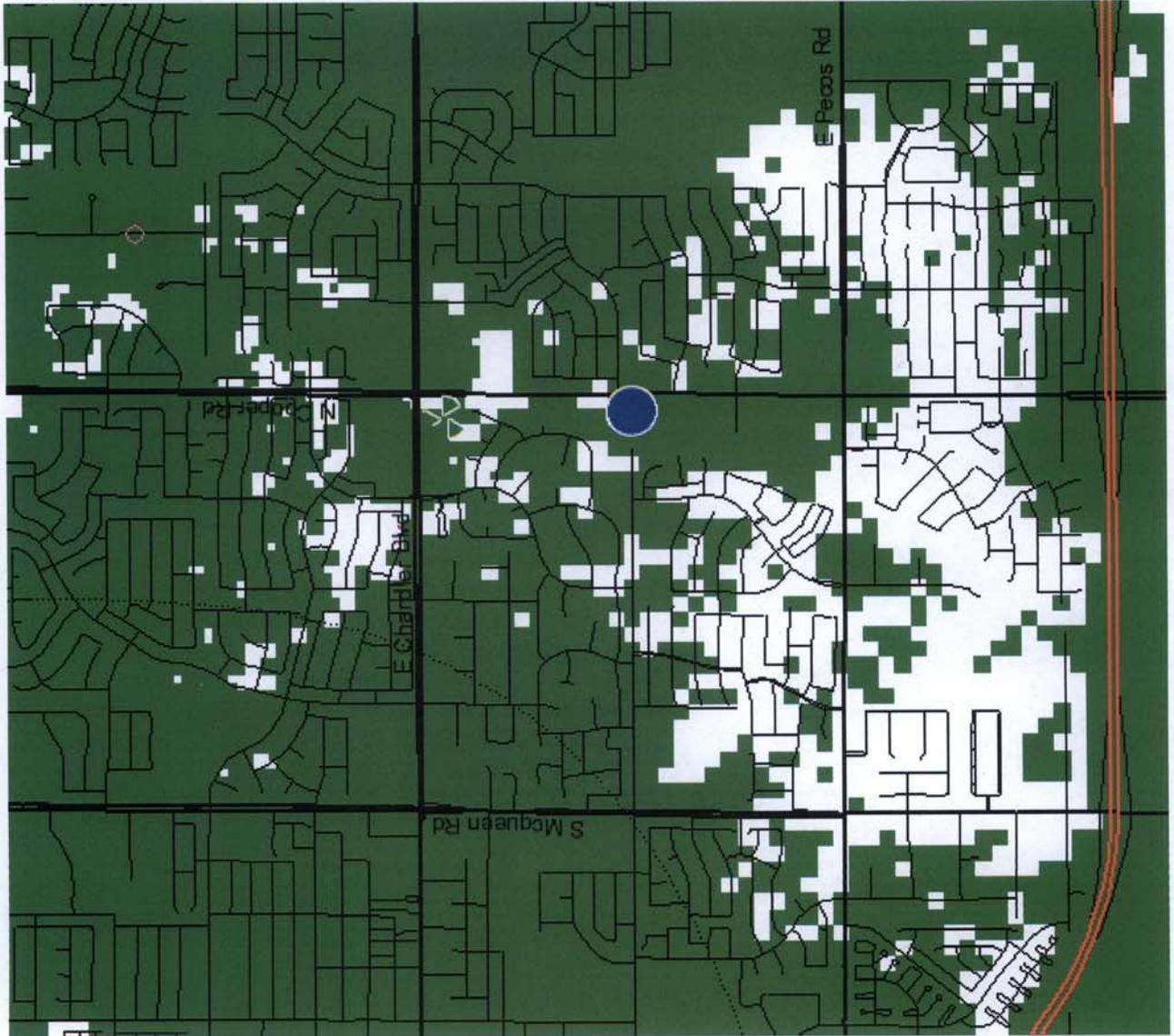


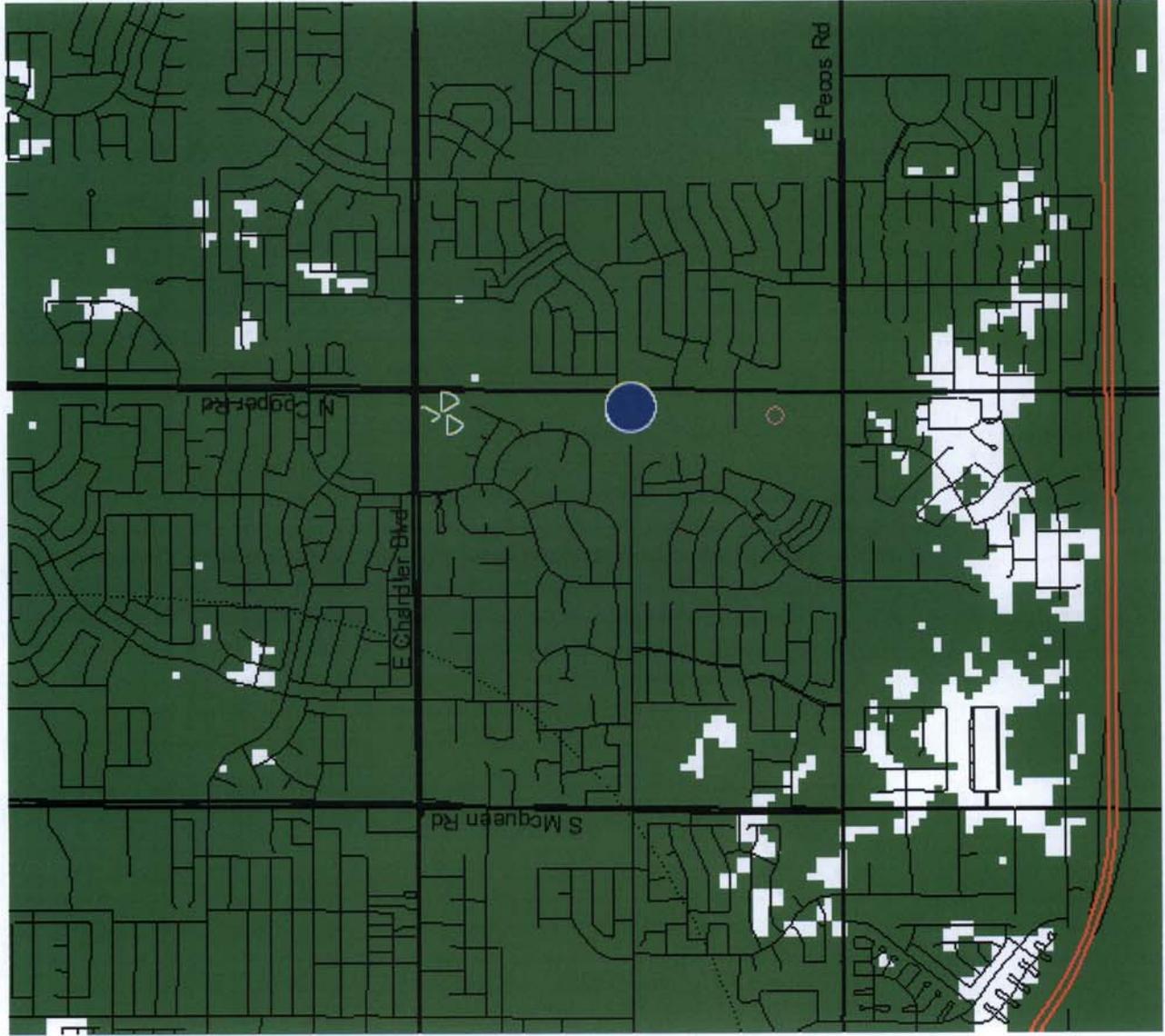
Add info # 46

AUG 27 2009

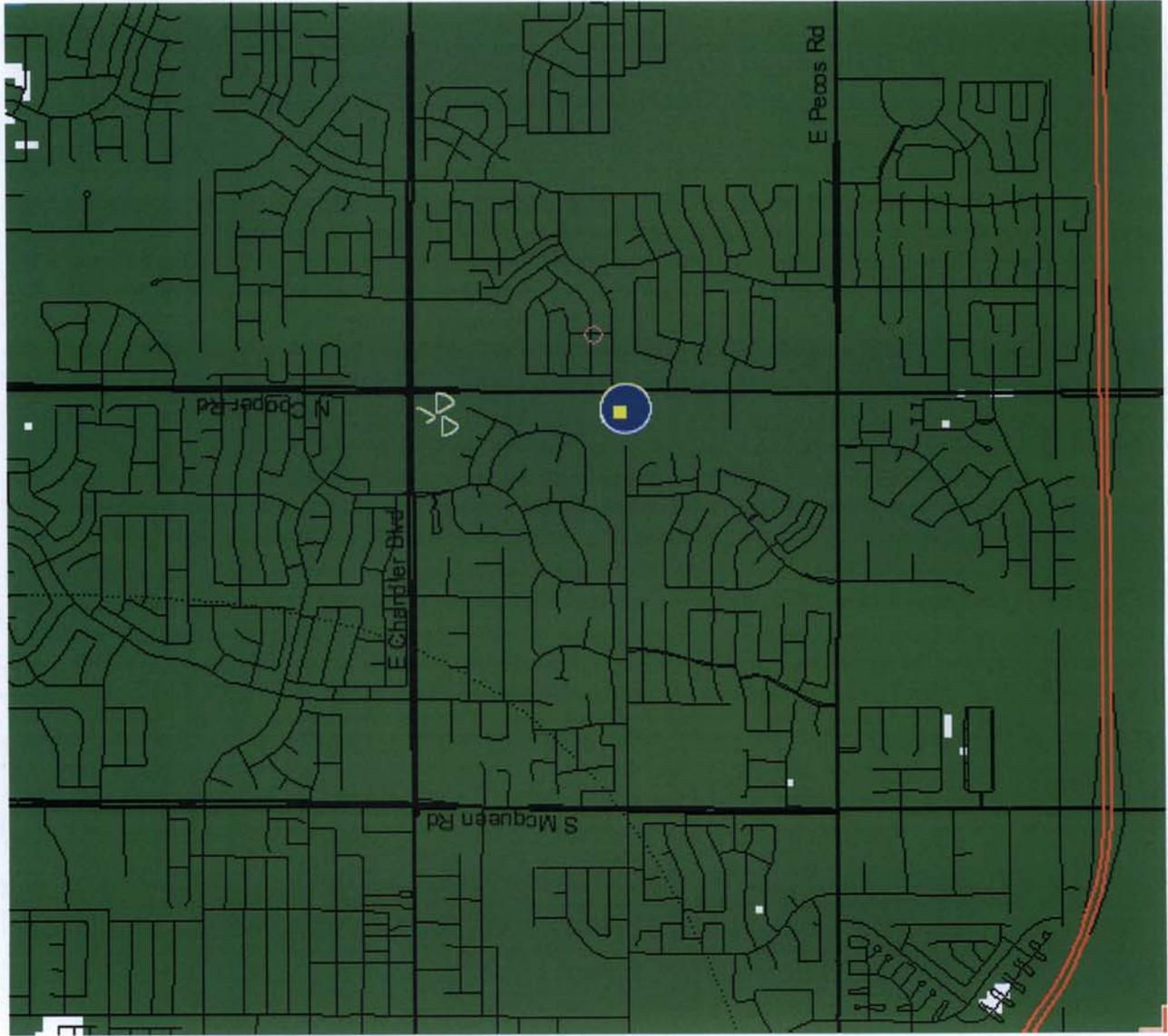
Coverage without PHX-350



Coverage with PHX-350
At Height of 48 ft



Coverage with PHX-350
At Height of 65 ft



Coverage with PHX-350 at Intersection Cooper/Chandler



#46

AUG 27 2009



Chandler · Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 09-084a

DATE: AUGUST 19, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: UP08-0073 HILL ACADEMY WIRELESS FACILITY

Request: Use Permit approval to install a 52-foot wireless communication facility

Location: Hill Learning Academy at 290 S. Cooper Road

Applicant: Quinn United for Cricket Wireless

Owner: Chandler Unified School District

Zoning: Planned Area Development (PAD)

City Council continued this request from the August 13, 2009 hearing in order to receive information regarding Cricket's coverage in the area and the Chandler Zoning Code's wireless communications policy. The applicant has also provided additional site photographs. Cricket's coverage map will be provided to Council prior to the August 27 hearing. The other items are among the memo attachments.

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The application requests a new 52' cell tower wireless facility to be located west of the new Hill Learning Academy that backs to the Consolidated Canal at 290 S. Cooper Road. The proposed cell tower resembles the typical combination light pole/wireless facility that exists elsewhere in Chandler, including on the church property immediately north of the subject site. However, in this case, there is not an existing light pole and the final product is not intended to provide lighting. Rather, the request is simply for a wireless facility hidden in a vertical metal canister. The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

To the north is an existing church, to the west is the Consolidated Canal, to the south are power lines and a planned City of Chandler park, and to the east across Cooper Road are single-family homes. The nearest residential properties to the proposed cell tower are approximately 305 feet to the northwest, 335 feet to the southwest, and 450 feet to the east across Cooper Road. There is an approximately 40'-high cell tower disguised as a light pole on the church property to the north. There is also an approximately 65'-high wireless facility on top of the power lines immediately southwest of the subject site.

