

CALL TO ORDER

Mayor Pro Tempore Earl Queen called the September 10, 2012 regular meeting of the Castle Rock City Council to order at 7:30 p.m. followed by the Pledge of Allegiance. The following councilmembers were present: Ray Teter, Glenn Pingree and Ellen Rose. Councilmember Mike Davis arrived at 7:40 p.m. Mayor Helenberg was absent.

CONSENT AGENDA

1. Councilmember Teter made a motion, seconded by Pingree to approve the minutes of the August 27, 2012 Regular Council Meeting. By roll call vote, unanimous Aye.
2. Clerk-Treasurer Ryana Covington reports that Councilmember Pingree has reviewed August Invoices. Councilmember Pingree specified that he is impressed with the effort to purchase locally.

Councilmember Pingree made a motion, seconded by Teter to approve payment of August invoices in the amount of \$473,436.58, as described in the August 2012 Fund Transaction Summary Report as adjustment #243, general expenditure check numbers 42888 through 42985 and payroll check numbers 23108 through 23156 and EFT Payroll08/31/2012. By roll call vote, unanimous Aye.

3. City Engineer Mike Johnson requests approval of Engineering Services Agreement Supplement #1 for the Front Avenue North Improvement Project. The city has received an additional \$650,000 grant from the Rural Surface Transportation Program. The Transportation Improvement Board has separated the Front Avenue North Project into two projects denoted as; Shintaffer to Huntington and A Street to Shintaffer. A supplemental agreement is needed for each of these two projects:
 - The Front Avenue North; Shintaffer to Huntington Supplement #1 in the amount of \$45,600 would provide for an alternate connection to Huntington Avenue at Barr Street including WSDOT review and approval of design modifications; closure of the connection at Mallory Street; and revisions of stormwater facilities. This is an increase of \$16,000.
 - The Front Avenue North; A Street to Shintaffer Supplement #1 in the amount of \$69,500 would provide for decorative concrete road and sidewalk which will transition to asphalt road with standard concrete sidewalk at Jackson Street NW. This is an increase of \$24,000.

The funding of these additional improvements will require engineering services for:

- Preparation of additional environmental documentation;
- Revisions of plans, specification and estimates;
- Revision of design documents;

- Certification of right-of-way by a professional land surveyor and
- Project coordination with staff, WSDOT, regulatory agencies and TIB.

In response to a question from Councilmember Pingree, Johnson specified that no further engineering increases are anticipated.

Councilmember Pingree made a motion, seconded by Teter to approve Engineering Services Agreement Supplement #1 for both the Front Avenue North Improvement Project; Shintaffer Street to Huntington Avenue in the amount of \$45,600 and Front Avenue North; A Street to Shintaffer Street in the amount of \$69,500. By roll call vote, unanimous Aye.

4. Clerk-Treasurer Ryana Covington reports that Mayor Helenberg, on behalf of North County Recreation Association (NCRA), requests approval to erect banners in the designated right-of-way for NCRA's annual auction on September 29th.

Councilmember Pingree made a motion, seconded by Rose to approve North County Recreation Association's request to erect banners in the designated right-of-way for the annual auction. By roll call vote, unanimous Aye.

Councilmember Davis arrived at 7:40 p.m.

OLD BUSINESS

City Planner TJ Keiran reviewed that discussions between City Council and the Planning Commission began following a code amendment request, submitted by Verizon Wireless, to increase the height of wireless communication facilities (WCF). The request was denied by city council at a previous meeting. During that review process, council expressed concerns regarding Castle Rock's municipal code relating to WCF. The Planning Commission was invited to attend this meeting to obtain guidance for amendment to CRMC 11.20 entitled Communication Antennas and Towers. Planning Commission Members in attendance: Richard Heltemes, Brenda Hornbuckle, Joanne Purvis and Gordon Snyder.

Keiran began a PowerPoint Presentation explaining that Castle Rock is served by six wireless providers with outdated 2.4G technology which is currently only sufficient for voice and limited data transmission. Communication needs have increased beyond basic phone service to providing 4G capabilities to meet the needs of the emerging cloud technology. This service requirement has created gaps in coverage for providers. The large towers that transmit over large areas are being phased out in favor of multiple smaller towers which can meet emerging needs by handling large amounts of data for many users. A Castle

Rock topography map illustrates that Castle Rock is located in a valley, which creates network coverage challenges.

