

**ORDINANCE NO. 19-12**

**AN ORDINANCE OUTLINING REGULATIONS AND STANDARDS REGARDING THE 5G NETWORK, CELL SITING FOR THAT NETWORK, MICRO WIRELESS FACILITIES, AND/OR SMALL WIRELESS FACILITIES FOR WASATCH COUNTY, UTAH.**

**RECITALS**

**WHEREAS**, Pursuant to Federal Communications Commission (FCC) ruling 17-79 and Utah Chapter 54.21, and in order to provide for the health, safety, welfare, promote the prosperity, convenience, property values, and aesthetics of the county, Wasatch County desires to have provisions in place to address small wireless facilities and their siting; and

**WHEREAS**, the Wasatch County Council previously adopted Ordinance 19-04, a temporary ordinance to address small wireless facilities and their placement; and

**WHEREAS**, this new ordinance will replace the temporary ordinance with a more comprehensive regulation; and

**WHEREAS**, it is the intent of the County to regulate aesthetics and how said facilities will fit in with the existing infrastructure with mitigation of visual and physical impacts;

**WHEREAS**, many areas of the County use decorative street lights and other structures within the right-of-way; and

**WHEREAS**, the County is providing a reasonable way for the siting of these uses while impacting the County and residents as minimally as possible; and

**WHEREAS**, this ordinance has held public hearings before the Planning Commission and the Council as required by Wasatch County Code and CLUDMA; and

**WHEREAS**, the Wasatch County Council finds this Ordinance is consistent with the General Plan and the objectives of the Land Use and Development Code.

**NOW, THEREFORE**, the County Legislative Body of Wasatch County ordains as follows:

**SECTION I: Repealer.** If any provisions of the County Code, policies, procedures, or resolutions heretofore adopted are inconsistent herewith they are hereby repealed.

**SECTION II: Enactment:**

The attached amendment to and addition to the Wasatch County Land Use and Development Code is HEREBY ADOPTED.

SECTION III: **Amendment of Conflicting Ordinances.** To the extent that any ordinances, resolutions, or policies of Wasatch County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: **Effective Date.** This ordinance shall become effective immediately upon execution by the Chair of the County Council, and the county clerk is directed to immediately complete public notice requirements.

SECTION V: **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.


SECTION VI: **Public Notice.** The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

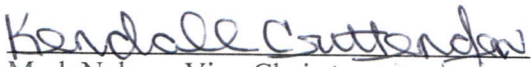
- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and PASSED this 18 day of December, 2019.

Attest:

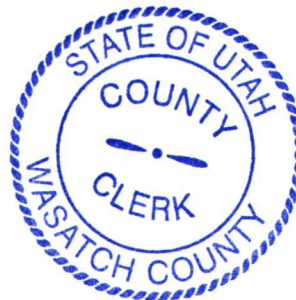
WASATCH COUNTY COUNCIL:

  
 Calvin Griffiths  
 Wasatch County Clerk / Auditor

  
~~Mark Nelson~~, Vice-Chair / acting Vice  
 Wasatch County Council Kendall Crittenden

Danny Goode, Chairman  
 Mark Nelson, Vice-Chair  
 Marilyn Crittenden  
 Jeff Wade  
 Kendall Crittenden  
 Steve Farrell  
 Spencer Park

VOTE  
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ADOPTION OF ORDINANCE AFFIDAVIT

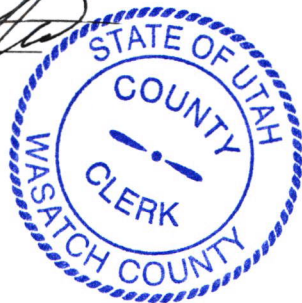
STATE OF UTAH )
): ss.
COUNTY OF WASATCH )

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [x] (a) Causing this ordinance to be entered at length in the ordinance book;
[x] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
[x] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in The Wasatch Wave, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this 18 day of December, 2019.