The 52'-tall wireless facility will be located west of the school building. The associated mechanical equipment will occupy 450 square feet either on the roof (preferred) or adjacent to the proposed pole behind the building, depending on the ability to provide screening in a manner required by code. Illustrations of the proposed cell tower wireless facility are attached. Note that the elevations do not show properly screened mechanical equipment. Any mechanical equipment will have to meet the Zoning Code requirements, including that screening be of a height equal to or greater than the top of the equipment and that the screening be architecturally integrated with the building. The applicant may pursue relocating the equipment to the ground if proper rooftop screening cannot be attained.

Within the immediate area, there are no suitable alternatives for co-location of the wireless communication facility on existing poles or towers. According to information provided by the applicant as required by code, there are six verticalities of a height similar to or greater than the proposed cell tower within one mile. The most obvious alternatives are the SRP power poles south of the site and an SRP substation located west of the canal, but the applicant has been unable to get SRP approval on either site due to their review criteria and space availability. The church site to the north has ground space limitations that make it prohibitive. Other verticalities are outside of the intended service area. An inventory of the analyzed verticalities provided by the applicant is among the attachments.

DISCUSSION

Planning Commission and Staff find the proposed location to be appropriate for a wireless facility of a canister design such as proposed. The proposed pole is over 300 feet from residential properties in a setting where a similarly sized light pole or flagpole might be expected, and where it is visually overshadowed by the taller power lines to its south.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed according to the provisions of the City of Chandler Zoning Code.
- A neighborhood meeting was held on March 8, 2009 at the subject site. No citizens attended.
- At the time of this writing, Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

In Favor: 6 Opposed: 0 Absent: 1 (Hartke)

Planning Commission added Condition No. 3 to help reduce the pole's visual impact. Commission discussed alternative locations in some detail, but ultimately recommends approval for the proposed location.

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of UP08-0073 HILL ACADEMY WIRELESS FACILITY subject to the following conditions:

1. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The pole shall be painted to match the building behind it.

PROPOSED MOTION

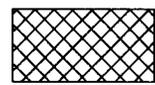
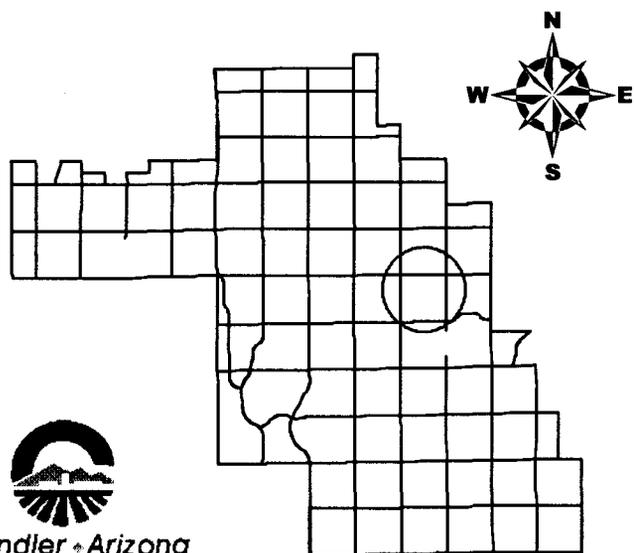
Move to approve UP08-0073 HILL ACADEMY WIRELESS FACILITY Use Permit for a wireless communication facility, subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Site Plan and Elevation
3. Applicant Narrative and Photosimulations
4. Inventory of Verticalities within One Mile
5. Additional Site Photos
6. Zoning Code Excerpt – Wireless Communications Policy



