



WIRELESS COMMUNICATION FACILITIES CLASS 3 SITING PERMIT

City of Salem Permit Application Center
City Hall, Room 320
503-588-6213
Website: www.cityofsalem.net/planning

PURPOSE

A Wireless Communication Facilities Class 3 Siting Permit is required for (1) a substantial change in the physical dimensions of a support tower or (2) a replacement of an existing support tower with a support tower that represents a substantial change in the physical dimensions of the original support tower or (3) a new support tower.

A substantial change in the physical dimensions means:

- (1) The mounting of a proposed antenna on a support tower would increase the existing height of the support tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas; or
- (2) The mounting of a proposed antenna involving the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or
- (3) The mounting of a proposed antenna involving the addition of an appurtenance to the body of the support tower that would protrude from the edge of the support tower more than twenty feet, or more than the width of the support tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
- (4) The mounting of the proposed antenna involving excavation outside the current support tower site, defined as the current boundaries of the leased or owned property surrounding the support tower and any access or utility easements currently related to the site.

Requirements pertaining to Wireless Communication Facilities Class 3 Siting Permits are contained in SRC Chapter 703.

PROCEDURE TYPE

An application for Wireless Communication Facilities Class 3 Siting Permit is processed as a Type III procedure under SRC Chapter 300.

PROCESS

Most decisions are issued within 80 days of application submittal (*State Law requires the City to issue a decision within 120 days of the date the application is deemed complete*).

- Pre-Application Conference. A required pre-application conference is the first step in the Wireless Communication Facilities Class 3 Siting Permit process. Pre-application conference request forms are available in the Permit Application Center;

- Applicant submits Wireless Communication Facilities Class 3 Siting Permit application (including all items in the attached checklist) to Permit Application Center (Room 320);
- Staff reviews Wireless Communication Facilities Class 3 Siting Permit application for completeness. If the application is not complete, the applicant will be notified as to what information is missing and allowed 180 days to submit the additional information;
- Applicant may track the status of their application online at the City of Salem permit tracking webpage: <https://splash.cityofsalem.net>
- After all required information is submitted and the application is deemed complete, staff sets date for public hearing with the Hearings Officer and sends notice of hearing to the applicant, property owner, neighborhood association, and property owners within 250 ft. (*notification list of property owners within 250 ft. is prepared by staff*);
- Staff prepares posting sign(s) and sends notice of posting requirements to applicant;
- Applicant posts sign(s) along street frontage(s) of property 10-14 days prior to hearing;
- Hearings Officer holds public hearing. Staff presents staff report, followed by testimony from applicant, neighborhood association representative, proponent(s), opponent(s), and rebuttal;
- Hearings Officer renders decision based upon whether the proposal meets the applicable criteria for a Wireless Communication Facilities Class 3 Siting Permit under SRC 703.020(e)(3);
- Staff sends copy of decision (*noting 15-day appeal period*) to applicant and property owner, neighborhood association, and anyone who submitted testimony for the record prior to the close of the public hearing;
- If no appeal is filed, and the City Council does not initiate review of the application, the Wireless Communication Facilities Class 3 Siting Permit decision becomes effective.

NOTE: This packet is supplemental to the Salem Revised Code (SRC). In the event of a conflict between a statement in this document and the SRC applicable to a particular development, the SRC shall apply. The full version of the SRC is available online at www.cityofsalem.net, under "Revised Codes".

APPLICATION CHECKLIST

An application for a Wireless Communication Facilities Class 3 Siting Permit shall contain the following:

- COMPLETED APPLICATION FORM.** The application may be submitted by one or more of the following persons: **(1)** The owner of the subject property; **(2)** The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent; **(3)** A lessee in possession of the property, when the application is accompanied by the owners' written consent; or **(4)** The agent of any of the foregoing, when the application is duly authorized in writing by a person authorized to submit an application by paragraphs (1), (2) or (3), and accompanied by proof of the agent's authority. The application form must be signed by the applicant(s), property owner(s), and/or duly authorized representative(s). If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.
- APPLICATION FEE.** Pay the application fee at the time of filing your application.
- RECORDED DEED/LAND SALES CONTRACT WITH LEGAL DESCRIPTION.** Submit a copy of the recorded deed/land sales contract of the total contiguous ownership of the applicant.
- PRE-APPLICATION WRITTEN SUMMARY.** Wireless Communication Facilities Class 3 Siting Permits require a pre-application conference. Please submit a copy of the written summary of the

conference that the Planning Division sent to you after the conference, or a copy of the pre-application conference waiver, if granted.