Keiran stated that each tower site includes an antenna, transmitter/receiver and supporting equipment such as GPS, a primary power source and secondary backup power, usually a diesel generator. Providers search for the optimum site to obtain vertical real estate which can be leased to other providers for antenna colocation. There are two types of towers, omnidirectional and panel arrays. A photo of a monopole with two antenna arrays provided an example of colocation. Currently the only CRMC restriction on these types of facilities is the requirement that supporting equipment be fenced and landscaped. Council has indicated that this is the type of WCF that they do not want visible from the downtown area. The Planning Commission proposed prohibiting lattice towers north of Buland Drive.

Keiran discussed an option for height restrictions which may necessitate multiple towers but can be more aesthetically pleasing, called Stealth antennas. Stealth antennas can be incorporated into flagpoles, light poles, standing signs or atop public facilities. The supporting equipment must be located near the stealth antennae, and must be fenced or placed underground. Keiran stated that his research show that some cities require setbacks of 300% of height, or a 50' tower with a setback of 150' to protect adjoining property. A balance should be reached where aesthetic requirements do not make it too difficult to provide coverage.

Keiran stated the City must establish a policy to comply with federal and state law, while protecting the aesthetic and historic character of the city and natural resources. He noted this policy can limit or even prohibit all towers within city limits. (The City of Leavenworth prohibits all cell towers). The city's Comprehensive Plan does not contain any specific goals relating to WCF, however does address the aesthetics of the commercial downtown area.

Keiran suggested that options to consider when establishing a WCF policy are:

- Identify properties acceptable to WCF. Most entities prohibit towers in residential districts and in the shoreline area. Preferences can also be identified for stealth type antennae, such as atop light poles at existing sports facilities or treatment plant with supporting equipment underground. A church steeple can also conceal an antenna.
- View corridors must be identified;
- Height restrictions and/or setbacks can be set;
- Stealth antennas can be required and
- Equipment fenced, camouflaged or placed underground.

At this time, the fees for a WCF Application are:

Conditional Use Permit	\$250
SEPA	\$200
Pre-Application Meeting	\$200
Outside Consultants	At actual cost

It was recommended that the fee schedule may also need to be updated for the city to recoup initial costs associated with processing the application.

Keiran proposed the following timeline to accomplish amending the WCF ordinance:
 September – work with Planning Commission and present a draft ordinance to council by the end of the month;
 October – refine SEPA;
 November – Planning Commission to hold a public hearing on the proposed amendment
 December or January – send to City Council for possible adoption.

Cowlitz County is currently on the same schedule to update their ordinance relating to wireless communication facilities. Keiran has contacted Cowlitz County’s Planner and requested the county include a buffer zone around city limits that meets the city’s criteria. He also noted that State Route 504 is recognized as a scenic highway, and should include a buffer zone consistent with other scenic highways in the state.

In response to a comment by Councilmember Teter, Keiran clarified that the Municipal Research And Service Center (MRSC) attorney specified that wireless towers can be limited to ten feet above the maximum height restriction allowed in the zone. Councilmember Pingree noted that a balance must be achieved between the needs of the community and property owner’s right to make a profit. Keiran clarified that attorneys have cautioned that the policy cannot be site specific.

In response to a question from Councilmember Teter relating to health hazards from wireless towers, Keiran noted that the FCC and wireless lobbyists claim that WCF’s have been demonstrated to not be harmful.

Councilmember Davis recommends the city not allow wireless communication facilities in Commercial or High Density Residential Zones. Height limits and stealth design should be required in the permitted zones.

Keiran specified that the permitted areas must be determined when the ordinance is amended. If the provider can demonstrate that the tower will not provide coverage due to height limitations, then a stealth design could be required. Higher towers can also be limited to open spaces with stealth design, such as antennas in light poles at the Sports

Complex or a tree antenna in the Big Bend area. Acceptable conditions can be established. Councilmember Rose feels that a height limit of 60' should be adequate. Two 60' towers are better than one 100' tower. Councilmember Teter noted that higher towers should be restricted to preselected properties. Keiran noted that during the transformation to 4G capabilities, 2G coverage must remain intact, requiring an overlap in technology.

Councilmembers Davis and Teter volunteered to work with the Planning Commission on this code amendment. The Planning Commission will meet at 6:00 p.m. on September 26th.

Keiran also recommended the city council consider amending municipal code to denote when a code amendment can be requested and the procedures to institute such a request. He suggested this should be considered as a project for the planning commission to address in 2013.

ADJOURNMENT

There being no further business, Mayor Pro Tempore Earl Queen adjourned the meeting at 8:45 p.m.

Mayor Pro-Tempore Earl Queen

Clerk-Treasurer Ryana Covington