Vicinity Map



UP08-0073

**Hill Learning Academy
Wireless Facility**



Vicinity Map



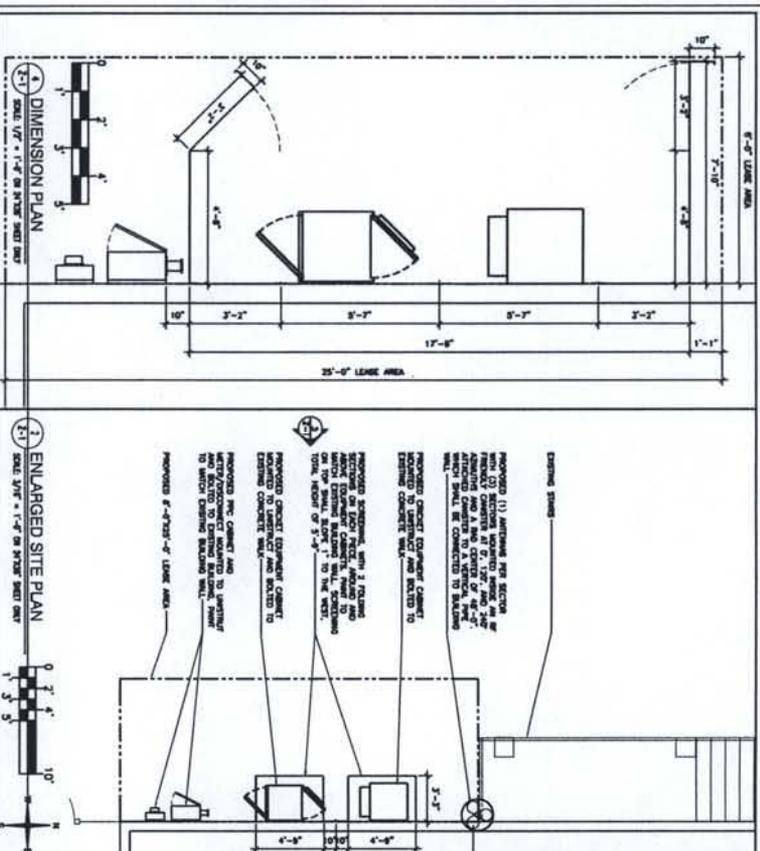
UP08-0073

**Hill Learning Academy
Wireless Facility**

CITY OF CHANDLER 6/25/2009



Chandler • Arizona
Where Values Make The Difference



PROJECT SUMMARY

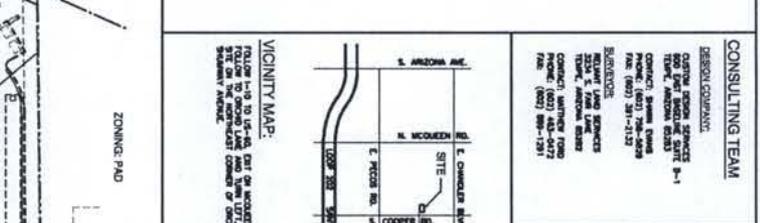
PROPERTY OWNER:
GTP-CHANDLER SCHOOL COOPER ROAD
CHANDLER, AZ 85226

APN: 303-02-011F
JURISDICTION: CHANDLER
ZONING: PAD

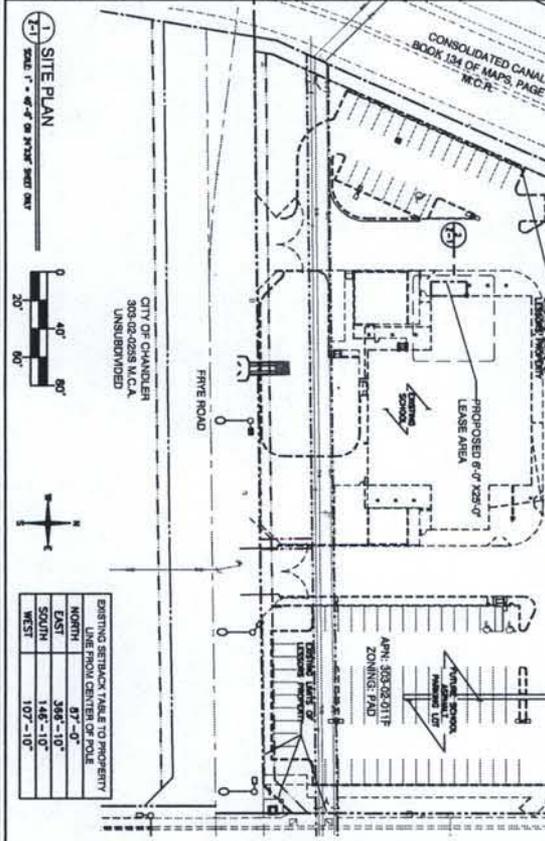
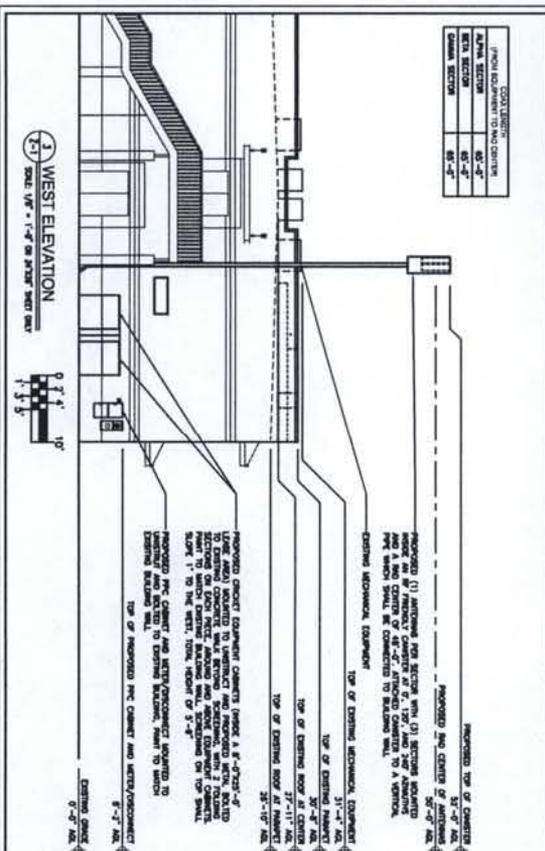
APPLICANT:
CRICKET COMMUNICATIONS
4000 E. COTTON CENTER
PHOENIX, ARIZONA 85044
PHONE: (602) 426-4438

ZONING/PERMITTING
CONTACT: SCOTT CULPIN
PHONE: (602) 351-8088

CODES:
2008 INTERNATIONAL BUILDING CODE
2008 NATIONAL ELECTRIC CODE
OCCUPANCY CLASSIFICATION: U
TYPE OF CONSTRUCTION: I B



CONSULTING TEAM		SITE NAME: GTP-CHANDLER SCHOOL COOPER ROAD	
DESIGN CONSULTANT: CRICKET COMMUNICATIONS 4000 E. COTTON CENTER PHOENIX, ARIZONA 85044 PHONE: (602) 426-4438		SITE NUMBER: PHX-350-A	
CIVIL ENGINEER SERVICES FOR THE STATE OF ARIZONA: TERRY L. WILSON PHOENIX, ARIZONA 85044 PHONE: (602) 788-4000 FAX: (602) 391-2132		CITY: CHANDLER	
ELECTRICAL ENGINEER SERVICES FOR THE STATE OF ARIZONA: CONRICK, WATKINS FORD PHOENIX, ARIZONA 85044 PHONE: (602) 962-1511		COUNTY: MARICOPA	
BLANKET: SUNLINE FLOOR SERVICES PHOENIX, ARIZONA 85044 PHONE: (602) 962-1511		STATE: ARIZONA	
SHEET INDEX		DESIGN: PROPOSED 6x6x15' PENTHOUSE ON TOP OF EXISTING SCHOOL	
OWNER: CRICKET	DESIGNED: SPT CORPORATION, SPT FIRM, DANIELS SPT, AND ELSTON	REVISIONS:	SIGNATURE BLOCK
SA: RF	CONSTRUCTION: OPS	CONSTRUCTION: OPS	
NETWORK: CONSTRUCTION	ZONING/PERMITTING: CONSTRUCTION	ZONING/PERMITTING: CONSTRUCTION	



DATE: 02/12/08	DESCRIPTION: CHANGES	BY: CM
DATE: 04/09/09	DESCRIPTION: REVISIONS	BY: CM
DATE: 04/23/09	DESCRIPTION: RE-SUBMITTAL	BY: CM
DATE: 04/23/09	DESCRIPTION: CHANGES	BY: SPE
DATE: 04/23/09	DESCRIPTION: CHANGES	BY: CM
DATE: 07/13/08	DESCRIPTION: CHANGES	BY: SPE
DATE: 07/23/08	DESCRIPTION: CHANGES	BY: SPE

