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12/14/99
RJM/

ORDINANCE NO. 2055

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 20D.170.45 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE, UPDATING AND AMENDING THE WIRELESS TELECOMMUNICATIONS REGULATIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a six-month moratorium was placed on new telecommunication facilities in residential zones on May 19, 1998, as set forth in Ordinance No. 1981; and

WHEREAS, the moratorium established by Ordinance No. 1981 was subsequently extended by Ordinance Nos. 1988 and 2023 and 2039 through December 31, 1999; and

WHEREAS, City staff has completed the tasks outlined in the work plan set forth in Exhibit A of Ordinance No. 2023 which instituted the moratorium; and

WHEREAS, the Planning Commission considered public testimony and comments received by it, and other data and analysis contained in the Planning Commission reports, and on October 27, 1999 forwarded the proposed amendment package to the City Council with a recommendation for approval; and

WHEREAS, the Council has considered the Planning Commission's recommendations and has determined to take the actions described in this ordinance;

WHEREAS, the City Council has only made minor changes to the Planning Commission's recommendation and so can rely on the public involvement activities conducted by the Planning Commission, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Subsection 20D.170.45-020(1)(c) of Section 20D.170.45-020 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (c) A telecommunications facility permit (Type IA) is required for all telecommunications facilities which are not reviewed under special development permit (Type IV) or general development permit (Type II) processes, except for wireless communication facilities which collocate on an existing broadcast and relay tower, where adequate provisions for antennae and ground-mounted equipment exist (building permit only).

Section 2. Subsection 20D.170.45-020(1)(e)(v) of Section 20D.170.45-020 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (v) Wireless communication facilities collocated on an existing broadcast and relay tower, where adequate provisions for antennae and ground-mounted equipment exist, require a building permit only. Wireless communication facilities attached to non-residential structures within all commercial and industrial zoning districts require a building permit and a telecommunications facility permit (Type IA). Wireless communication facilities attached to non-residential structures within all other zoning districts require a building permit and a general development permit (Type II). Wireless communication facilities not attached to an existing structure and not mounted on a broadcast or relay tower (i.e., stand-alone or ground-mounted facilities with antenna(s)) require a building permit and telecommunications facility permit (Type IA). Wireless communication facilities attached to a residential structure require a special development permit (Type IV). Wireless monopoles, lattice, and guy towers, and existing pole structures extended in height, are regulated by the subsections that govern broadcast and relay towers.

Section 3. Subsection 20D.170.45-060(1)(h) of Section 20D.170.45-060 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (h) All broadcast and relay towers shall be removed by the facility owner within 12 months of the date it ceases to be operational, or if the facility falls into disrepair and is not maintained. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts. As defined in Section 20A.20.230, the broadcast and relay tower to be removed includes the freestanding support structure, attached antenna(s), and related equipment, including the concrete pad on which the support structure is located, if applicable.

Section 4. Subsection 20D.170.45-070(1)(i) of Section 20D.170.45-070 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (i) A wireless communication facility shall be removed by the facility owner within 12 months of the date it ceases to be operational, or if the facility falls into disrepair and is not maintained. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts. As defined in Section 20A.20.230, the wireless communication facility to be removed consists of antenna(s) and related equipment and may include equipment enclosure, screening, or support structure, including the concrete pad on which the support structure is located, if applicable.

Section 5. Subsection 20D.170.45-030(3)(a) of Section 20D.170.45-030 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (a) Broadcast and Relay Towers. Broadcast and relay towers including monopoles shall be minimized by collocating wireless facilities on existing towers. New broadcast and relay towers are most appropriately located in industrial areas followed in order of preference by manufacturing, business, commercial, and residential zones (I, MP, BP, CO, CB, GC, PA, OV, RC, NC, GDD, CC and R-30 through R-28). Broadcast and relay towers are not allowed in Urban Recreation, ~~rural~~, Semi-rural and Large Lot Residential zones (A, ~~UR~~, RA-5 and R-1), unless reviewed through the Essential Public Facilities process (RCDG 20D.170.55-040). Broadcast and relay towers are not allowed in the Low Density Residential (R-2 and R-3) zones and the Low-Moderate Density Residential (R-4, R-5, and R-6) zones, unless they meet the Special Exception Criteria (RCDG 20D.170.45-080).

