

RESOLUTION 2020 - 23

A RESOLUTION APPROVING A POLICY ADDRESSING SMALL/MICRO CELL SITES IN PUBLIC RIGHTS OF WAY IN SYCAMORE TOWNSHIP AND DISPENSING WITH THE SECOND READING

WHEREAS, The Board of Township Trustees of Sycamore Township wishes to establish guidelines for the installation of small/micro cell sites in Township rights of way;

NOW, THEREFORE, BE IT RESOLVED by the Board of Township Trustees of Sycamore Township, State of Ohio that:

SECTION 1. The Board approves the Small/Micro Cell Site Design Guidelines attached hereto and authorizes the Township Administrator to execute the Agreement on behalf of the Board.

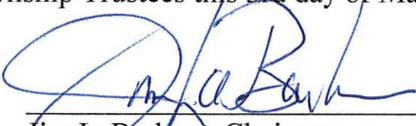
SECTION 2. The Board of Township Trustees of Sycamore Township, by at least a two-third vote of all of its members, dispenses with any requirement that this Resolution be read on two separate days and authorizes its passage upon one reading.

SECTION 3. This Resolution shall take effect on the earliest date allowed by law.

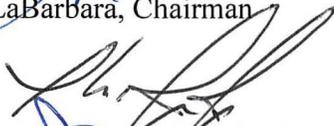
VOTE RECORD:

Mr. James Aye Mr. LaBarbara Aye Mr. Weidman Aye

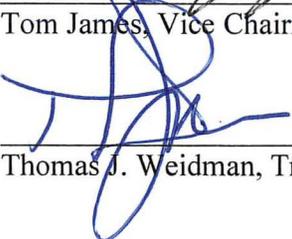
PASSED at a meeting of the Board of Township Trustees this 3rd day of March, 2020.



Jim LaBarbara, Chairman



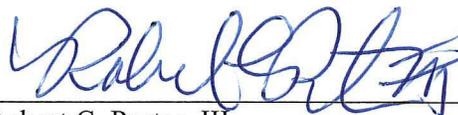
Tom James, Vice Chairman



Thomas J. Weidman, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Sycamore Township Fiscal Officer, this 3rd day of March, 2020.



Robert C. Porter, III
Sycamore Township Fiscal Officer

APPROVED AS TO FORM:



Deepak K. Desai, Law Director

SMALL/MICRO CELL SITE DESIGN GUIDELINES

SYCAMORE TOWNSHIP, HAMILTON COUNTY, OHIO

February 20, 2020

Sycamore Township recognizes the need for wireless communications and the importance of such technology in our community. However, as stewards of the public trust, we must ensure that the deployment of such infrastructure in the public rights-of-way shall not be at the detriment of neighboring property owners and overall community goals.

Thus, considering actions taken and contemplated by the Federal Communications Commission, Ohio State Legislature, and regulations of other communities in our state, design guidelines and policies have been developed. These apply to new telecommunications equipment, not greater than forty feet (40') in height, which are proposed for county, township or State of Ohio right-of-ways in Sycamore Township. These standards, which provide guidance to potential providers, other government agencies working with such equipment, and our residents and businesses, are as follows:

- Any such application shall require a permit and be assessed a permit fee by Sycamore Township and must be in an area approved by Sycamore Township, Hamilton County or approved by the State of Ohio, if located within their respective rights of way. This shall then entail a permit review fee of one thousand five hundred dollars (\$1500) and an additional one hundred dollars (\$100) per pole installation.
- Above ground equipment shall only be located within one hundred feet (100') of an existing overhead utility line.
- If the above ground equipment is proposed within right of way that has no existing overhead utility lines, all proposed utility lines to the proposed above ground equipment must be constructed underground. For example, underground utility corridors will require all utilities to be constructed underground.
- The preferred locations shall be along Principal Arterials, Minor Arterials and Major Collector Roads, as defined by the Hamilton County Thoroughfare Plan, and shall not be located in residentially zoned areas.
- Equipment shall be located on existing utility poles where practical. If a new utility pole is required, it should to the extent reasonably practicable be located on the same side of the road as existing utility poles, and not closer than one thousand feet (1,000') to another utility pole that was constructed for the purpose of telecommunications equipment. If the new utility pole is required on the opposite side of the road as the existing utility poles, but there are no other overhead wires crossing the road within 200' of the proposed pole location, the crossover wires related to the Accessory Telecommunications shall be located underground. If the requirements of this paragraph are determined not to be practical, documentation shall be provided with the reasons stated.