PROJECT INFORMATION:
03-148-03
PHX-350-C
GTP-CHANDLER SCHOOL
COOPER ROAD
MFC OF FIRE RET. & CONSERV. NO.
CHANDLER, AZ

SHEET TITLE:
SITE INFORMATION, SITE PLAN, ENLARGED SITE PLAN, AND ELEVATION

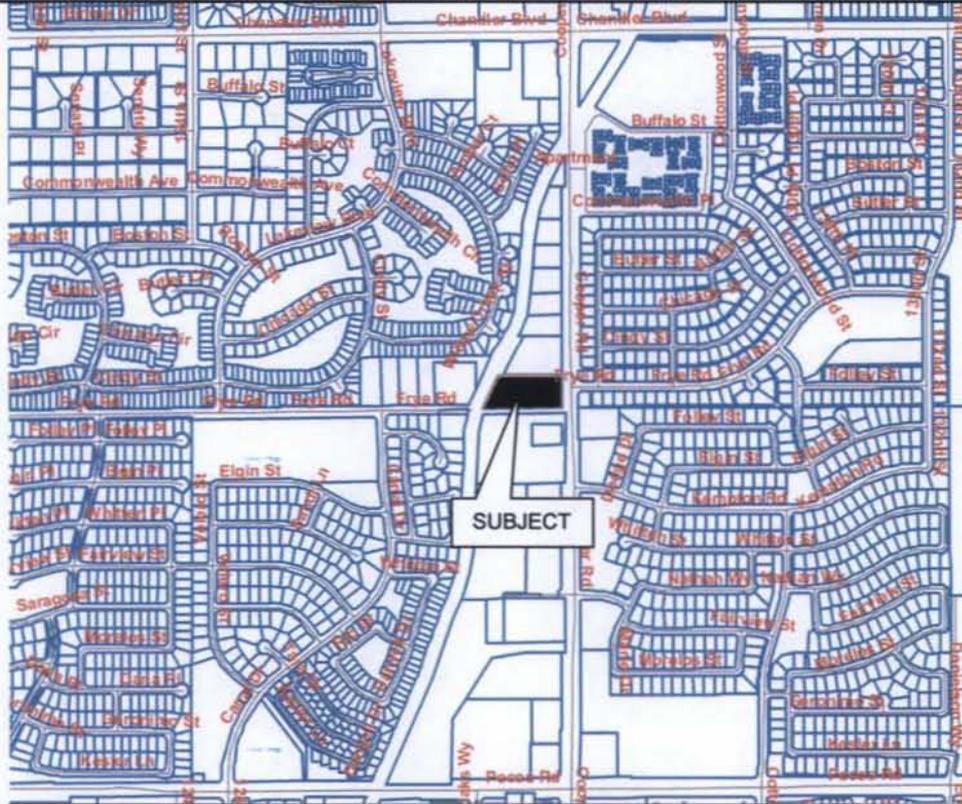
SHEET NUMBER:
Z-1

cricket:
communications
4000 E. COTTON CENTER SUITE 300
PHOENIX, ARIZONA 85044
PHONE: (602) 788-4438

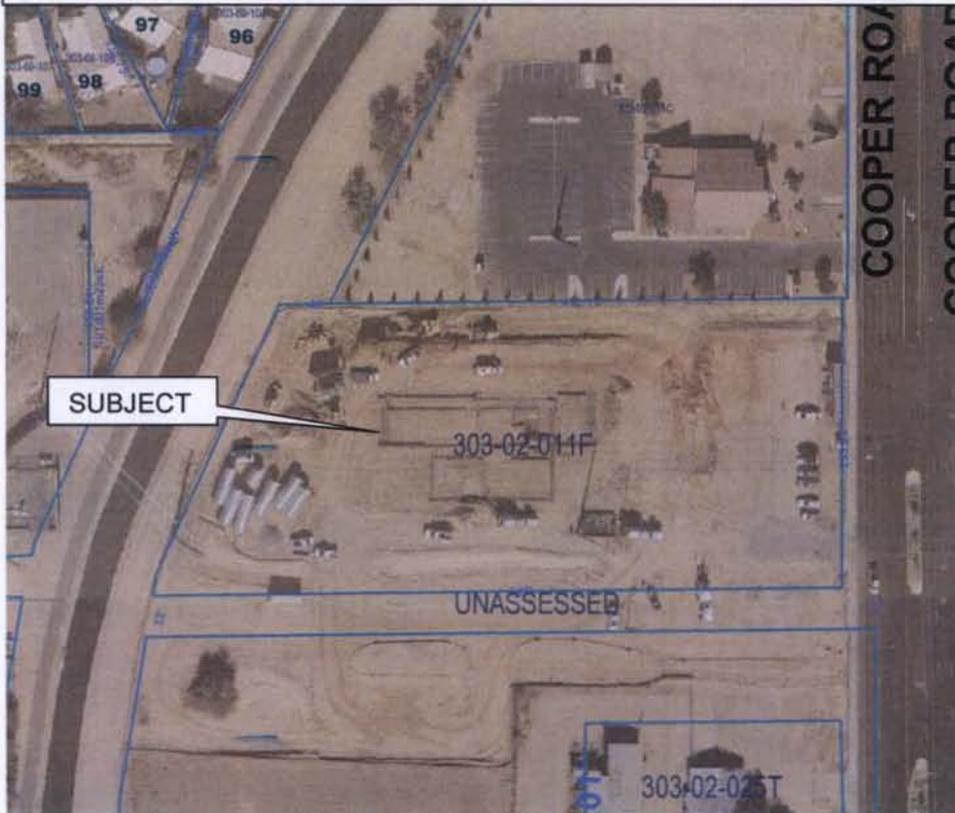
CDS
Custom Design Services
600 E. Baseline Road, Suite B-1
Tempe, Arizona 85283
PH: (602) 788-8829 FX: (602) 391-2132

PLANS PREPARED BY:
SPT CORPORATION, SPT FIRM, DANIELS SPT, AND ELSTON

CITY OF CHANDLER USE PERMIT APP UP08-0073 revised June09

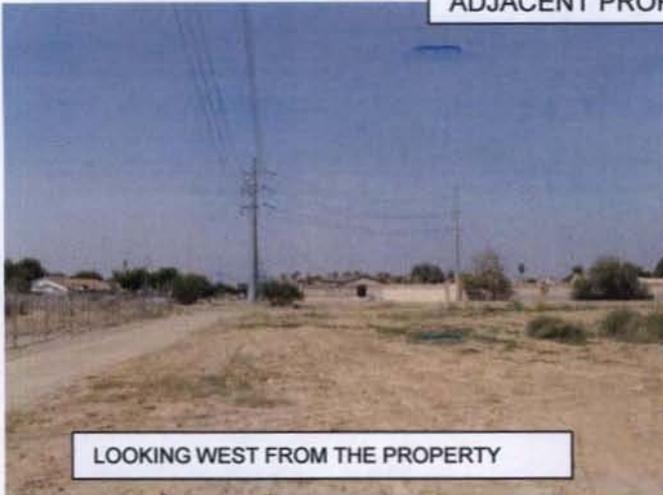


SUBJECT CRICKET PHX-350 STEALTH CONCEALED WIRELESS COMMUNICATION FACILITY AT CHANDLER UNIFIED SCHOOL DISTRICT CHARTER SCHOOL PROPERTY

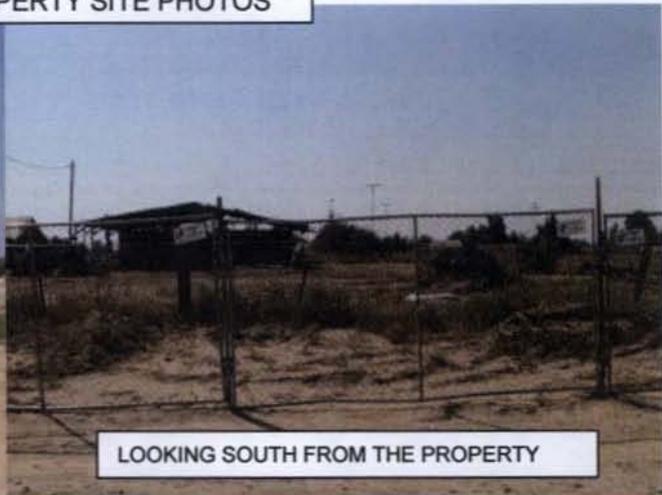


Scott Quinn - QUINN UNITED ENTERPRISES FOR CRICKET
Member of the American Planning Association & National Assoc Realtors
3655 West Anthem Way, Suite A109-250, Anthem, AZ 85086
623-551-6096, scottquinn@quinnunited.com, 623-321-9911 Fax

