

MERIDIAN TOWNSHIP
DAS AND SMALL CELL POLICY
As approved by the Meridian Township Board
June 20, 2017

The administration of this Policy shall be governed by the following DAS and Small Cell Policy:

- 1.1. The Township supports efforts to establish an open, competitive marketplace for needed communication services that also serves the Township's Constitutional and statutory mandates to promote safety and convenience in the use of public right-of-ways under its jurisdiction and to maintain the integrity of the Township Zoning and Master Plan, promote property values and preserve the character of the Township as desired by Township residents. The Township promotes and encourages competition for communication services that make the latest and best technology available and keep service prices affordable for all Township residents and businesses. An integral component of this open marketplace is the consistent application of regulations to all communications providers and the preservation of local authority over matters of local impact.
- 1.2. The Township recognizes that to balance the needs and interests of the public in the management of the right-of-ways together with the desire of the communications service industry to access such rights of way where there is a demonstrated need for new facilities, facilities supporting communication services may be integrated into the right-of-ways in conformity principally with community standards, also taking into account industry standards and best practices identifying community standards together with an understanding of industry standards and best practices all of which may be incorporated into the terms and conditions of the Township's franchise and right-of-way permit and permit process and may change from time to time, in the Township's sole judgment and discretion.
- 1.3. The Township's primary goal is to make and maintain the right-of-ways under its jurisdiction safe and convenient for public travel, maintain the integrity of the Township Zoning and Master Plan as guidance only at the Township's sole discretion, promote property values and preserve the character of the Township as desired by Township residents. To further this goal, the Township recites the following siting priority preferences, which shall be enforced wherever possible in the Township's discretion.

1.4. Use/Installation Priority Preference Considerations

- 1.4.1. A Communications Service Provider shall first demonstrate a need for new communication facilities by providing proof of customer demand exceeding available supply.

1.4.1.1. Details of Proof TBD. (Coverage Gap/Deficiency Map).

1.4.1.2. The Township requires that future DAS/Small Cell Wireless Infrastructure be located in safe areas of the rights of way. The Township's reasoning includes: Reduced aesthetic impact, fewer land use restrictions, diminished visual impact of telecommunication facilities, improved buffering from adjacent residential uses, potential to join publicly managed communication systems with commercial wireless service antennas, greater continuity of telecommunications facilities, enhanced cell phone service in more remote parts of the Township, motorist safety as approved by the township and Ingham County Road Department, and quicker application approval process as valid reasons for such preference.

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- 1.4.1.3. Collocation on an existing facility within the right-of-way subject to a franchise agreement shall be preferred to locating a new DAS and Small Cell Facility within the right-of-way.
- 1.4.1.4. Locating a new DAS and Small Cell Facility in the right-of-way shall only be permitted when the applicant demonstrates, in the Township's judgment, that collocating on any existing facility, is not possible or practical.
- 1.4.1.5. Where possible and practical, facilities will be required to be located below ground where other existing facilities or structures are located below ground.

1.4.2. Collocation

- 1.4.2.1. All DAS collocation applications shall be subject to collocation within existing DAS structures. Mandatory future collocation of all subsequent DAS and Small Cell Facilities shall be required where possible and practical for any newly authorized structure under this Policy.
- 1.4.2.2. Any DAS application that is not for a collocated DAS structure must contain a statement justifying why collocation is not possible or practical. Such statement shall include:
 - 1.4.2.2.1. Such structure and technical information and other justifications as are necessary to document the reasons why collocation is not possible or practical, including all communication of denials of collocation requests from 3rd party entities; and
 - 1.4.2.2.2. A list of all eligible support structures and alternative structures considered as alternatives to the proposed location.
 - 1.4.2.2.3. A written explanation why the alternatives considered were not possible or practical due to technical or physical constraints.
- 1.4.3. Stealth installations or otherwise aesthetically consistent designs shall be required at the discretion of the Township, with all facilities located **within** the pole, and will generally be similar to the existing infrastructure in the area. See Ordinance Sections #86-438.
- 1.4.4. New structures shall be limited and not higher than other existing poles in all areas, and in all events, no higher than thirty five (35') and no more than 2 feet in diameter, or as determined by zone unless otherwise shown to be needed by the Applicant based upon the technical characteristics of the area or other considerations, including collocation. The dimensions of new facilities will generally not be permitted to exceed existing infrastructure in the same vicinity.
- 1.4.5. Use of new or existing light poles is an acceptable support structure subject to all other criteria herein.

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- 1.4.6. Attachments to a support structure including any and all power sources and back-ups shall be placed inside the pole absent specific exception granted at the sole discretion of the Township.
- 1.4.7. New structures shall be customized to match the norms of the area. By way of examples: A new pole if otherwise approved, must match the RGB scale of the green LED lights in Downtown Okemos and - A new pole in a commercial district must be a metal type structure - either steel or aluminum or a combination of the two.
- 1.4.8. No new DAS and Small Cell Facility support structure may be erected in the public right-of-way within five hundred feet (500') of an existing Communication structure including DAS and Small Cell Facility support structures, unless shown, as determined by the Township in its discretion, that it is required for technical feasibility or that all existing infrastructure is already exhausted or not available for use.
- 1.4.9. New DAS and Small Cell Facility support structures shall occur in a consistent and conforming manner in or in bordering right-of-way areas zoned c-2 and c-3 commercial and designated districts as shown on the maps attached to this policy.
 - 1.4.9.1. Carriage Hills Retail PICA Zone as defined in the 2017 Master Plan
 - 1.4.9.2. Downtown Okemos PICA Retail Zone as defined in the 2017 Master Plan
 - 1.4.9.3. Downtown Haslett PICA Retail Zone as defined in the 2017 Master Plan
 - 1.4.9.4. The Corridor Improvement Authority Area
 - 1.4.9.5. Commercial Zoning Map
- 1.4.10. The Township will manage access to the public right-of-ways for DAS and Small Cell purposes in a nondiscriminatory, competitively neutral and nonexclusive way to the extent required under applicable law and, to the extent allowed under applicable law, to receive fair compensation based upon market rates. The public interest will be protected by a franchise agreement reflecting such fees and collecting all associated administrative costs for use of the public right-of-ways under the jurisdiction of the Township. In Kind Services may be substituted for some portion of or all such fees where the Township determines that the value of such services approximates fair and reasonable market rates.
- 1.4.11. Right-of-way permits for location of DAS and Small Cell Facilities and all supporting equipment and structures will be managed to preserve the integrity of the road system's infrastructure, ensure efficient use of the property under the jurisdiction of the Township, and ensure compliance with all state, federal and local law and regulation as well as all applicable and commonly recognized building, electrical, safety and other road right of way standards, regulations and permitting processes and requirements.

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1.4.12. In order to effectively manage and regulate the use of public right-of-ways under the Township's jurisdiction in the best interests of the public, it is necessary for the Township to reserve and exercise all franchise, proprietary, legislative, administrative and discretionary authority it may have to the full extent allowed or not prohibited by law. Nothing in this policy shall be construed to diminish or in any way to limit the franchise, proprietary, discretionary, administrative or legislative authority of the Township and its officials as respects the management and use of the Township's public right-of-ways or other property interests in respect to the granting, delaying, or denying any right-of-way permit or use of other Township property.

1.4 Township DAS and Small Cell Facility Proposal Review Process

1.4.1 Routing of Application - TBD

1.4.2 Timing and Deadlines - TBD

1.4.3 Franchise Fees, Permit Fees and Cost Recovery -TBD

1.5 Compliance with all existing Township Ordinances as guidelines only at the discretion of the Township.