- LOCATION OF THE SITING.** Describe the location of the siting according to the siting priorities set forth in 703.010(c).
- RF EMISSIONS DOCUMENTATION.** Submit documentation of compliance with the non-ionizing electromagnetic emissions standards established by the Federal Communications Commission.
- NOISE STANDARDS COMPLIANCE.** Submit documentation showing that the auxiliary support equipment will not produce sound levels in excess of the standards of SRC Chapter 93 or designs showing how the sound will be muffled to meet those standards.
- DOCUMENTATION OF HISTORIC REVIEW OR EXEMPTION FROM HISTORIC REVIEW.** Submit documentation that the proposed facility has been submitted to the State Historic Preservation Office (SHPO) for review, if applicable, or a statement explaining why the site is not subject to review by SHPO.
- CERTIFICATION OF CODE COMPLIANCE.** Submit an engineer's certification that the support tower will safely handle the load created by the proposed antennas and any future attached or collocated communications facilities and will comply with ANSI and other industry safety and structural codes and standards.
- JUSTIFICATION (NEW SUPPORT TOWER).** For new support towers, submit documentation from a radio frequency (RF) engineer or a licensed civil engineer that the necessary service cannot be provided by collocation on, or modification to, an existing support tower or support structure or utility structure, or by attachment on a replacement utility structure for one or more of the following reasons:
 - No existing support towers or support structures or utility structures are located within the geographic area where service will be provided;
 - Existing support towers or support structures or utility structures or replacement utility structures would not be of sufficient height to provide the identified necessary service within the geographic area;
 - Existing support towers or support structures or utility structures do not have sufficient structural strength to support the proposed antenna or antennas and related equipment and such support towers or support structures or utility structures cannot reasonably be improved or replaced to support the proposed antenna or antennas and related equipment;
 - The proposed antenna or antennas would electromagnetically interfere with an antenna on an existing support tower or support structure or utility structure or a replacement utility structure and it is not feasible to effectively address such interference;
 - Other limiting engineering factors render existing support towers and support structures and utility structures and replacement utility structures not feasible.
- ALTERNATIVES ANALYSIS (NEW SUPPORT TOWER).** Submit an alternatives analysis for new support towers demonstrating compliance with the support tower siting requirements of 703.030(c).
- COLLOCATION OPPORTUNITIES.** Submit the number and type of antennas that the support tower is designed to accommodate.
- COLLOCATION COMPLIANCE.** Submit a signed statement of compliance from the owner of the wireless communications facility that the owner will allow timely collocation by other users, provided all safety, structural, technological, and monetary requirements are met.

- **VISUAL STUDY.** Submit a visual study containing, at a minimum, color simulations showing the appearance of the proposed support tower, antennas, and auxiliary equipment from at least five view points within a one-mile radius. The view points shall be chosen by the owner, but shall include representative views from residential buildings, historic resources, or historic districts located within two hundred and fifty feet of the proposed site. If the support tower must comply with the design standards in 703.070(e), the graphic simulation shall include the proposed design.
- **COVERAGE OR CAPACITY DOCUMENTATION.** Submit coverage maps or capacity documentation showing any gap in the provider's service and minimum height or configuration of the facility needed to fill the gap.
- **WRITTEN STATEMENT DEMONSTRATING COMPLIANCE WITH CRITERIA.** Submit a written statement describing the proposed facility and how it conforms would meet the approval criteria:
 - The support tower conforms to the standards in this Chapter, and the reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions relating to the location, size, design, and operating characteristics of the wireless communications facility.
 - The support tower will not be located in the right-of-way.
 - If the proposal is to construct a new support tower:
 - Collocation on existing wireless communications facilities within the cell service area of the proposed site is not feasible.
 - Proposed location for the tower is the least intrusive means of filling a significant wireless communications service gap in coverage and/or capacity, including in-building coverage; and
 - Prohibiting a new tower would prohibit or have the effect of prohibiting the provision of wireless communications services.
- **SITE PLAN.** Two copies of a site plan shall be submitted. One copy must be reproducible (*not more than 11 in. x 17 in., and not less than 8.5 in. by 11 in.*) and the other copy must be to a standard scale. The site plan must included the following information:
 - Title Block: Type of application (i.e., "Conditional Use Application"), date, applicant's name, location of subject property, scale, directional (north) arrow;
 - Total site area, dimensions, and orientation relative to north ;
 - Location of proposed primary and accessory structures and other improvements, including fences, walls, and driveways, indicating distance to such structures from property lines and adjacent on-site structures;
 - Loading areas, if included with proposed development;
 - All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
 - Location, height, and material of fences, buffers, berms, walls, and other proposed screening as they relate to required buffer yards and landscaping;
 - Location of all trees and vegetation required to be protected pursuant to SRC Chapter 68; and
 - Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

- **EXISTING CONDITIONS PLAN.** Two copies of an existing conditions plan shall be submitted. One copy must be reproducible (*not more than 11 in. x 17 in., and not less than 8.5 in. by 11 in.*) and the other copy must be to a standard scale. The existing conditions plan must include the following information:
- Title Block: Type of application (i.e., “Conditional Use Application”), date, applicant’s name, location of subject property, scale, directional (north) arrow;
 - Total site area, dimensions, and orientation relative to north;
 - Location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting distance from property lines and whether they are to be removed;
 - Location of 100-year flood plain, if applicable; and
 - The location of drainage patterns and drainage courses, if applicable.