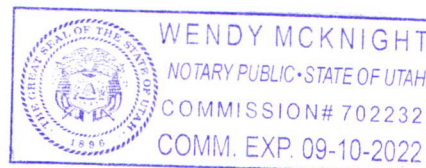
Calvin Griffiths
Wasatch County Clerk / Auditor



SUBSCRIBED AND SWORN to me, a Notary Public, this 18 day of December, 2019.

Wendy MCKnight
Notary Public

Residing in: Wasatch
My commission expires: 09-10-2022



1 **4.09.02: Wasatch County Fees**

2 \*\*\*

3 **C. Fees Of The Wasatch County Planning and Zoning Department**

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<b>3. <u>Small Wireless Facility Fees</u></b>	
<u>Conditional Use Permit</u>	<u>\$100 per SWF on a utility pole in the same application (max. 25);</u> <u>\$50 per SWF on an Authority Pole in the same application (max. 25)</u>
<u>Site Plan Approval</u>	<u>\$100 per SWF on a utility pole in the same application (max. 25);</u> <u>\$50 per SWF on an Authority Pole in the same application (max. 25)</u>
<u>New Structures</u>	<u>\$1,000 per pole</u>
<u>Franchise Fee</u>	<u>Negotiated per Franchise Agreement, but shall not exceed \$250 per SWF per year</u>

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6 **16.01.05: AUTHORITY PROVISIONS**

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8 A. \*\*\*

9 8. Small wireless facilities located in the JSPA or North Village Overlay Zone (NVOZ)

10 B. \*\*\*

11 1. \*\*\*

12 i. Accessory residential units (ARUs) and second kitchens pursuant to 16.21.46(A)-(B)

13 j. Small wireless facilities, unless in a zone identified by 16.01.05(A)(8) or 16.21.47(C)(2)

14 \*\*\*

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16 **16.04.02: DEFINITIONS OF TERMS AND WORDS**

17 \*\*\*

18 SMALL WIRELESS FACILITY (SWF): Means a wireless facility on which each provider's  
19 antenna could fit within an enclosure of no more than six (6) cubic feet in volume, and for which  
20 all wireless equipment associated with the Wireless Facility, whether ground-mounted or pole-  
21 mounted, is cumulatively no more than twenty eight (28) cubic feet in volume. Definitions for  
22 some terms used in this definition are found in section 16.21.47(B) of this title.

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25 **16.05.02: PERMITTED PRINCIPAL USES**

26 \*\*\*

27 B. \*\*\*

28 PERMITTED PRINCIPAL USES IN  
29 THE PRESERVATION ZONE (P-160)

30 \*\*\*

<u>4713</u>	<u>Small Wireless Facilities</u>
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33 **16.06.03: CONDITIONAL USES**

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35 CONDITIONAL USES IN

36 THE AGRICULTURAL ZONE (A-20)  
37 \*\*\*

4713	Small Wireless Facilities
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40 **16.07.03: CONDITIONAL USES**

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42 CONDITIONAL USES IN  
43 THE RESIDENTIAL-AGRICULTURAL ZONE (RA-5)  
44 \*\*\*

4713	Small Wireless Facilities
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45 \*\*\*

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47 **16.08.03: CONDITIONAL USES**

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49 CONDITIONAL USES IN  
50 THE RESIDENTIAL-AGRICULTURAL ZONE (RA-1)  
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4713	Small Wireless Facilities
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54 **16.09.02: PERMITTED PRINCIPAL USES**

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56 B. \*\*\*  
57 PERMITTED PRINCIPAL USES IN  
58 THE MOUNTAIN (M)  
59 \*\*\*

4713	Small Wireless Facilities
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62 **16.11.02: CONDITIONAL USES**

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64 B. \*\*\*  
65 CONDITIONAL USES IN  
66 THE HIGHWAY SERVICES ZONE (HS)  
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4713	Small Wireless Facilities
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70 **16.14.03: CONDITIONAL USES**