ADJACENT PROPERTY SITE PHOTOS



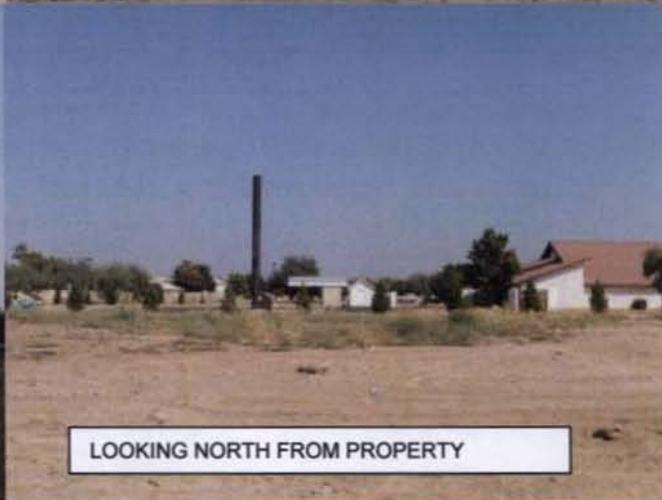
LOOKING WEST FROM THE PROPERTY



LOOKING SOUTH FROM THE PROPERTY



LOOKING EAST AT SUBJECT PROPERTY PRIOR TO SCHOOL CONSTRUCTION



LOOKING NORTH FROM PROPERTY

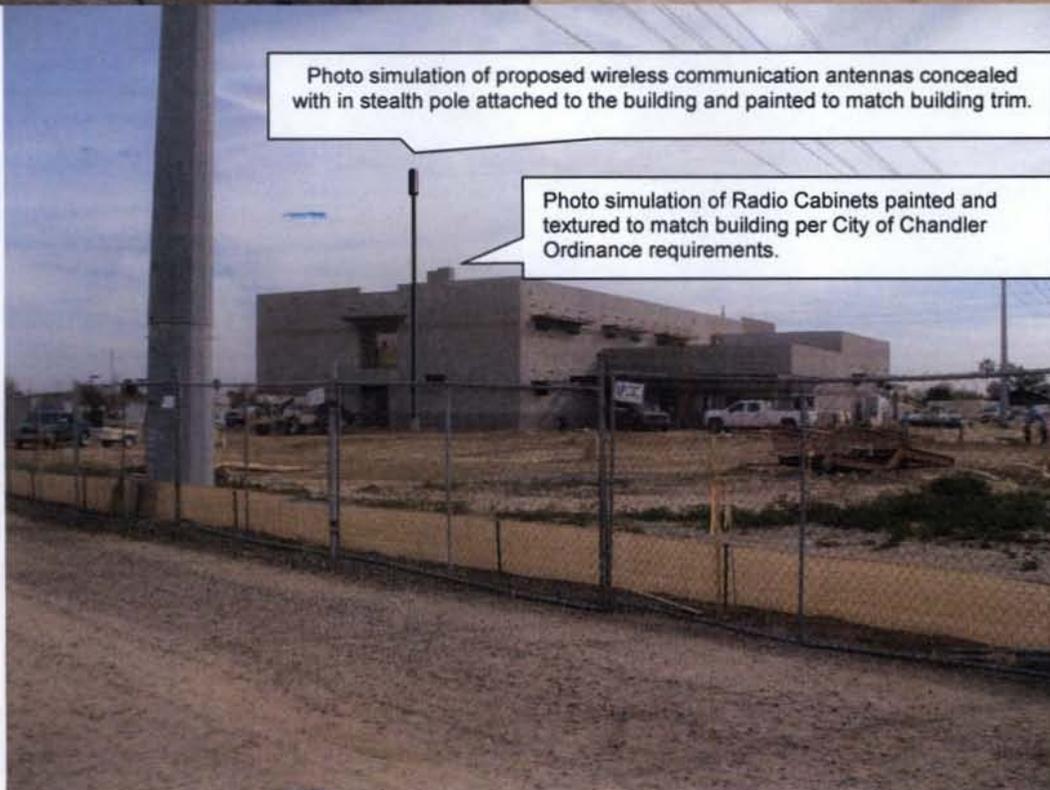


Photo simulation of proposed wireless communication antennas concealed with in stealth pole attached to the building and painted to match building trim.

Photo simulation of Radio Cabinets painted and textured to match building per City of Chandler Ordinance requirements.

DESCRIPTION OF THE PROPOSAL

The subject proposal is allow for new 52-foot high pole used to conceal wireless communication antennas. The associated radio cabinets are to be placed on the school rooftop and will be painted the same color as the school building per the City of Chandler Ordinance requirements and appear as an architectural appurtenance. The rooftop lease area will be 22'-6" by 22'-6" with the pole being attached to the side of the building. Cricket prefers to collocate on existing vertical elements as evidence of more than ninety percent (90%) of its cell sites. Cricket made attempts to locate at the adjacent SRP Substation and at the existing wireless facility on the adjacent church property but both parties could not accommodate a collocation. Specific site alternatives are provided in a separate document. The following is an outline of the limitations to the area and how Cricket will comply with all Federal, State, and Local Regulations with respect to wireless communication facilities:

Cricket Wireless Specific Information

- Cricket proposes (3) three antennas to be placed at the 50-foot Centerline.
- The antennas will be concealed inside of a canister with a maximum length of six feet.
- Ground equipment will be placed on the rooftop and painted the same color as the building per the City of Chandler Ordinance Chapter 35, Section 1902, 5C guidelines.

RELATIONSHIP TO SURROUNDING PROPERTIES

The proposed unmanned wireless communications facility will generate no refuse, and will use no water or sewer services. There should be no demand for police surveillance. The facility is isolated and enclosed from other buildings, minimizing any fire dangers. Emergency vehicle access is available directly to the site via the existing paved driveway.

The project site is located in PAD zoning district and the parcel and the primary use of the property will be a Chandler School.

The distance from the property lines are as follows:

Setbacks from residential uses:

- 103+feet to North property line – The adjacent property is a Church zoned PAD and does have a wireless communication facility that was done as light pole replacement and is esthetically challenged.
- 120.81+feet to the South property line which is a tax exempt area with no defined parcel and a vacant City of Chandler owned parcel to the South of that zoned AG.
- 365+feet to East Property line which is Cooper Rd with the nearest residential dwelling unit being zoned SF 8.5 at an estimated distance of over 400+feet.
- 123+feet to West property line which is a canal and an SRP substation zoned AG. The nearest residential dwelling unit is 300+feet to the Northwest, zoned PAD, with both the Utility substation/transmission lines and canal between.

The proposal helps to reduce district cost for the area and also provides emergency services and therefore is an overall benefit for the area while providing additional services.

LOCATION AND ACCESSIBILITY

The proposed location is not located within a Scenic Corridor or Airbase Overlay District. The site technician will use an existing 9x18 foot parking stall for the once a month routine maintenance visit. The existing access road shall be utilized for routine maintenance of the wireless communication facility as well as emergency service repairs or any non routine visits.

CIRCULATION SYSTEM (IMPROVEMENTS ON AND OFF SITE)

The existing access will be used resulting in no change to the circulation.

DEVELOPMENT SCHEDULE

Cricket would normally begin construction of the proposed project 1 week after obtaining the required planning and building permits. 4-6 weeks is required for construction to be completed and for Cricket engineers to optimize the system.

COMMUNITY FACILITIES AND SERVICES

The project property is located in a more densely populated area of Chandler in need of enhanced services.

The location, size, design, and operating characteristics of the proposed communications facility will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.

The equipment associated with the communication structure operates quietly or virtually noise-free and does not emit fumes, smoke, or odors that could be considered objectionable. The communications facility is unmanned and only requires periodic maintenance that equates to approximately one vehicle trip per month.

RADIO FREQUENCY EMISSIONS

PCS facility will fall within the portion of the electromagnetic spectrum, which transmits non-ionizing radio waves. "Non-ionizing" electromagnetic emissions, at the low levels associated with this type of wireless technology, are not harmful to living cells. Among the items which result in non-ionizing electromagnetic emissions are police/fire/EMS radios, television broadcasts, CB radios, microwave ovens, baby monitors, home wireless phones, garage door openers, and many other items used in day to day life. Not to be confused with "ionizing" electromagnetic emissions which include ultra-violet light, medical x-rays and gamma rays.

RADIO FREQUENCY FCC COMPLIANCE

The FCC allows Cricket to operate with the FCC approved "transmit" frequencies. The power required to operate the facility typically does not exceed 200 watts per channel, and thus, the Cricket facility is by design a low-power system. Depending upon characteristics of the site, the actual power requirements may be reduced.

When operational, the transmitted signals from the site will consist of non-ionizing waves that will typically operate at levels lower than the allowed FCC standard for continuous public exposure of 900 microwatts per square centimeter.

Public Utilities and Services

The proposed unmanned wireless communications facility will generate no refuse, and will use no water or sewer services. There should be no demand for police surveillance. The facility is isolated from other buildings, so that in the remote chance of a fire within the cell site equipment, other buildings in the area would not be threatened. Fire vehicle access is available directly to the site over paved roads, driveway and parking area and is a fire station.

Other Information

- The site is outside of the 100-year flood plain boundary and the engineer foresees no issues with the subject proposal.
- No Traffic Impact Study is provided due to only one trip generation per month.
- There will be no noise, smoke, dust, odor, vibration or illumination created by the proposed use.
- Existing communication facilities within a 1-mile radius of the subject site were not available or lacked the appropriate radio frequency engineering design requirements.
- Other existing vertical elements were eliminated due to unwilling landlords, unavailable height, ground space, and physical site restraints.
- The parcel was chosen due to the subject parcel size allowing adequate distance from adjacent residential parcels and the critical need to provide emergency services to the area.

SUMMARY

The proposed design will be engineered certified to be in compliance with the City of Chandler's Zoning ordinance, International Building, Electric, and Fire Codes. The proposed wireless communication facility will meet or exceed all Federal, State, Local Government agency requirements including the Federal Communication Commission (FCC) and the Radio Frequency (RF) exposure standards.

Cricket is excited about the opportunity to bring enhanced service to Chandler County area. As a result, residents and tourists will benefit from the improved coverage and options available. The improvements will help to enhance E-911, City, and Public communication services.

Please refer to the drawings and supplemental information for any further clarification.

Sincerely,



Scott J. Quinn

Scott Quinn - Quinn United Enterprises for Cricket
Member of the American Planning Assoc & National Assoc of Realtors
3655 W Anthem Way, A109 PMB 250, Anthem, AZ 85086
623-551-6096, scottquinn@quinnunited.com, 623-321-9911

ALTERNATIVE SITES FOR CRICKETS PROPOSED SITE PHX-350
AT THE CHANDLER UNIFIED SCHOOLDISTRICT CHARTER SCHOOL PROPERTY

THE FOLLOWING SITES ARE ALTERNATIVE SRP SITES: IN MOST CASES CRICKET HAS USED SRP AND APS SITES WHENEVER POSSIBLE WHICH EVIDENCE BY 22 OF THE CRICKET 60 BUILD SITES IN 2009 (16 SRP, 6 SRP).

