

## 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.

- If a new utility pole is required, it shall be designed to accommodate the primary user's antenna and a comparable antenna for at least one additional user. Design approval must be obtained from the local jurisdiction and the material and/or color of the pole shall be compatible with other poles existing, or planned, for the roadway.
- Any ground mounted equipment shall be completely screened with landscaping providing year-round screening, based on the applicable rights-of-way standards, and subject to design approval by Sycamore Township, Hamilton County Engineers Office, or Ohio Department of Transportation. If required landscaping cannot be installed, then the equipment shall be underground. Maintenance of all landscaping shall be the responsibility of the utility provider. Accessory Telecommunications and associated landscaping shall not obstruct adequate sight distance at intersections.
- Lighting shall not be permitted on Accessory Telecommunications, unless it is integrated as a light pole that matches other light poles in the vicinity.
- The owner/agent/controlling party for the utility pole shall provide Sycamore Township with contact information (owner name, contact person, phone number, email address, etc.) of the individual responsible for its maintenance and leasing. Contact information shall be submitted along with permit payments.

#### AESTHETIC DESIGN STANDARDS

1. The following design standards are created as a result of a Federal Communications Commission Declaratory Ruling and Third report and Order, FCC 18-33, WT Docket Nos. 17-79 and 17-84 pertaining to Small Scale Wireless Antenna Deployment. However, to the extent that they are the same or similar to placement of other facilities in or upon the public rights-of-way, public sidewalks, public ways, or public utility easements, they shall apply equally to other facilities. To achieve that end, the Township will not discriminate against wireless facilities, including small-scale wireless facilities, within the meaning of the

telecommunications laws. However, due to the existing beauty and high level of aesthetic awareness of the Township, the Township demands a high standard of aesthetic awareness and compliance for all facilities, especially those that are in full or in part above-ground or that can be seen from above the ground.

2. These standards may also be applied as guidelines to any real or personal Township-owned or controlled property including Township parks, buildings, fixtures, poles, conduits, facilities or other structures or improvements, regardless of whether they are situated in the public rights-of-way, Township-owned public sidewalks and ways, and Township-owned public utility easements.

3. For purposes of these standards the term "facility" or "facilities" will be used to describe all types of placements, including without limitation: wireless facilities, cables, antennas, conduit, rods, electrical transformers, electrical boxes, cable boxes, pull boxes telephone and utility poles, water connections, sewer connections, gas lines, and other similar structures. It is recognized that many of the "facilities" are governed by other laws and regulations, by franchise or other agreements, or other permits.

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

require replacement or removal of facilities or portions of facilities where fewer or smaller facilities or portions become feasible or where a facility is abandoned. An example would be advancing technology that allows for fewer or smaller facilities or portions of facilities.

6. Avoidance of placement in front of structures. Poles, pipes, conduit, and related equipment must not be placed on the front, or principal facade, of a structure unless it is demonstrated that there is no other feasible location.

7. Boring under rights-of-way and sidewalks. Boring of multiple lines under rights-of-way and sidewalks is not permitted where conduit or lines can run parallel and one line or conduit be placed. The application must show the proposed route.

Where the directional bore crosses over/under a storm sewer, the permit holder must submit a pre and post construction video recording of the storm sewer verifying that the system was not penetrated or damaged by the directional bore and/or conduit. The video's must be submitted (2) two weeks prior to and after work is completed or the permit will be REVOKED and NO other permit(s) will be issued. If video verifies that damage occurred, the Permit holder will be responsible to make any necessary repairs, as directed by the Township, within (4) four weeks of being notified.

ALL storm sewer crossovers that fall under the requirements of video recording shall be labeled as such on the submitted permit plan sheets.

8. High level of maintenance. The facility must be properly installed and maintained in working condition. It must be highly polished, painted, and clean. It must blend in with the surrounding background and must be compatible with other facilities including Township facilities and other structures. The Township reserves the right to require, by bond, agreement, or other means, the proper ongoing maintenance, and the removal of the facility or portion that does not meet this standard.

9. Non-removal of Trees; damage to vegetation. Where removal of trees or damage to trees or other vegetation is proposed, the application must be accompanied by a landscape restoration plan and must comply with the Township's landscaping regulations.

10. Historic Preservation. The Township retains its authority to enforce historic preservation regulations. Communications facilities shall not be permitted to be collocated on or to interfere with the aesthetics of historic property, unless waived by the Township.

11. Township's Use of Right-of-Way. A facility must not interfere with the Township's use of the right-of-way, public sidewalk, public way, or public utility easement. To the extent not prohibited by law, regulation, or agreement, the Township retains the right to require relocation of a facility, (temporarily or permanently), or removal and replacement at the applicant's cost. In such case the Township will provide, or attempt in good faith to provide, a suitable alternative location:

12. Applicants must not place or maintain signage on facilities, including small wireless facilities or utility poles unless otherwise required by lawful federal or state law or regulations.

13. Applicants must not have any type of lighted signal, lights, or illuminations unless required by federal or state law or regulations or Township codes.

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.