

**RESOLUTION NO. 2023-15**

**A RESOLUTION OF THE BOROUGH OF WEST READING, BERKS COUNTY, PENNSYLVANIA, ADOPTING A "SMALL WIRELESS COMMUNICATIONS FACILITY DESIGN MANUAL" IN ORDER TO ESTABLISH AESTHETIC STANDARDS FOR SMALL WIRELESS COMMUNICATIONS FACILITIES; AUTHORIZING THE BOROUGH CODE ENFORCEMENT OFFICER TO PERIODICALLY AMEND SUCH "SMALL WIRELESS COMMUNICATIONS FACILITY DESIGN MANUAL"; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, federal and state law permit the Borough of West Reading ("Borough") to regulate the placement, construction and modification of wireless communications facilities; and

**WHEREAS**, the Borough currently regulates the placement, construction and modification of wireless communications facilities in the Borough via the Borough Code; and

**WHEREAS**, recent changes to such federal and state laws, including the enactment of House Bill 1621, now Act 50 of 2021, entitled the "Small Wireless Facilities Deployment Act," have made it necessary for the Borough to amend its regulations applicable to wireless communications facilities in the Borough; and

**WHEREAS**, in accordance with such changes in law, the Borough will elect to impose objective, published design requirements for small wireless communications facilities deployed in the Borough.

**NOW THEREFORE**, be it, and it is hereby **RESOLVED** by the Borough Council of the Borough of West Reading that:

- (1) Borough Council formally adopts the *Small Wireless Communications Facility Design Manual*, attached hereto as Exhibit A, compliance with which is required for all applicants seeking to place, construct, or modify small wireless communications facilities in the Borough of West Reading; and
- (2) Borough Council formally authorizes the Borough Code Enforcement Officer or their designee to amend, from time to time, the *Small Wireless Communications Facility Design Manual* to reflect the aesthetic standards currently applicable to small wireless communications facilities in the Borough of West Reading.
- (3) This Resolution shall take effect immediately upon its legal adoption.

**DULY ADOPTED and RESOLVED** this 18th day of July 2023.

**BOROUGH OF WEST READING**

By: \_\_\_\_\_

Ryan Lineaweaver, Council President

Attest: \_\_\_\_\_

Cynthia Madeira, Borough Secretary

Examined and approved this 18<sup>th</sup> day of July 2023.

Samantha Kaag, Mayor

**THE BOROUGH OF WEST READING**

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**SMALL WIRELESS COMMUNICATIONS FACILITY  
DESIGN MANUAL**

## SECTION I. DEFINITIONS

The following terms are defined as follows:

1. *Accessory Equipment* – Any equipment serving or being used in conjunction with a wireless communications facility or utility pole, including but not limited to utility or transmission equipment, power supplies, generators, batteries, or cables.
2. *Antenna* – An apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of wireless service and any commingled information services.
3. *Applicant* – Any person that applies for a wireless communications facility building permit, zoning approval and/or permission to use the public right-of-way (ROW) or other Borough-owned land or property.
4. *Collocate* or *Collocation* – the mounting of one or more WCFs, including antennas, on a pre-existing structure, or modifying a structure for the purpose of mounting or installing a WCF on that structure.
5. *Decorative Pole* – A Borough-owned pole that is specially designed and placed for aesthetic purposes.
6. *Front Façade Area* – The area of the public right-of-way directly in front of a structure, identified by drawing a perpendicular line from each corner of structure to the public right-of-way.
7. *Prior Approved Design* – A design for a small WCF that has been reviewed and deemed to be in accordance with this *Small WCF Design Manual* and approved for construction by the Borough.
8. *Small Wireless Communications Facility (Small WCF)* -- A wireless communications facility that meets the following qualifications:
  - (a) Each Antenna associated with the wireless communications facility is no more than three cubic feet in volume.
  - (b) The volume of all other equipment associated with the wireless communications facility, whether ground-mounted or pole-mounted, is cumulatively no more than 28 cubic feet.

9. *Stealth Technology*—Camouflaging methods applied to wireless communications facilities and Accessory Equipment which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.
10. *Technically Feasible* -- By virtue of engineering or spectrum usage, the proposed placement for a Small WCF or its design or site location can be implemented without a material reduction in the functionality of the small WCF.
11. *Underground Area* – An area of the Borough in which all utility installations are required to be installed underground on a non-discriminatory basis and have been required to be so placed by a date certain that is at least three months prior to the submission of the application for the proposed small WCF.
12. *Utility Pole* — A pole or similar structure that is or may be used, in whole or in part, by or for telecommunications, electric distribution, lighting, traffic control, signage or a similar function or for collocation. The term includes the vertical support structure for traffic lights but does not include wireless support structures or horizontal structures to which signal lights or other traffic control devices are attached.
13. *Wireless Support Structure* – A freestanding structure, such as a utility pole, that could support the placement or installation of a wireless communications facility if approved by the Borough, regardless of whether such structure currently supports a WCF.