SRP services the subject area and list of the search rings were provided to SRP prior to reviewing the rings for other candidates. Of the sixty (60) search rings SRP was able to accept sixteen (16) of them and are in the process of developing the sites for Cricket. Quinn United has been responsible for the site acquisitions, leasing, and development of the SRP sites while SRP does the zoning, permitting and construction.

In the cases below the SRP sites were not accepted by SRP or were outside the Radio Frequency Coverage objective area and could not propagate the required Radio Frequency Signal.

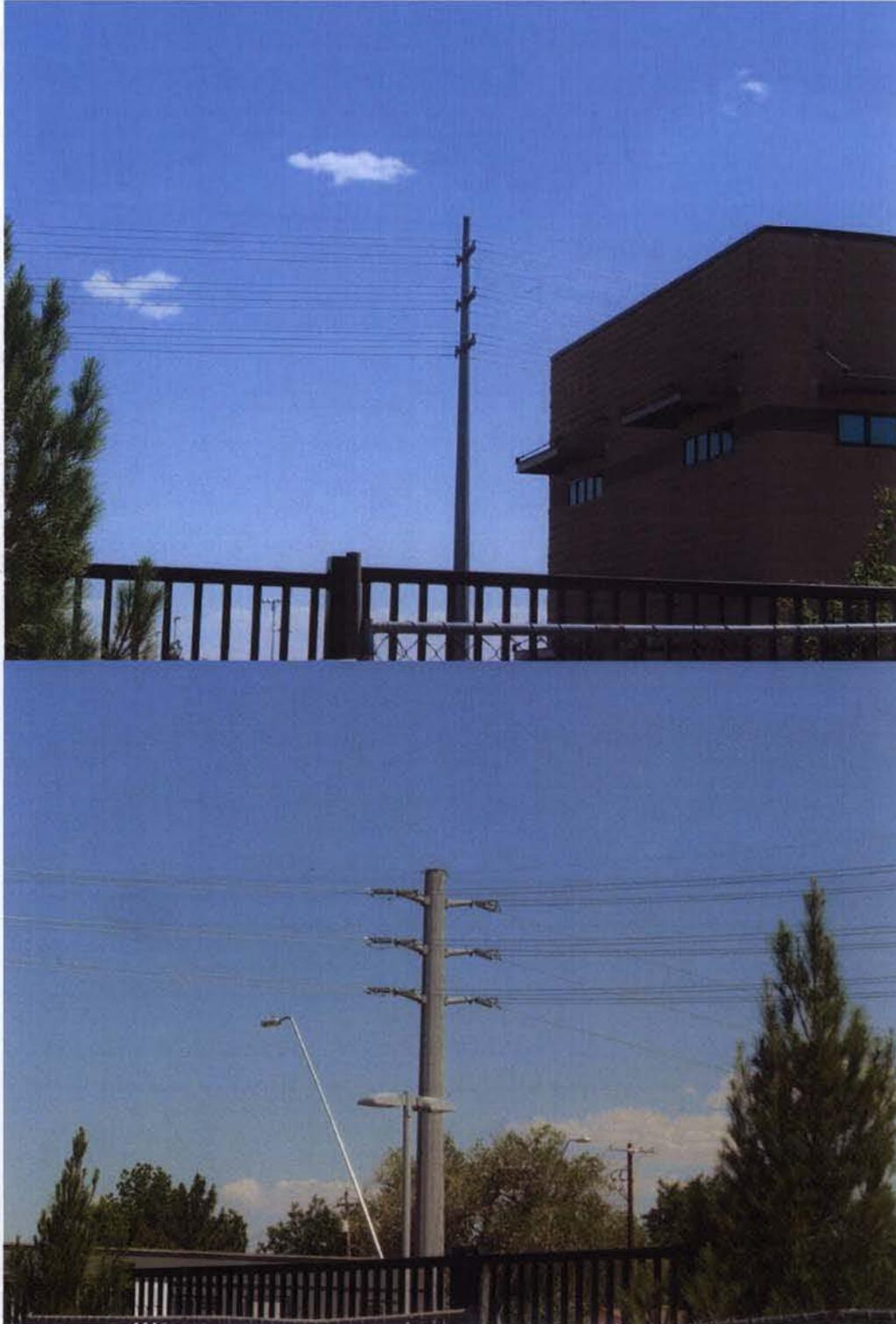
REPRESENTS THE TYPICAL SRP POLE IN THE AREA THAT
COULD NOT BE USED DUE TO SRP REVIEW CRITERIA



FRYE SUBSTATION WITHIN A MILE WAS FIRST CHOICE
BUT SRP STATED NO POLES AVAILABLE



SRP POLES AT THE SUBJECT SCHOOL SITE
COULD NOT BE USED DUE TO SRP REVIEW CRITERIA



**MONOPOLE AT FRYE/DELEWARE – 2 MILES WEST OF SITE
TOO FAR OUTSIDE THE COVERAGE OBJECTIVE**



CHURCH SITE TO NORTH OF SUBJECT SITE-2 LEASES WOULD BE REQUIRED AND GROUND SPACE LIMITATION ALONG WITH STRUCTURAL ISSUES MAY THE SITE COST PROHIBITIVE



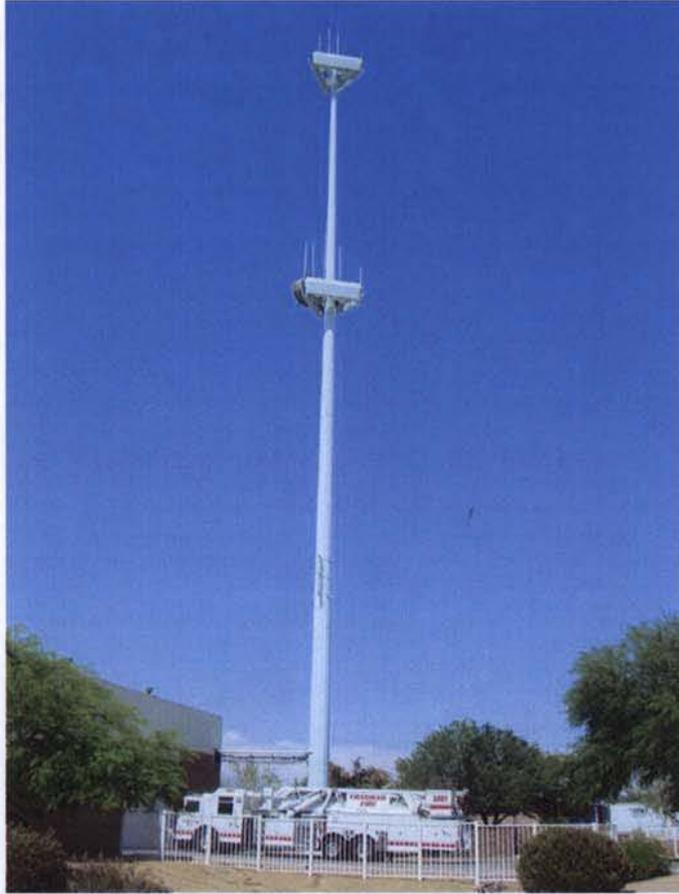
**BALL FIELD LIGHT POLES ON COOPER RD
WERE OUTSIDE COVERAGE OBJECTIVE AND NOT AVAILABLE**



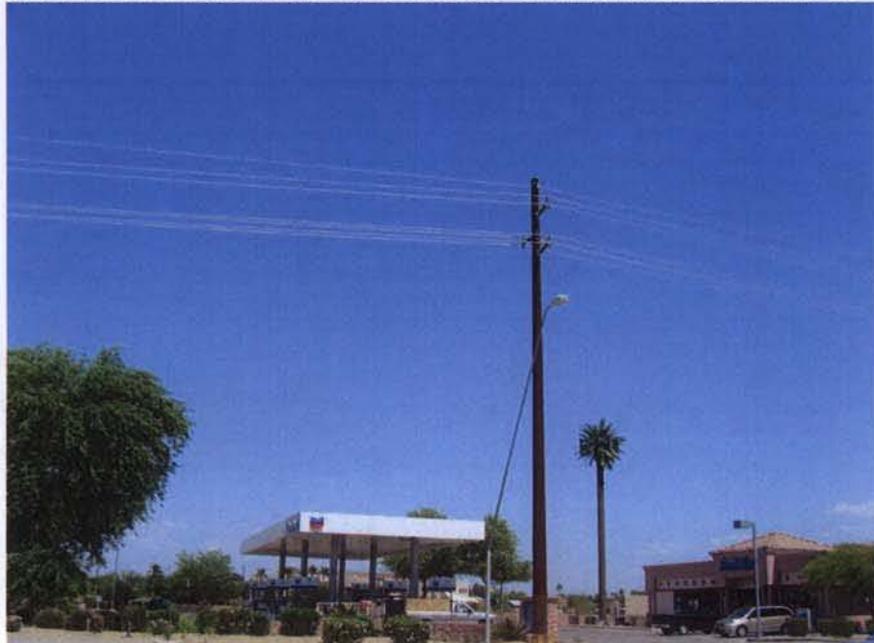
**BALLFIELD LIGHT POLE AT FRYE/MCQUEEN
WERE OUTSIDE COVERAGE OBJECTIVE AND NOT AVAILABLE**