4. If there is a lawful state or federal mandate or preemption, the mandate or preemption shall apply and the application shall be processed accordingly, but only to the extent of the mandate or preemption. Otherwise, applications shall conform to the standards set out in the Right-of-Way Ordinance and Construction Standards Handbook, as amended. Rules and Regulations of the Office of the County Engineer Governing Driveway Regulations and Pavement and/or Right-Of-Way Opening Provisions for the Unincorporated Area of Hamilton County

5. Compliance with Aesthetic Standards. Applications for a Right-of-Way Permit must demonstrate compliance with the following:

- a. Aesthetic standards contained in the Township's Comprehensive Plan,
- b. Aesthetic standards applicable to the zoning district in which the permit is being sought, and
- c. Aesthetic Design Standards as supplemented herein.
- d. Aesthetic Design Standards utilized by Sycamore Township for existing Right-of-way projects in the immediate and surrounding areas

If compliance with these standards cannot be achieved or are believed by the applicant to be irrelevant, infeasible, not a best practice, or unlawful, the reasons shall be stated in the application or a response to staff request.

Specific:

1. Insurance bond. The Township requires an application, proof of insurance, and a bond or bonds for performance as provided in this Handbook. A maintenance bond may shall be required to ensure removal or repair of a structure or facility. A performance bond as well to ensure restoration of disturbed areas are completed after the construction of facilities.

2. Underground. To the extent feasible, and allowed by law, facilities or the equipment portions of facilities must be placed underground. Facilities or portions of facilities that are above ground or that can be seen from above ground must be installed and maintained in a first-class manner.

3. Avoidance of multiple facilities; coordination. Where the same or similar, service is being provided, applicants must avoid proposing additional facilities if feasible. This includes collocation, sharing of equipment, lines, cables/conduits and their pathways and common or joint trenches; and coordination of installation and maintenance unless infeasible. Seeking competitive advantage alone does not make collocation or sharing of facilities infeasible. This does not permit the Township to provide, or the Applicant to receive, exclusive use of the right-of-way.

4. Avoidance of view of equipment. Where feasible, equipment such as antenna boxes, electrical boxes, pull boxes, cables, grounding rods, water and sewer connections and equipment must be placed underground. If not feasible they must be buffered, such as with vegetation such as bushes or flowers, or an aesthetically pleasing non-advertisement paint or wrap. Wires, cables and equipment to be collocated on a utility pole must be inside the pole or covered with a shroud. No exposed wires or cables are permitted.

5. Avoidance of bulkiness or clutter. To the extent feasible, the equipment portion of a facility must be no larger than is necessary for the proper functioning of the facility. The Township reserves the right to

14. **Waivers.** Waivers can be given where it is clearly demonstrated that strict compliance with these standards or the standards in the Right-of-Way Ordinance/Handbook Rules and Regulations of the Office of the County Engineer Governing Driveway Regulations and Pavement and/or Right-Of-Way Opening Provisions for the Unincorporated Area of Hamilton County cannot be met due to infeasibility or to existence of overriding state or federal law or regulations.

15. **New Technology.** The Township will embrace amendments that reduce the incursion into aesthetics that may occur due to new technological advances.

16. **Obsolete or abandoned equipment must be removed.**

17. **Status of the facility must be periodically reported to the Township.**

18. **Decorative Light Pole or Utility Pole Requirements.** In addition to the requirements of the ODOT C&MS 625 and 725, light poles or utility poles installed shall be as follows:

Decorative Light Poles shall be aluminum and have a min height of twenty-seven feet (27'). Decorative light poles shall include a 120V duplex receptacle with weatherproof while-in-use cover at a mounting height of twelve feet (12').

Decorative pole base covers shall be aluminum and shall be Philips Lumec R92 decorative base cover or Nova Pole Corona style base cover or approved equal.

The pole shaft and decorative base shall have a finish per the manufacturer's specifications. The finish color shall be a Dark Green approximating Federal Color: 14056 (GN8TX). All visible mounting hardware shall also have a Dark Green color finish approximating Federal Color: 14056 (GN8TX).

19. **Inspection.** Inspection, Contact the Township Inspector at (513) 791-8447, 48 hours prior to commencement of any type of work.

20. **Restoration.** Final Restoration within the right of way is to be completed within (4) four weeks after permit work is completed. Temporary Restoration is to be completed as soon as the repair work allows.

Severability Clause. In the event any provision or part of this Policy is found to be invalid or unenforceable, only that particular provision or part so found, and not the entire Agreement, will be inoperative.