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72 B. \*\*\*  
73 CONDITIONAL USES IN  
74 THE PUBLIC FACILITIES ZONE (PF)  
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46004700	Communications
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78 **16.15.03: PERMITTED AND CONDITONAL USES**

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80 C. \*\*\*  
 81 PERMITTED AND CONDITIONAL USES IN THE JORDANELLE BASIN OVERLAY ZONE  
 82 (JBOZ)  
 83 P = Permitted  
 84 C = Conditional  
 85 - = Not allowed  
 86 \*\*\*

<u>4713</u>	<u>Small Wireless Facilities</u>	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
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89 **Table 3 – LAND USES: NORTH VILLAGE OVERLAY ZONE (REFER TO LAND USE**  
 90 **MAP)**

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TELECOMMUNICATIONS						
<u>Small Wireless Facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

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94 **16.36.03: TRANSPORTATION, COMMUNICATIONS AND UTILITIES, 4000**

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4700	Communications	
	4710	Telephone Communication

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	<u>4713</u>	<u>Small Wireless Facilities</u>
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99 **16.21.47: SMALL WIRELESS FACILITIES IN PUBLIC RIGHTS-OF-WAY**

- 100 A. Purpose
- 101 B. Definitions
- 102 C. Application Requirements
- 103 D. SWFs Outside of County-Owned Rights-of-Way
  - 104 1. Private Roads
  - 105 2. Collocation outside a Right-of-Way
  - 106 3. Camouflage
  - 107 4. Conditional Use or Site Plan Approval Required
- 108 E. Standards Applicable to Wireless Facilities in Rights-of-Way
  - 109 1. Required Licenses and Permits
  - 110 2. Height
  - 111 3. Antenna Height
  - 112 4. Placement
  - 113 5. Design Requirements
- 114 F. Modifications to SWFs
- 115 G. Application Fees

116 A. Purpose: The purpose of this section is to establish requirements for the siting and use of  
 117 Small Wireless Facilities in County-owned rights-of-way in a manner that facilitates the  
 118 delivery of wireless services within the County while minimizing associated adverse impacts.  
 119 This includes protecting the public health, safety, and welfare, and, to the extent allowed by  
 120 Federal law, protecting aesthetic values, by reducing the visibility of Small Wireless Facilities

121 and structures to the fullest extent possible. Techniques include, but not limited to  
122 camouflage/concealment, design techniques, and undergrounding of Small Wireless Facilities  
123 and associated equipment where possible. This section also regulates Small Wireless Facilities  
124 outside of County-owned rights-of-way.

125 B. Definitions: Terms used in this Section but not defined herein shall have the same meaning as  
126 the definitions contained in 16.04.02 and 16.21.28(A)(3) of this Title.  
127

128 **AUTHORITY POLE:** Means a utility pole owned, managed, or operated by or on behalf of,  
129 Wasatch County (the "County"), or the state, a state agency, municipality or town, a public  
130 utility district, or an irrigation district.  
131

132 **COLLOCATE:** As used in this section, collocate means to install, mount, maintain, modify,  
133 operate, or replace a Wireless Facility on an existing wireless support structure or Utility Pole,  
134 or, for ground-mounted equipment, adjacent to a wireless support structure or Utility Pole.  
135 When the term "collocate" is used in the context of Wireless Facilities outside of publically  
136 owned Rights-of-Way, "collocate" may also refer to installing, maintaining, modifying,  
137 operating, or replacing a Wireless Facility on or adjacent to a "structure", as the term  
138 "structure" is defined in Section 16.04.02.  
139

140 **LARGE WIRELESS FACILITY:** Means any Wireless Facility that does not qualify as a Small  
141 Wireless Facility or a Micro Wireless Facility and is governed solely by 16.21.28.  
142

