



CITY OF ASTORIA
Founded 1811 • Incorporated 1856

COMMUNITY DEVELOPMENT

Fee Paid Date _____ By _____

No. WCF _____

Deposit: \$3,000.00

WIRELESS COMMUNICATION FACILITY APPLICATION

Property Location: Address: _____

Lot _____ Block _____ Subdivision _____

Map _____ Tax Lot _____ Zone _____

Applicant Name: _____

Mailing Address: _____

Phone: _____ Business Phone: _____ Email: _____

Property Owner's Name: _____

Mailing Address: _____

Business Name (if applicable): _____

Signature of Applicant: _____ Date: _____

Signature of Property Owner: _____ Date: _____

Existing Use: _____

Proposed Use: _____

SITE PLAN: A Site Plan depicting property lines and the location of all existing and proposed structures, parking, landscaping, and/or signs is required. The Plan must include distances to all property lines and dimensions of all structures, parking areas, and/or signs. Scaled free-hand drawings are acceptable.

FILING INFORMATION: Planning Commission meets on the fourth Tuesday of each month. Completed applications must be received by the 13th of the month to be on the next month's agenda. A Pre-Application meeting with the Associate Planner is required prior to acceptance of the application as complete. Only complete applications will be scheduled on the agenda. Your attendance at the Planning Commission meeting is recommended. *The Community Development Director shall determine the classification and appropriate process for any application. Applicant shall submit three (3) copies of a complete application and plans; the fee; and other required information in accordance with Article 15.*

For office use only:

Application Complete:		Permit Info Into D-Base:	
Labels Prepared:		Tentative APC Meeting Date:	
120 Days:			

FEES: Applicant shall pay the filing fee at the time of submission of an application. Actual costs incurred in processing the application shall be billed from the filing fee. Upon final decision on an application, and after all expenses have been determined, any remaining filing fee shall be returned to the applicant.

15.060. APPLICATION SUBMITTAL REQUIREMENTS.

A. All applications for permits for the placement and construction of Wireless Communication Service Facilities shall be accompanied by the following:

(Please check the to indicate that all submittal requirements are included with the application.)

Included

- 1. A complete description of the proposed WCSF including use of concealment technology, height, location, siting, and design, and description of services the applicant intends to provide from the facility.
- 2. Proof of ownership of the land upon which the WCSF is proposed; or evidence of an appropriate easement, lease, rental agreement, or land use application signed by the applicant and signed by the underlying property owner.
- 3. Copy of the carrier's current FCC license for the proposed coverage area.
- 4. Evidence demonstrating compliance with non-ionizing electromagnetic radiation (NIER) emissions standards as set forth by the FCC particularly with respect to any habitable areas within the structure on which the antennas are co-locating or in structures adjacent to or across a public right-of-way from the antennas.
- 5. An accurate and scaled site plan, scaled elevation views, and other supporting drawings, illustrating the location and dimensions of the proposed WCSF, including but not limited to: antenna support structure, alternative antenna support structure, antenna array, antennas, equipment enclosures, and any and all other devices and attachments.
- 6. Readily discernible map of the proposed area of coverage.
- 7. Location map of all sites currently operated by the carrier in a five (5) mile radius of the proposed site. Such locations shall be of sufficient detail to be added to the City's GIS data system. For each such site, the targeted area and capabilities of the sites shall be adequately described.
- 8. Visual impact analysis and demonstrations including mock-ups and/or photo simulations from at least three (3) directional perspectives.
- 9. Evidence demonstrating that the applicant has filed a request with the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODA) to review the application, or evidence demonstrating that the applicant has complied with all FAA and ODA requirements.
- 10. Evidence demonstrating that the applicant has filed a request with the State Historic Preservation Office to review the application under Section 106 of the National Historic Preservation Act, or evidence demonstrating that the applicant has complied with all State Historic Preservation Office requirements as a result of the Section 106 consultation.

- 11. A collocation feasibility study conducted for the proposed service area of the facility being proposed. The study will describe the applicant’s policy on collocation and demonstrate that collocation efforts were made and provide findings on why collocation can or cannot occur as indicated in Section 15.045.B.
- 12. Where less preferred locations or design are proposed, a description of other alternatives considered (alternate sites, alternative heights, number of facilities, and equipment utilized) and the reasons why higher priority locations or designs were not selected.
- 13. Payment of fees.
- 14. All such additional information as the Community Development Director may identify as being relevant to the permitting process.
- 15. The Community Development Director may release an applicant from the requirement to provide one or more of the pieces of information on this list upon a finding that in the specific case involved said information is not necessary to process or make a decision on the application being submitted.