MONOPOLE AT FIRE STATION –GERONIMO/HAMILTON
2 MILES WEST OF SITE OUTSIDE COVERAGE OBJECTIVE



SRP POLES AND MONOPOLE LOCATED TOO FAR TO THE SOUTH TO MEET COVERAGE OBJECT



LOOKING EAST AT SUBJECT SITE FROM SRP SUBSTATION



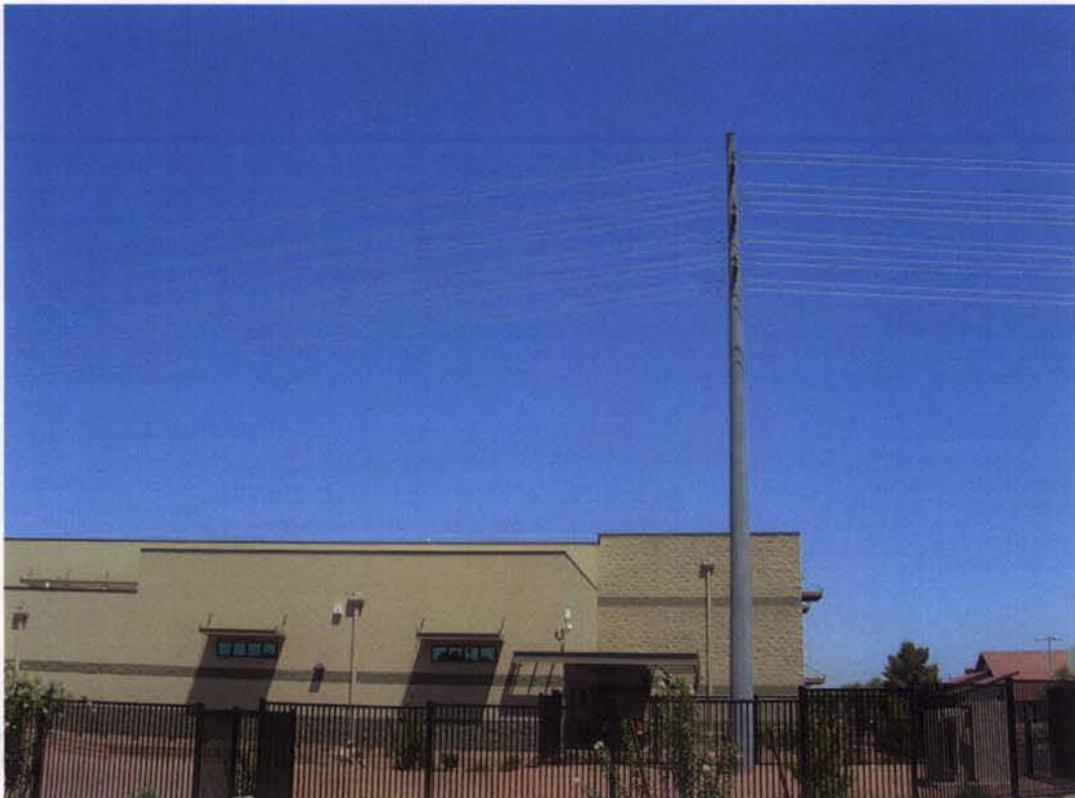
LOOKING WEST FROM COOPER AT SUBJECT SITE AND SRP SUBSTATION IN BACKGROUND

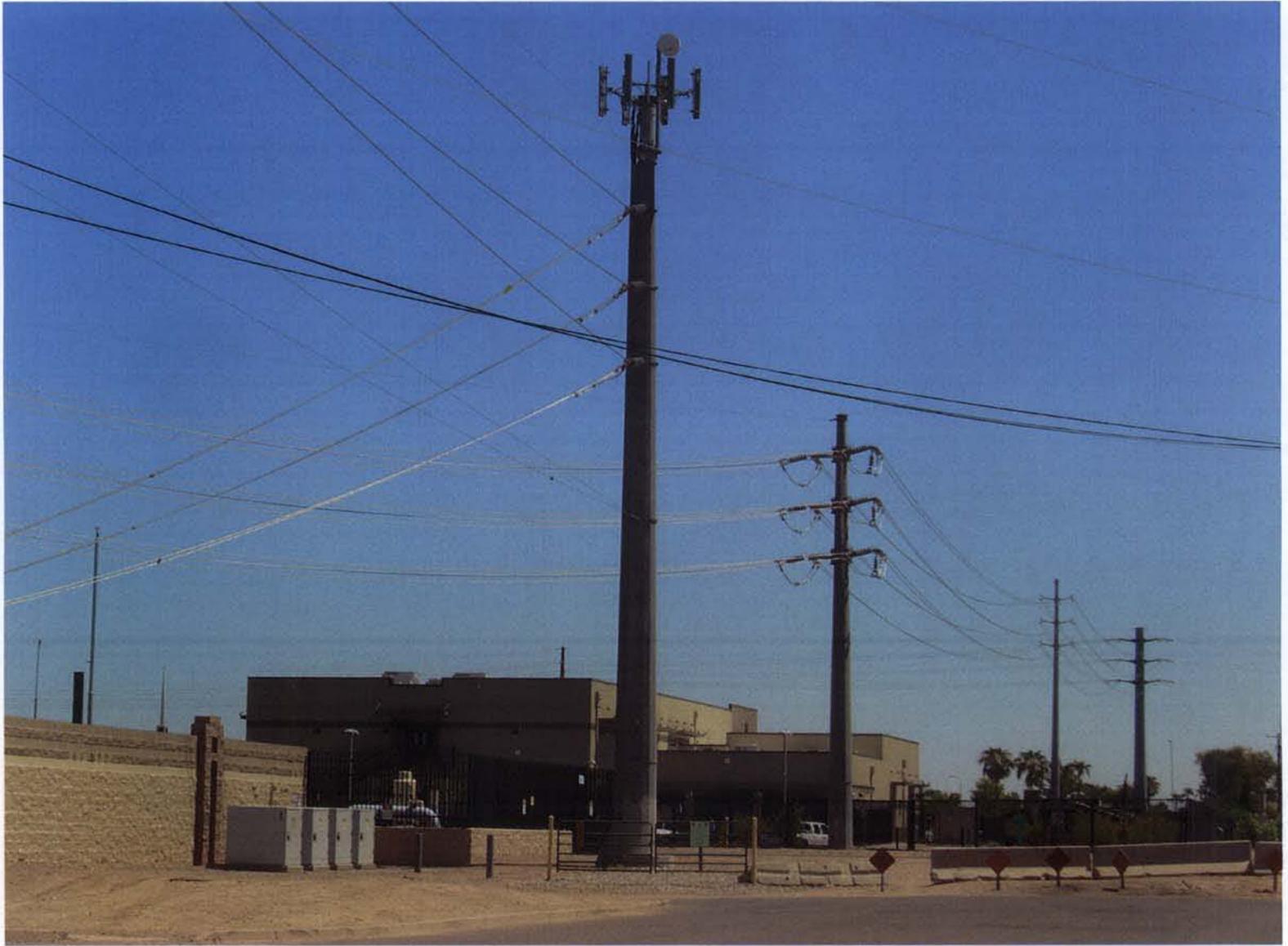


LOOKING WEST WITH SBUSTATION IN BACKGROUND



LOOKING NORTH FROM SOUTH SIDE OF PROPERTY







35-2209. Wireless communication facilities.

(1)*Definitions:* In this section, unless the context otherwise requires, the following definitions shall apply:

Antenna: A device used in wireless telecommunications which transmits or receives radio or microwave signals. Antenna includes a dish antenna, panel antenna, or whip antenna. An antenna not specifically described herein shall be regulated in conformity with the type of antenna described herein which most closely resembles such antenna.

Directional or "panel" antenna: A device that receives and transmits signals in a directional pattern typically encompassing an arc of one hundred twenty (120) degrees.

Omni-directional or "whip" antenna: A device that receives and transmits signals in a three hundred sixty-degree pattern, and which is up to fifteen (15) feet in height and up to four (4) inches in diameter.

Parabolic or "dish" antenna: A bowl-shaped device that receives and transmits signals in a specific directional pattern.

Equipment building: An unstaffed structure attached to or made part of a wireless communication facility and used to house equipment needed to operate and maintain a wireless communication facility.

Industrial, commercial or residential zoning districts: As used in this section 2209, an industrial, commercial or residential zoning district also includes an area within a PAD zoning district which is designated for industrial, commercial or residential use, respectively. Residential zoning districts also includes AG-1 zoning districts.

Support structure: A component of a wireless communication facility, which is often a tower or other structure of sufficient verticality, used to support one (1) or more antennas at needed height for effective operation of the facility.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennae in the operation of a wireless communication facility. A tower may include, without limitation, such types as a lattice tower or a monopole.

Wireless communication facility: A facility used exclusively for the transmission and reception of radio or microwave signals used for commercial communications. A wireless communication facility is generally composed of the following components: At least one (1) antenna; a support structure, which may be a tower or which may be a structure (such as, without limitation, a building or a light pole) constructed primarily for purposes other than supporting an antenna; and, in some cases, an equipment building.