143 **FRANCHISE AGREEMENT:** Means an agreement between a provider and the County that  
144 sets forth the general terms and conditions pursuant to which the provider may install and  
145 operate Small Wireless Facilities within rights-of way located in the County, or owned by the  
146 County.  
147

148 **NEW STRUCTURE:** Means, for the purposes of this chapter only, a new utility pole,  
149 streetlight, or wireless support structure that must be installed (either replacing a pole  
150 previously installed or as a new installation) prior to the placement of a small wireless facility.  
151

152 **OVERLASH:** Means to physically tie additional wires or cables to those that are already  
153 attached to a utility pole, accommodating any additional strands of cable on existing pole  
154 attachments.  
155

156 **PERMITTED USE:** Means a use that is permitted in the zone and is not considered a  
157 conditional use.  
158

159 **PROVIDER:** Means a person that provides wireless services to customers, and/or builds or  
160 installs Small Wireless Facilities.  
161

162 **PUE:** Means public utility easement.  
163

164 **RIGHT-OF-WAY (ROW):** Means the surface of and the space above and below any public  
165 street, road, highway, alley, sidewalk, or other way dedicated to public pedestrian or vehicular  
166 use, now or hereafter existing as such within the County.  
167

168 **RF:** Means radio frequency.  
169

170 **SITE PLAN APPROVAL:** Means an approved site plan pursuant to this chapter that authorizes

171 a provider to install and operate Small Wireless Facilities in the ROW, subject to the terms of  
172 this chapter and a Franchise Agreement.

173  
174 **SMALL WIRELESS FACILITY (SWF):** Means a wireless facility on which each provider's  
175 antenna could fit within an enclosure of no more than six (6) cubic feet in volume, and for  
176 which all wireless equipment associated with the Wireless Facility, whether ground-mounted  
177 or pole-mounted, is cumulatively no more than twenty eight (28) cubic feet in volume.

178  
179 **STRUCTURE:** Means, for the purposes of this chapter only, a Utility Pole or a wireless  
180 support structure. When the term "structure" is used in the context of Wireless Facilities  
181 outside of publically owned Rights-of-Way, "structure" may also refer to a "structure", as the  
182 term "structure" is defined in Section 16.04.02.

183  
184 **UTILITY POLE:** Means a pole or similar structure that is in a right-of-way and is or may be  
185 used for: wireline communications, electric distribution, lighting, traffic control, signage, or the  
186 collocation of a SWF. Utility pole does not include a Wireless Support Structure, a structure  
187 that supports electric transmission lines, or County-owned power poles. When the term "utility  
188 pole" is used in the context of Wireless Facilities outside of publically owned Rights-of-Way,  
189 "utility pole" may also refer to a pole or similar structure that may be used for: wireline  
190 communications, electric distribution, lighting, traffic control, signage, or the collocation of a  
191 SWF.

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193 **WIRELESS FACILITY:** Means equipment at a fixed location that enables wireless  
194 communication between user equipment and a communications network, including a radio  
195 transceiver, an antenna, a coaxial or fiber-optic cable, a regular or backup power supply, or  
196 comparable equipment. Wireless facility does not include the structure or an improvement on,  
197 under, or within which the equipment is collocated, or a coaxial or fiber-optic cable that is: a)  
198 between wireless support structures or utility poles, b) not immediately adjacent to or directly  
199 associated with a particular antenna, or c) a wireline backhaul facility.

200  
201 **WIRELESS SUPPORT STRUCTURE:** Means an existing or proposed structure that is in a  
202 right-of-way; and designed to support or capable of supporting a wireless facility, including a  
203 monopole or tower. Wireless support structure does not include a structure designed solely for  
204 the collocation of a small wireless facility, utility poles, or electric power poles owned by the  
205 County or by an interlocal entity.

206  
207 **WIRELINE BACKHAUL FACILITY:** Means a facility used to transport communications by  
208 wire from a Wireless Facility to a communications network.