BRIEFLY ADDRESS EACH OF THE FOLLOWING CRITERIA.

USE ADDITIONAL SHEETS IF NECESSARY.

(Note page number or attachment number when indicating “see attached”.)

15.065. STANDARDS AND REVIEW CRITERIA.

All applications for Wireless Communication Service Facilities shall demonstrate compliance and conformity with the following requirements. The burden of proof is on the applicant to demonstrate such compliance and conformity. The Community Development Director may release an applicant from a requirement when it is determined that the requirement is not applicable to the request.

A. General and Operating Requirements.

1. Owner and Applicant Responsibilities.

The owner and applicant of the Wireless Communication Service Facility and his or her successors and assigns at all times shall have the following responsibilities:

- a. The owner shall respond in a reasonable and timely manner to a request for information from a potential collocation applicant. In responding to such a request, the owner and potential collocation applicant shall furnish to each other all non-proprietary information necessary to enable the potential collocation applicant and the owner to determine the feasibility of collocation.
- b. The owner and potential collocation applicant shall negotiate in good faith for shared use of the owner's Wireless Communication Service Facility.

2. Environmental and Historic Resource Protection.

All Wireless Communication Service Facilities shall be sited so as to minimize the effect on environmental and historic resources. To that end, the following measures shall be implemented for all Wireless Communication Service Facilities:

- a. The facility shall comply with all applicable local, State, and Federal regulations, including but not limited to: Columbia River Estuary Shoreland Overlay, Sensitive Bird Habitat Overlay, Astoria Historic Properties regulations, National Environmental Policy Act, National Historic Preservation Act, and Endangered Species Act;

- b. Alteration or disturbance of natural vegetation and topography shall be minimized;

3. Noise.

No testing of back-up power generators shall occur between the hours of 6:00 PM and 7:00 AM. Emergency operation of back-up power generators is permitted at any time.

4. Permits Required.

- a. A Building Permit issued by the City is required for each Wireless Communication Service Facility. A building permit will not be issued until all land use approvals have been obtained; until any associated conditions have been met; and until all other applicable local, State, and Federal approvals have been secured and complied with, including but not limited to Astoria Development Code, Article 6 Historic Properties, and Section 106 requirements as set forth by the State Historic Preservation Office.

- b. No Wireless Communication Service Facility shall be constructed or operated within the City limits until all necessary City, State, and Federal approvals have been secured. Evidence of approvals shall be provided to the City.

5. Prohibited Structures.

Lattice and guyed wire towers and support structures and speculation (“spec”) support structures are prohibited in all zones.

6. Radio Frequency Standards.

- a. The applicant shall provide evidence that the Wireless Communication Service Facility is in compliance with FCC standards and that the Wireless Communication Service Facility will not cause interference with the reception of area television, radio, or emergency communication broadcasts. If at any time, the City finds that the Wireless Communication Service Facilities interfere with such reception, the applicant shall mitigate the interference. If the applicant does not mitigate the interference to the City's satisfaction, the City may revoke or modify the permit.
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7. Security.

The applicant shall insure that sufficient anti-climbing measures have been incorporated into the WCSF, as needed, to reduce potential for trespass and injury.

8. Technical Expert Support.

The Community Development Director may employ on behalf of the City an independent technical expert to review any technical materials submitted including, but not limited to, those required under this Section, and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required.

B. Location, Siting and Design Requirements.

1. Preferred Location, Siting, and Designs in Priority Order.

See Section 15.035.B of the Wireless Communication Facility Code.

2. Adverse Impact.

WCSF shall not create a substantial adverse impact on the view from any public park, natural scenic vista, historic property (locally designated or on National Register), major scenic and view corridor, or residential area. In determining the potential substantial adverse impact of the proposed facility upon scenic, natural, historic, and cultural resources or vicinity, the following points shall be considered:

- a. The extent to which the proposed WCSF is visible from the viewpoint(s) of the impacted resource or vicinity.

- b. The type, number, height, and proximity of existing structures and features, and background features within the same line of sight as the proposed facility.

