

ORDINANCE 1108

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO WIRELESS COMMUNICATION FACILITIES, AMENDING SECTIONS 16.68.025 AND 16.68.030 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 16.68.025 is hereby amended to read as follows:

16.68.025 Review process.

- A. All requests to locate wireless communication facilities in Lacey shall be reviewed through either the site plan review process of Chapter 16.84 or the conditional use permit process of Chapter 16.87.
- B. Wireless communication facilities proposed for co-location or location on existing commercial buildings or public structures or public property shall require approval through the site plan review process of Chapter 16.84.
- C. Wireless communication facilities proposed as free-standing support structures shall require approval through the conditional use permit process of Chapter 16.87.
- D. Third party review of submittal requirements. Because of the complexity of technical data and analysis required for adequate review of proposals, a third party may be contacted for review and analysis of such applications, particularly where disputes arise regarding the capability of meeting city goals, standards or policies in siting these facilities. The third party analysis will be at the discretion of the Community Development Director and will be at the expense of the applicant. The cost of such analysis will be agreed to and paid prior to

processing or any action on the permit application.

Section 2. Section 16.68.030 is hereby amended to read as follows:

16.68.030 Permitted locations.

A. Zoning and land use compatibility shall be a primary consideration in location of WCFs. Industrial ~~and~~ commercial and public properties and existing commercial and industrial buildings with the exception of neighborhood commercial zones shall be encouraged for such use. Residential ~~properties~~ areas shall normally not be considered except on city property preferably in conjunction with city improvements such as water towers or public buildings.

B. WCFs may be mounted on all currently existing nonresidential buildings in nonresidential zones except as follows:

1. Any building which is an accessory structure to a residence.

2. Buildings which, due to their small size, would be dominated by the facility.

C. Building mounted WCFs must meet the following conditions and criteria:

1. A building mounted WCF may consist of the following:

a. Nonreflective panel antenna(s);

b. Whip antenna(s);

c. Nonreflective parabolic dish;

d. The number of antennas shall be reasonable to accommodate the technology and maintenance compatible with the constraints of the building and prevailing land use.

2. In addition to the overall height limitations in Section 16.68.040, the antennas should conform to the following general height restrictions relating to the existing building provided the site plan review committee may approve any height it feels is reasonably necessary to meet the requirements of the technology that is also compatible with surrounding land uses so as not to significantly impact the aesthetic character of the

area.

a. Fifteen feet measured to the top of a panel antenna above the roof proper of the existing building at the point of attachment.

b. Twenty feet measured to the tip of a whip antenna above the roof proper of the existing building at the point of attachment.

c. Five feet measured to the top of a parabolic dish above the roof proper of the existing building at the point of attachment.

3. Whip antennas shall be camouflaged and located to minimize views from residential structures and rights-of-way.

4. Panel and parabolic antennas shall be adequately screened from residential views and public rights-of-way in a manner that is architecturally compatible with the building on which it is located.

5. Equipment enclosures shall be located within the building in which the facility is placed or located underground if site conditions permit. Otherwise, equipment enclosures shall be screened from view by compatible wall, fences or landscaping.

6. Design review standards of Chapter 14.23.

D. WCFs requiring construction of a support structure may be located on the site of existing nonresidential uses in nonresidential zones except the following:

1. Areas where support structures may not be effectively screened from view by existing structures.

2. Areas where support structures cannot be adequately set back from the nearest residential use property line or the nearest vacant property zoned for residential use (usually a minimum of fifty feet), measured from the property line.

E. WCFs requiring construction of a support structure must be located on a portion of the site that is effectively isolated from view of residential areas or public rights-of-way by structures or terrain features unless they are integrated or act as an architectural element of the structure, such as a flag pole.

F. WCFs are not allowed on properties zoned for residential use except on public facilities or properties that can accommodate the use with stealth technology or screening designed to avoid aesthetic impacts; an example could be a water tower with a camouflaged antenna attached.

Section 3. The summary of this Ordinance, which is attached hereto, is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON,
this 24th day of June, 1999.

CITY COUNCIL

BY Nancy Peterson
Mayor

Attest:

Approved as to form:

Charlott D. Taylor
City Clerk

[Signature]
City Attorney

Published: June 28, 1999
Monday,

SUMMARY FOR PUBLICATION

ORDINANCE 1108

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on June 24, 1999, Ordinance No. 1108 entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATING TO WIRELESS COMMUNICATION FACILITIES, AMENDING SECTIONS 16.68.025 AND 16.68.030 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main points of the ordinance are as follows:

1. The ordinance expands the provisions of the review process for siting wireless communication facilities to include locations not only on public structures but also on other public property.

2. The ordinance specifying permitted location for such facilities is expanded to include public properties as well as industrial and commercial properties.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: June 28, 1999.

Monday