Recognize that the State law focuses upon the placement of small cell PWSF's in the ROW. As such, complete the amendment regarding small cell facilities in the ROW first and Council will issue a subsequent SOD for amendments to PWSF's on private property and macro cells.
  - Said amendment should develop "Objective design standards and reasonable stealth and concealment requirements" that include the following:
    - For new small cell PWSF's in the ROW:
      - Codify a standard that captures the twenty-four (24) foot faux cactus and associated undergrounding of related equipment used in the O-DAS system currently permitted in Town ROW.
        - The location area preferred by the applicant shall be reviewed for a location, with the substantially the same coverage capabilities, that best blends with the existing natural and built environment and avoids conflicts with existing view-sheds. Any new PWSF should NOT be located within intersection and driveway view triangles. The final location shall be established by the Commission after input from property near the location recommended by the staff at a public hearing.
        - The design standard shall not allow a new faux cactus to be placed in existing cement such as a sidewalk nor shall cement be placed around the base of the facility (this does not include the cement necessary to support the structure but that should be buried);
        - The design standard shall require a certain amount of landscaping within a defined perimeter of the facility.
        - Any utility meter associated with the facility shall be faced away from the street or center of the ROW or camouflaged in some manner.
        - Design details should be similar to the finite standards used in the approval of the NewPath nodes.
      - Develop a process for an applicant who chooses not to comply with the aforementioned reasonable design standards to apply for an alternative design that meets the core principals of the faux cactus solution including:
        - height,
        - stealth and concealment of antenna and equipment; and,
        - undergrounding;
        - In said process, provide a provision such that subsequent to Planning Commission approval of any alternative design, the application shall be forwarded to Council for approval or denial;

- For placement of a small cell PWSF on an existing, as of August 8, 2017, traffic signal or light pole:
  - Codify a standard that captures the PWSF located on the southwest corner of 56<sup>th</sup> and Lincoln Drive. Such design standard shall:
    - Limit the height of the PWSF to 6' above the top of the pole (not including the mast arm).
    - Require all pole mounted equipment to be contained in a cylinder the same size as the supporting pole [not to exceed 20 inches];
    - Require all wiring associated with the PWSF to be contained within the existing (or replacement) pole;
    - Replacement poles shall not be more than twenty (20) inches in diameter at the point immediately below the PWSF;
    - Require all ground mounted equipment to be buried with the exception of the associated utility meter;
    - Adopt standard details similar to the spec sheet for the existing DAS site at 56<sup>th</sup> & Lincoln Drive
  - Develop a process for an applicant who chooses not to comply with the aforementioned reasonable design standards to apply for an alternative design that meets the core principals of the 56<sup>th</sup> Street reasonable design standard solution including:
    - height,
    - stealth and concealment of antenna and equipment; and,
    - undergrounding;
    - In said process, provide a provision such that subsequent to Planning Commission approval of any alternative design, the application shall be forwarded to Council for approval or denial
    - Determine if the timeline for processing an alternate design application is greater than the time limits imposed by the state statute.
- Codify a process that meets the state statute timeline requirements. Said code provision shall include at a minimum:
  - A 20 day provision for determining if a small cell PWSF application is complete and a process for notifying and/or denying an application that is not complete;
  - A 75 day provision for completing a Planning Commission review of a PWSF small cell application;
  - Identify a timeline provision for resubmittals to cure problems or denials.
  - A 180 day provision for reviewing applications that choose an alternative design which would include review by the Planning Commission and the Town Council.
- Determine and codify the proper use of Conditional Use Permits (CUP), Special Use Permits (SUP), or other zoning code provisions for processing these PWSF applications.
- Codify, or make reference to, a fee schedule that reflects the maximum allowed fees under the state statute.
- Complete and remit a draft to the Town Council by July 26, 2017