(2)*Permitted use:* A wireless communication facility is a permitted use, and shall not require a use permit, in any zoning district, provided that the following requirements are complied with in their entirety:

(a)*Compliance with general standards.* The site plan, architectural design and building materials for the wireless communication facility shall be in accordance with Article XIX, Site Development Plan, and this Article XXII, Section 2209(6).

(b)*Compliance with specific district requirements.* A wireless communication facility located within an industrial zoning district shall comply with the requirements stated in paragraph (3) below. A wireless communication facility located within a commercial or residential zoning district shall comply with the requirements stated in paragraph (4) below.

(3)*Industrial zoning district requirements.* A wireless communication facility located in an industrial zoning district shall comply with the following:

(a)*Tower-supported facilities.* A wireless communication facility may use a tower as the support structure for its antenna provided that:

1. The height of the facility shall not exceed one hundred (100) feet in total height, including tower, antenna and attachments, as measured from finished grade of the site.
2. The location of such facility shall meet all applicable setback requirements for the zoning district, except that where such a wireless communication facility is located on property that is adjacent to any property that either contains a residence, is zoned for residential use, or is designated for residential use in an adopted area plan, then, in addition to any other applicable setback requirements, the facility shall be set back from such adjacent property a distance equal to two (2) feet for every one (1) foot in total height of the facility, including tower, any antenna and other attachments.

(b)*Use of an existing support structure.* A wireless communication facility that is established by the installation of an antenna on an existing support structure other than a tower (such as, without limitation, a building, sign, light pole, water tower, church steeple, or other freestanding structure) is not required to have its antenna architecturally compatible, visually unobtrusive, and designed to be an integral part of the support structure, except as indicated below:

1.*Roof-top installation.* Where the antenna is installed on the roof-top of a building and either (i) the antenna can be seen from street view or (ii) the building is adjacent to property that contains existing residences, is zoned for residential use, or is designated residential in an adopted area plan, then the following restrictions shall apply:

a.*Antenna type.* Only one (1) type of antenna (i.e., panel, whip or dish) shall be installed on any single side of a building.

b.*Height.* The height of an antenna above the roof-top shall be restricted as follows:

1. Six (6) feet measured to the top of a panel antenna above the roof proper of the existing building at the point of attachment.
2. Fifteen (15) feet measured to the tip of a whip antenna above the roof proper of the existing building at the point of attachment.
3. Six (6) feet measured to the top of a parabolic dish above the roof proper of the existing building at the point of attachment.

c.*Number.* The total number of roof-top antennas shall be as follows:

1. No more than four (4) panel antennas.
2. No more than three (3) whip antennas.
3. No more than one (1) parabolic antennas.

2.*Other installations:* Where the antenna is installed on a structure other than the roof-top of a building (such as, without limitation, another portion of a building, or on a sign, light pole, water tower, or other freestanding structure) and either (i) the antenna can be seen from street view or (ii) the structure is adjacent to property that contains existing residences, is zoned for residential use, or is designated residential in an adopted area plan, then the antenna shall be architecturally compatible, visually unobtrusive, and designed to be an integral part of the support structure.

(4)*Commercial and residential zoning district requirements.* A wireless communication facility located in a commercial or residential zoning district shall comply with the following:

(a) A wireless communication facility in a commercial or residential zoning district shall not use a tower for its support structure except as indicated in paragraph (5) below.

(b) A wireless communication facility that is established by the installation of an antenna on an existing support structure other than a tower (such as, without limitation, a building, sign, light pole, water tower, church steeple, or other freestanding structure) is required to have its antenna architecturally compatible, visually unobtrusive, and designed to be an integral part of the support structure.

(5)*Replacement of an existing pole with a tower support.* For any commercial or residential zoning district, where a wireless communication facility is established by the replacement of an existing pole, (such as, without limitation, any light pole, electric powerline pole, telephone pole or ballfield light pole, but expressly excluding any monopole) with a monopole that, in addition to providing the support structure for an antenna, also serves the function otherwise provided by the replaced pole, then the facility is permitted by right provided that the height of the facility, including tower, antenna and attachments, is not more than twenty-five (25) feet greater than the height of the original pole structure that was replaced, and does not exceed seventy (70) feet in total height, as measured from grade of the site.

(a)*Co-location exception.* Where the tower supports the co-location of two (2) or more service providers, the maximum height of the facility shall not exceed eighty-five (85) feet in total height.

(b)*Ballfield light poles.* Notwithstanding any other requirement in this paragraph (5), where the replacement is of a ballfield light pole:

(i) The location of such facility shall meet all applicable setback requirements for the zoning district, except that where such a wireless communication facility is located on property that is adjacent to any property that either contains a residence, is zoned for residential use, or is designated for residential use in an adopted area plan, then, in addition to any other applicable setback requirements, the facility shall be set back from such adjacent property at a minimum distance of three hundred (300) feet as well as co-located on the furthest existing light pole away from said property. If the distance cannot be met, a use permit is required.

(a) An existing structure located within a distance of three hundred (300) feet cannot be expanded or moved closer to a residence, or property residentially zoned or designated without a Use Permit.

(ii) The tower shall be of substantially the same diameter as the pole being replaced;

(iii) The total height of the facility shall not exceed seventy (70) feet or the same height as the pole being replaced, whichever is greater;

(iv) No more than two (2) ballfield light poles serving a single ballfield may be used as wireless communication facilities; and

(v) No more than one (1) service provider shall locate antennas on a single ballfield light pole.

(6)*Site plan, design, use, and location regulations:* The following criteria apply to all wireless communication facilities permitted as a matter of right:

(a)*Color.* The color of all towers shall be painted a shade of light gray, or a color that is more compatible with the surrounding architecture or environment so as to make the tower as visually unobtrusive as possible. Painted towers are not required in industrial districts.

(b)*Screening and landscaping:* Mechanical equipment associated with wireless communication facilities must be screened, and landscaping provided in accordance with Article XIX, Site Development Plan. For purposes of this Section 2209, the provisions of Article XIX, Site Development Plan, shall apply to any zoning district where a wireless communication facility is sought to be located.

(c)*Interference:* Any new antenna or any other related communication equipment shall not interfere with existing communications.

(d)*Parking:* The site must provide at least one (1) parking space designed to City Standards which may be incorporated as part of the maneuvering areas and access drives. This requirement can be waived by the Zoning Administrator when hard surfaced parking already exists, or when the Zoning Administrator concludes that the goals of the City are better served thereby.

(e)*Separation:* No wireless communication tower that is readily visible from off-site shall be installed closer than one-quarter (1/4) mile from another readily visible, uncamouflaged, unscreened, or unintegrated wireless communication facility unless it is an antenna installed on an existing structure in accordance with the applicable requirements of section 2209.

(f)*Foundation design:* The foundation of a wireless communication tower shall be built to handle multiple service providers.

(g)*Antenna design:* A streamline, flush-mounted antenna shall be used in all zoning districts except an industrial zoning district.

(h)*Notification:* If a wireless communication facility is to be located within the boundaries of, or within one hundred (100) feet of, a homeowners' or a property management association, the facility owner must notify the association that an application to build a wireless communication facility has been filed with the City. The facility owner must provide written certification to the City that the homeowners' or a property management association(s) was notified prior to any building permit being issued.

(7)*Use permit approval:* A wireless communication facility that is not permitted by right may operate only upon first obtaining a use permit.

(a)*Application and inventory of existing facility sites:* Application procedures shall be the same as provided under section 305(1) of Article III of this Zoning Code, except that in addition, an applicant for a use permit for a wireless communication facility shall provide:

1. An inventory of its existing facilities that are either within the jurisdiction of the City of Chandler, or within one-quarter (1/4) mile of the border thereof, including specific information about the location, height, and design of each tower; and
2. An inventory of all existing vertical towers or structures that are equal to or higher than the height of any proposed tower within one (1) square mile of the proposed location regardless of jurisdiction. Evidence and justification must be provided by the applicant to the Zoning Administrator to demonstrate that sufficient efforts were made to locate the antenna on all such towers and structures within a one-mile radius of proposed location. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna.

(b)Review procedures: Procedures for review of the application for a use permit for a wireless communication facility shall be the same as for any type of use permit allowed under section 305(1) of the Zoning Code, except that the following shall apply:

1. No more than ninety (90) days shall elapse between filing of the application for such permit and a determination by the City Council to grant or deny the permit, unless such delay is caused by the applicant; and
2. A decision to deny an application for such permit shall be stated in writing, shall be based on substantial evidence justifying the denial, and shall be supported by a written record.

(c)Review factors: The review and approval of an application for a use permit for a wireless communication facility shall include examination of those factors indicated in section 305(1)(b) and (c), but in no event shall there be any consideration of the environmental effects of radio frequency emissions.

(8)Removal of abandoned antennas and towers: Any wireless communication facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such facility shall remove the same, including any tower, antennae, attachments and equipment building, within ninety (90) days of receipt of notice from the City notifying the owner of such abandonment. If there are two (2) or more service providers using a single tower, then the abandonment period shall not begin until all such service providers have ceased using the tower.

(Ord. No. 2713, § 1, 7-7-97; Ord. No. 3063, § 3, 11-18-99; Ord. No. 3415, § 1, 4-10-03)