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## CITY OF MERCER ISLAND

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<http://www.mercerisland.gov/>

WFC21-036 Review

January 4, 2022

John Halminski

1505 Westlake Ave N, #800

Seattle, WA 98109

RE: WCF21-036, 8215 SE 78<sup>th</sup> St

Mr. Halminski,

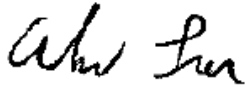
The City of Mercer Island Community Planning and Development Department has performed a review for compliance with the zoning code, Title 19 of the Mercer Island City Code (MICC) for the above-referenced Wireless Communication Facility application. The following issues need to be addressed before we can continue processing of the application:

Planning:

1. 47 CFR section 1.6100(b)(7)(iii) states that for towers in the public right-of-way, the installation of any new equipment cabinets on the ground is considered a substantial change to an existing wireless communication facility if there are no pre-existing ground cabinets associated with the structure. The site plan indicates that a new 16.25" W x 17.25" D x 48" H ground mounted electrical meter will be installed in the public right of way. As such, this proposal does not meet the exemption criteria of §6409 of the Spectrum Act and does not qualify as an eligible facility request. Please resubmit an application for a modification to an existing small cell facility that includes all of the required submittal materials, which are specified [HERE](#).
2. MICC 19.06.075(A)(1) states that ground-mounted equipment in the rights-of-way is prohibited unless such facilities are placed underground or the applicant can demonstrate that pole-mounted or underground equipment is infeasible. If ground-mounted equipment is necessary, then the applicant shall submit a concealment plan pursuant to MICC 19.06.075(G). In the new application for a modification to an existing small cell facility, please revise the location of the equipment cabinet so it is not ground mounted or provide a concealment plan for the cabinet consistent with MICC 19.06.075(G).
3. MICC 19.06.075(C)(13) requires all cables and wires to be routed through conduit along the outside of the pole. The provided plans show that the facility's wires are proposed to be exposed between the top of the main conduit and the antennas and between the bottom of the main conduit and the equipment cabinets. In the new application for a modification to an existing small cell facility, please revise the plans to show that all cables and wires will be contained within conduit from the antennas to the equipment cabinets.

The Planning Division's processing of the Wireless Communication Facility application is on hold until these issues are resolved. Please provide materials addressing the above comments within 90 days of this letter. Pursuant to MICC 19.15.110(B), if the applicant fails to provide the required information within 90 days from the date of this notice, the code official may cancel the land use review for inactivity if no extension has been authorized. Please feel free to contact me at 206-275-7720 or via e-mail at [andrew.leon@mercerisland.gov](mailto:andrew.leon@mercerisland.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Leon". The signature is written in a cursive, flowing style.

Andrew Leon, Planner

City of Mercer Island Community Planning and Development

[andrew.leon@mercergov.org](mailto:andrew.leon@mercergov.org)

(206) 275-7720