- c. The amount of vegetative screening.

- d. The distance of the proposed facility from the impacted resource or vicinity.

- e. The presence of reasonable alternatives that allow the facility to function consistently with its purpose.

3. Use of Concealment Technology.

All Wireless Communication Service Facilities shall utilize concealment technology so as to blend in with the surrounding natural and human-made environment in such a manner so as to be either reasonably difficult for the naked eye to detect or observe, or made part of the feature enclosing it. To this end, Wireless Communication Service Facilities shall be designed so as to be camouflaged to the greatest extent possible, including but not limited to: concealment technology, use of compatible building materials and colors, vegetative, structural or topographic screening.

4. Access Driveways and Parking.

All access drives and parking areas shall be no longer or wider than necessary and be improved to comply with the requirements of the Astoria Development Code and Astoria City Code.

- a. Existing driveways shall be used for access whenever possible.

- b. New parking areas shall, whenever feasible, be shared with subsequent Wireless Communication Service Facilities and/or other permitted uses.

5. Color and Materials.

- a. All buildings, poles, antenna support structures, antennas, antenna arrays, and other associated components of each Wireless Communication Facility site shall be initially coated and thereafter recoated as necessary with a non-reflective neutral color in muted tones.

- b. The color selected shall be one that will minimize visibility of the WCSF to the greatest extent feasible. To this end, improvements which will be primarily viewed against soils, trees, or grasslands shall be coated with colors matching those landscapes, while elements which rise above the horizon shall be coated a color that matches the typical overcast sky (i.e. white, light gray, etc.) or background color at that location.

- c. The color and coating shall be reviewed and approved by the Community Development Director or Astoria Planning Commission.
- d. Upon a clear showing by the applicant that compliance with the requirements of this section would void a manufacturer's warranty on any specific equipment, or that natural aging of the material would provide greater concealment, the Community Development Director or Astoria Planning Commission may waive the requirements of this section for such specifically identified equipment.

6. Height.

In addition to the maximum structure height requirements of each Zone, Wireless Communication Service Facilities shall comply with the following height requirements:

- a. WCSF shall comply with the height limit of the underlying zone, unless a variance to the height limit of the underlying zone is approved.

- b. If there is not a height limit in the underlying zone, the maximum height of a ground-mounted facility, including a monopole, shall be 45'.

- c. In reviewing Variance requests to the above described height limits, the following shall be considered:

- 1) The proposed structure and facility uses concealment technology; *and*

- 2) It is demonstrated that a greater height is required to provide the necessary service.

- d. Building or other structure-mounted Wireless Communication Service Facilities shall not project more than ten (10) additional feet above the highest point on the existing building or structure and shall not project higher than the height requirements of the underlying zone, unless a variance to the height limit of the underlying zone is approved.

- e. WCSF shall not penetrate imaginary surfaces around the Astoria Airport as defined by the Oregon Department of Aviation, unless a waiver is granted pursuant to Oregon Revised Statutes.

7. Landscape and Screening.

All Wireless Communication Service Facility sites shall be improved with existing native vegetation, suitable landscaping and/or fencing installed to screen the facility, where necessary. To this end, all of the following requirements shall be implemented for all Wireless Communication Service Facilities which are installed on antenna support structures:

- a. A landscape plan, meeting the requirements of Development Code Sections 3.105 to 3.120, shall be submitted as part of the application.

- b. Any proposed or required fenced area is to be surrounded, where feasible, by a landscaped strip of sufficient width and height to create a visual screen.

- c. Planted vegetation shall be of the evergreen variety.

- d. The landscape plan shall be subject to review and approval of the Community Development Director or Astoria Planning Commission.

- e. The fence shall be a maximum of six (6) feet in height.

- f. The fenced area is to be surrounded by evergreen shrubs (or similar type of evergreen landscaping). Required landscaping shall be located outside of the fenced area.

- g. The fence shall, where feasible, be installed and maintained around the entire perimeter of the site and surround the WCSF and the equipment shelter.

- h. If the Community Development Director determines that a fence surrounding antenna support structures located in a public right-of-way or adjacent to existing structures is not feasible, such structures may be exempted from the fencing requirements of this Section.
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- i. Chain link fences shall be painted or coated with a non-reflective color.
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- j. Electric, barbed wire, and concertina wire fences are prohibited.
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8. Lighting.