209  
210 **C. Application Requirements:**

- 211  
212 1. To receive approval to install Small Wireless Facilities in a County right-of-way, a  
213 Provider must submit to the County a complete conditional use permit application. A  
214 provider may apply for up to twenty-five (25) SWFs in a single application. The County  
215 will not grant conditional use approvals for the installation of Large Wireless Facilities in  
216 the ROW.  
217 2. The County shall adhere to the timeframes of approval for Small Wireless Facilities  
218 required by 54-21-302 of the Utah State Code.  
219 3. Application for conditional use approval shall satisfy the requirements contained in  
220 16.27.05(A), and 16.23. SWFs are a permitted use in the P-160 (Preservation) and M  
221 (Mountain) zones. For these zones a Provider shall submit a Site Plan application

222 satisfying the requirements of 16.27.05(A). Regardless of the type of approval sought, all  
 223 applications for SWFs shall include the following plans and documents in accordance with  
 224 the requirements of this title, or any amendment thereto:

- 225 a. Franchise Agreement Required: Before any small wireless facilities may be placed in  
 226 any rights-of-way or public easements, including public utility easements, a Franchise  
 227 Agreement will be required before conditional use or site plan applications may be  
 228 submitted for small cell wireless locations. The Franchise Agreement will be  
 229 negotiated with the County Attorney and County Manager and will be on a standard  
 230 form maintained in the County Attorney's Office. The County will not issue any  
 231 approvals to a Provider until the Provider and the County have executed a Franchise  
 232 Agreement and all other provisions of this code have been met.
- 233 i. The County shall not enter into agreements that give a Provider an exclusive  
 234 right to install SMFs in a given right-of-way.
- 235 b. Regulatory Approvals: Before offering or providing any services pursuant to the  
 236 Franchise Agreement, a Provider shall provide proof to the County of any and all  
 237 regulatory approvals, permits, authorizations or licenses for the offering or provision of  
 238 such services from the appropriate Federal, State and local authorities, if required, and  
 239 shall submit to the County upon the written request of the County evidence of all such  
 240 approvals or licenses.
- 241 c. Project Documents: Providers shall include as part of their application:
- 242 i. A site plan showing the location of the proposed SWF(s) including all  
 243 associated structure(s).
- 244 ii. A rendering or photo simulation of the SWF(s) and all associated structures;
- 245 iii. A scaled elevation view; and
- 246 d. Supporting Documents: Any other supporting drawings and calculations, showing the  
 247 location and dimension of all improvements and the site where the proposed SWF is to  
 248 be located. The submittal must include sufficient information to determine compliance  
 249 with the standards and requirements of this chapter, specifically including information  
 250 concerning structure height and location within the ROW, easement, or on private  
 251 property, compliance with the County's intersection and driveway sight distance  
 252 standards, and compliance with the Americans with Disabilities Act.
- 253 e. Pole Load Analysis Required: An industry-standard pole load analysis indicating that  
 254 the structure on which the SWFs will be mounted will safely support the load and have  
 255 sufficient strength to accommodate additional small cell equipment loads. The  
 256 analysis shall be stamped by a licensed engineer.
- 257 f. Utility Company Approval: A letter of approval from the owner of the pole if a utility  
 258 company (and not the County) stating that the Provider may install wireless equipment  
 259 on that specific pole. The applicant shall also provide a letter of approval from the  
 260 power provider for the small cell equipment to be installed on the pole.

#### 261 D. SWFs Outside of County-Owned Rights-of-Way

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- 263 1. Private Roads: Small Wireless Facilities proposed in privately-owned roads, or  
 264 transportation easements within a subdivision regulated by a homeowner's or property  
 265 owners' association are not required to enter into a Franchise Agreement with the County.  
 266 However, a Provider shall submit official written notice from the association stating that  
 267 the proposed SWF is allowed in the road or transportation easement by the subdivision.  
 268 The Provider will also submit approval from the association's architectural committee if  
 269 required. A Franchise Agreement is required if the Small Wireless Facility is to be placed  
 270 in a public utility easement or another public easement. If lighting is altered approval is  
 271 required by the County. All lighting shall be dark sky compliant.