Section 6. Subsection 20D.170.45-030(3)(b)(iii) of Section 20D.170.45-030 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (iii) Publicly Used Structures: Attached to existing public facilities such as water towers, utility structures, fire stations, bridges, and other public buildings within all zoning districts not utilized primarily for recreational or residential uses. (Refer to telecommunications ordinance for rules and regulations specific to facilities located on City-owned land, buildings, or public right-of way.)

Section 7. Subsection 20D.170.45-030(3)(b)(v) of Section 20D.170.45-030 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (v) Residential Zones: Where the installation complies with all FCC regulations and standards, institutional structures, places of worship, and other non-residential sites may be considered.

Section 8. Subsection 20D.170.45-060(1)(e) of Section 20D.170.45-060 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (e) To the extent technically feasible and in compliance with safety regulations, specific colors of paint may be required to allow the broadcast and relay tower to blend better with its setting. The broadcast and relay tower shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical.

Section 9. Subsection 20D.170.45-060(2)(a) of Section 20D.170.45-060 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (a) Commercial broadcast and relay towers shall not be allowed in the Urban Recreation zone, the Semi-Rural (RA-5), or Large Lot (R-1) zoning districts, unless reviewed through the Essential Public Facilities Process (RCDG 20D.170.55). Commercial broadcast and relay towers shall not be allowed in the Low Density Residential (R-2 and R-3) zones and the Low-Moderate Density Residential (R-4, R-5, and R-6) zones, unless they meet the Special Exception Criteria (RCDG 20D.170.45-080).

Section 10. Subsection 20D.170.45-070(1) of Section 20D.170.45-070 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

- (1) Development Standards for All Zoning Districts. The following standards shall be applied to all wireless equipment, such as antenna(s) and equipment shelters, exclusive of the broadcast and relay tower. Wireless monopoles, lattice and guy towers, and existing pole structures extended in height, are regulated by the subsections that govern broadcast and relay towers, RCDG 20D.170.45-060.

Section 11. Subsection 20D.170.45-070(1)(e) of Section 20D.170.45-070 of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

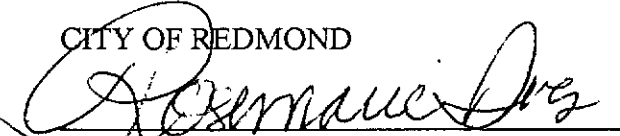
- (e) Location of wireless communication antenna(s) on existing buildings or other structures shall be screened or camouflaged to the greatest extent by use of shelters, compatible materials, location, color, and/or stealth tactics to reduce visibility of the antenna(s) as viewed from any street or residential property.

Section 12. Subsection 20D.170.45-080(4)(a) of Section 20D.170.45-080 of the Redmond Municipal Code and Community Development Guide is hereby amended to by the addition of a new subparagraph to read as follows:

(iii) Placement of a broadcast and relay tower within the R-2, R-3, R-4, R-5, and R-6 zones shall meet the Special Exception Criteria.

Section 13. Severability. If any section, sentence, clause, or phrase of this ordinance or any regulation adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any regulation adopted by amended hereby.

Section 14. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 
JAMES E. HANEY

FILED WITH THE CITY CLERK:	December 13, 1999
PASSED BY THE CITY COUNCIL:	December 14, 1999
SIGNED BY THE MAYOR:	December 30, 1999
PUBLISHED:	December 18, 1999
EFFECTIVE DATE:	December 23, 1999
ORDINANCE NO.: <u>2055</u>	