- a. A Wireless Communication Service Facility shall only be illuminated as necessary to comply with FAA or other applicable State and Federal requirements. Documentation from such State and Federal agencies describing required compliance measures is required.
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- b. Exterior lighting shall not glare onto adjacent properties.
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- c. Strobe lights are prohibited.
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9. Setback.

- a. Antenna support structures, excluding those utility poles and similar structures which are located within the right-of-way, and excluding equipment enclosures, shall be located no closer to a structure on the subject property, or from the property line of the subject property, than a distance equal to the total height of the structure measured from finished grade, or the distance of "worst-case scenarios", as recommended in the FCC "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance" Guidebook, dated June 2, 2000, whichever is greater. However, utility

poles and similar structures which are located within the right-of-way, and equipment enclosures are subject to recommendations in the FCC "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance" Guidebook, dated June 2, 2000.

- b. All WCSF equipment enclosures shall be set back from property lines according to the requirements of the Zone.
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- c. A setback requirement to a property line may be reduced, through Variance approval. A Variance to the setback requirement shall be in accordance with the requirements of Article 12, and the following additional criteria:
 - 1) It shall be demonstrated that the location of the proposed facility will take advantage of an existing natural or artificial feature to conceal the facility or minimize its visual impacts.

Do you intend to submit a Variance Request from setback requirements?

10. Signs.

The use of any portion of a Wireless Communication Service Facility for signs other than warning or equipment information signs is prohibited. For emergency purposes, equipment information limited to the WCSF provider(s) name and contact phone number shall appear at the facility in a discreet yet visible location, either on the equipment cabinet or supporting structure.

11. Storage.

- a. WCSF storage facilities (i.e., vaults, equipment rooms, utilities, and equipment cabinets or enclosures) shall be constructed of non-reflective materials (exterior surfaces only) and shall be placed underground where feasible or be sited (i.e., depressed, or located behind earth berms) to minimize their profile.
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- b. WCSF storage facilities shall be no taller than one story (15 feet) in height and shall be designed to look like a building or facility typically found in the surrounding area.

- c. On-premises storage of material or equipment shall not be allowed other than that which is necessary to the use, operation, and maintenance of the WCSF.

15.046(B). Collocation Required.

Collocation or use of alternative antenna support structure shall be required unless demonstrated to be infeasible to the satisfaction of the Community Development Director or the Astoria Planning Commission.

If an applicant proposes to construct a new antenna support structure, evidence shall be submitted by the applicant to demonstrate the following:

1. That no existing antenna support structures or alternative antenna support structures are located within the geographic area which meet the service provider's engineering requirements to provide service; OR
2. That existing antenna support structures and alternative antenna support structures are not of sufficient height to meet the service provider's engineering requirements to provide service; OR
3. That existing support structures and alternative antenna support structures do not have sufficient structural strength to support the service provider's engineering requirements to provide service; OR
4. That an applicant's proposed antennas or antenna arrays would cause detrimental electromagnetic interference, or NIER field interference with nearby antennas or antenna arrays, or vice-versa; OR
5. That there are other limiting factors, such as inadequate space for an equipment shelter, that render existing antenna support structures or alternative antenna support structures unsuitable.

11.030(A)(1) The use is appropriate at the proposed location. Several factors which should be considered in determining whether or not the use is appropriate include: accessibility for users (such as customers and employees); availability of similar existing uses; availability of other appropriately zoned sites; and the desirability of other suitably zoned sites for the use.

11.030(A)(2) An adequate site layout will be used for transportation activities. Consideration should be given to the suitability of any access points, on-site drives, parking, loading and unloading areas, refuse collection and disposal points, sidewalks, bike paths, or other transportation facilities. Suitability, in part, should be determined by the potential impact of these facilities on safety, traffic flow and control, and emergency vehicle movements.

11.030(A)(3) The use will not overburden water and sewer facilities, storm drainage, fire and police protection, or other utilities.

11.030(A)(4) The topography, soils, and other physical characteristics of the site are appropriate for the use. Where determined by the City Engineer, an engineering or geologic study by a qualified individual may be required prior to construction.

11.030(A)(5) The use contains an appropriate amount of landscaping, buffers, setbacks, berms or other separation from adjacent uses.