- 272 2. Collocation outside a Right-of-Way: Providers are encouraged to collate SWFs on  
 273 structures outside of the right-of-way where possible. If the structure where the collocation  
 274 is to occur is located on private property, written approval from the property owner shall be  
 275 submitted as part of the conditional use or Site Plan Approval application.
- 276 3. Camouflage: SWFs proposed outside of a right-of-way shall utilize stealth or camouflage  
 277 as required by 16.21.47(E)(5)(a) of this Title to minimize visual impact.
- 278 4. Conditional Use or Site Plan Approval Required: Regardless of where a Provider proposes  
 279 to place a SWF, a Provider must apply for and receive conditional use approval (or Site  
 280 Plan Approval in applicable zones) prior to receiving a building or grading permit.  
 281
- 282 E. Standards Applicable to SWFs: The following standards, requirements, and prohibitions apply  
 283 to all SWF approvals pursuant to this chapter:  
 284
- 285 1. Required Licenses and Permits:
- 286 a. Valid conditional use or site plan approval;
- 287 b. A building permit through the County Building Department;
- 288 c. A grading permit through the County Public Works Department if required as  
 289 County authorization in connection with excavating or performing other work in or  
 290 along the ROW; and
- 291 d. Any other permit, agreement or authorization required in connection with the use  
 292 of property or facilities owned by third parties.
- 293 2. Height: The maximum height shall be:
- 294 a. New Structures: New structure height is limited to fifty feet (50'), including the  
 295 antenna and any new equipment for the SWF mounted on the structure.
- 296 b. Collocation: SWFs collated on existing structures are limited to the height of the  
 297 existing pole but not including the proposed antenna. In no case shall collocated  
 298 structures exceed fifty feet (50') above ground level.
- 299 3. Antenna Height: The antenna of a collocated SWF may not extend more than ten feet (10')  
 300 above the top of an existing structure with which the SWF is collocated. All equipment  
 301 permitted to be mounted on the exterior of new or existing structures must be mounted at  
 302 least eight feet (8') above ground level.
- 303 4. Placement: SWFs and new structures must be placed in locations that will not:
- 304 a. Obstruct or hinder the usual travel or public safety in the ROW, road, sidewalk,  
 305 trail or transportation easement;
- 306 b. Create a public health or safety hazard;
- 307 c. Obstruct, damage, or interfere with another utility facility in the ROW, road, or  
 308 easement, or the use of such other utility facilities;
- 309 d. Materially interfere with the safe operation of traffic control equipment, a sight  
 310 line or a clear zone for transportation or pedestrians, or compliance with the  
 311 Americans with Disabilities Act; or
- 312 e. Violate applicable laws or legal obligations.
- 313 5. Design Requirements: Collocation of SWFs and new structures must be aesthetically  
 314 similar to existing buildings, structures being collocated on, other light poles and  
 315 landscaping, including considerations of height, color, style, placement, texture, design and  
 316 shape. SWFs must be designed to minimize how noticeable they are.
- 317 a. Integrated Design: All wireless facilities, equipment, and new structures must  
 318 employ some or all of the following techniques; screening, concealment,  
 319 camouflage, or other stealth techniques to minimize visual impacts. The design of  
 320 small wireless facilities and related equipment, poles, and structures must be  
 321 integrated with existing buildings, structures, and landscaping and must take into  
 322 consideration architectural design, height, scale, color, style, placement, and shape.

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- b. Exposed cabling is prohibited, except for collocations on existing structures where internal cable routing is not feasible (e.g., on a wooden pole).
  - c. Horizontal protrusions from the structure shall be the minimum distance necessary to meet functional purposes of the small wireless facility, but must not exceed two feet (2').
  - d. New structures must be of monopole design and match the aesthetics of surrounding poles; lattice structures will not be permitted.
  - e. New structures must not be made of wood, unless surrounding poles are wood or located in the more rural areas of the County where wooden utility poles are more commonly used.
  - f. A disconnect such that the County or pole owner may easily shut off radio signals and power while working on the pole is required at each SWF;
  - g. A maximum of three attachments, including the disconnect and antenna, is allowed at each SWF location. Ground-mounted enclosures, including back-up power supply, must be placed underground. If the applicant proves that an above ground equipment cabinet is required to fulfill the function of the SWF, the equipment cabinet shall be screened using vegetation or other means consistent with the surrounding area and meet clear view requirements.
  - h. To the extent feasible, equipment shall be installed on the interior of new structures or underground. For either collocation or installation of a new pole, any equipment cabinet shall match the aesthetics of the pole.
  - i. Lockable Doors: Lockable doors shall be installed in any equipment cabinet to secure equipment stored therein.
  - j. All pole mounted enclosures shall be securely attached with hardware (not strapped).
  - k. Power meters are required by the County and must be located such that; (A) interference with other users of the ROW, road, or easement (including pedestrians, motorists, and other entities with equipment in the ROW, road, or easement) is minimized; and (B) aesthetic impact is minimized.
    - i. Providers will be solely responsible for establishing electrical power services for their SWFs and for the payment of all electrical utility charges to the applicable electric service provider based upon applicable rates.
  - l. There shall be no lights on the wireless facility unless required by federal law.
  - m. Streetlight Pole Requirements:
    - i. New Poles: If installation of SWFs requires installation of a new streetlight pole, the new pole must meet County standards and specifications. The new pole shall match the type of surrounding poles, including matching luminaire mast arms to adjacent street lights. Lighting shall comply with Dark Sky requirements contained in section 16.21.16 of this Title.
  - n. Undergrounding of Lines: All fiber Wireline Backhaul Lines and electrical distribution lines serving SWFs must be located underground, unless the SWF is collocated on an existing structure that already features above-ground lines, and the owner of the existing structure agrees to provide communication or power service to the SWF through those existing lines. In such cases, the new electrical power line shall be overlashed on the existing electrical power line.
  - o. Additional Requirements: SWFs will be subject to any additional requirements set forth in the applicable Franchise Agreement and conditional use or Site Plan Approval.

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F. Modifications to SWFs:

1. A provider may not alter, modify, or enlarge an approved Small Wireless Facility or Utility Pole without prior written consent from the County. To obtain such consent, the provider must submit for approval in accordance with this section 16.21.47 as if for a new Small Wireless Facility, including plans and an industry standard pole load analysis that is stamped by a professional engineer.
2. Applications for modifications to SWFs and structures will be subject to the same standards as applications for collocations.
3. Notwithstanding the foregoing, a provider is not required to submit an application or obtain Site Plan Approval from the County for the following activities:
  - a. Routine maintenance on a SWF or Utility Pole; and
  - b. Replacement of a SWF with a Small Wireless Facility that is substantially similar or smaller in size and no larger in size, and must comply with any conditions or other requirements of the approval for the original SWF. Providers must still obtain a grading permit from the County if the work requires closing of sidewalks, vehicular lanes, or excavation in the right-of-way.
  - c. A Provider shall provide the County, through the Planning Department, with advance written notice of any activity described in this section.
4. The requirement to obtain a grading permit applies even for work that is exempted from the application process pursuant to subsection 3 of this section.
5. Any approved modifications will be documented in a new or amended Approval.

G. Application Fees: Providers shall pay the appropriate fee contained in 4.09.02(C)(3) when making an application for installation of Small Wireless Facilities.