## **SECTION II. GENERAL STANDARDS FOR SMALL WIRELESS COMMUNICATIONS FACILITIES**

1. All Small WCFs shall comply with the applicable requirements of the Code of Ordinances of the Borough of West Reading, including but not limited to Chapters 396 and 455, and this *Small Wireless Communications Facility Design Manual*.
2. All Small WCFs shall be installed in and maintained in a workmanlike manner in compliance with the 2017 National Electric Safety Code and all applicable laws, ordinances and regulations for the protection of underground and overhead utility facilities.
3. All Small WCFs in the public rights-of-way shall comply with the Americans with Disabilities Act guidelines adopted by the Borough and all applicable requirements relating to streets and sidewalks as established by Chapter 396 of the Borough Code.

4. Small WCFs shall be installed and maintained so as not to obstruct nor hinder travel or public safety within the right-of-way or obstruct the legal use of the right-of-way by the Borough and public utilities.
5. Minimum Setbacks.
  - a. Small WCFs located outside the rights-of-way shall be set back a minimum distance equal to 120% of the total height of the Small WCF from any adjacent property line, street right-of-way or residential structure.
  - b. Small WCFs located inside the rights-of-way shall be set back a minimum distance equal to 120% of the total height of the Small WCF from any structure. Applicants for Small WCFs may request a lesser setback upon a showing that the setback proposed shall not have a material negative effect on public safety.
14. All Small WCFs shall utilize Stealth Technology and shall be designed and constructed in an effort to minimize aesthetic impact.
15. No Small WCFs in the public right-of-way shall not extend beyond the boundaries of the rights-of-way unless approved on a case-by-case basis by the Borough Zoning Officer. Such approval shall be contingent upon the provision of evidence by the Applicant that the owner of the property and/or structure onto which the Small WCF extends has granted permission for the construction of the Small WCF.
16. All Small WCFs shall be designed to withstand the effects of wind gusts and ice to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association and Communications Industry Association (ANSI/TIA-222, as amended), or to the industry standard applicable to the structure.
17. If Collocation of a Small WCF on an existing Utility Pole cannot be achieved, a Small WCF may be installed on a new or replacement Wireless Support Structure.
18. If a Small WCF is proposed for location in a historic district or on a historic building, the Borough may require additional design or concealment measures to the extent such design or concealment measures are Technically Feasible. Such design or concealment measures shall be tailored to the proposed location of the Small WCF.

## **SECTION III. ANTENNA AND ACCESSORY EQUIPMENT STANDARDS**

### **1. Antenna Standards**

- a. Any Antenna associated with a Small WCF shall not exceed three (3) cubic feet in volume.
- b. The Collocation of a Small WCF on an existing Utility Pole shall not extend more than five (5) feet above the existing Utility Pole.
- c. All pole-top Antennas shall be flush-mounted as closely to the top of the structure to which they are attached as Technically Feasible.
- d. All Antennas shall be of a design, style, and color that matches the structure upon which they are attached.
- e. Any necessary pole-top extension shall be of the minimum height necessary to achieve necessary separation from the existing pole attachments.
- f. Any Antenna mounted on a lateral standoff bracket shall protrude no more than necessary to meet clearances from the pole and existing pole attachments.
- g. If mounted on an existing structure, no Antenna shall impair any function of said structure.
- h. Antenna placement shall not materially impair light, air, or views from adjacent windows.

### **2. Accessory Equipment Standards**

- a. Accessory Equipment shall not exceed twenty-eight (28) cubic feet in volume. Equipment utilized solely for the minimization or mitigation of the aesthetic impact of the Small WCF shall not be included in the Accessory Equipment volume calculation.
- b. In no case shall ground-mounted Accessory Equipment be located within 18 inches of the face of the curb.
- c. Accessory Equipment shall be mounted flush to the side of the Utility Pole or Wireless Support Structure, or as near flush to the side of the Utility Pole or Wireless Support Structure as Technically Feasible.

- d. Accessory Equipment shall be mounted so as to provide a minimum of eight (8) feet vertical clearance from ground level.
- e. Accessory Equipment shall be of a color that reasonably matches the Utility Pole or Wireless Support Structure upon which such Accessory Equipment is mounted.
- f. All Accessory Equipment shall be contained within a single equipment shroud or cabinet. Such equipment shroud or cabinet shall be of the smallest dimensions Technically Feasible. Electric utility equipment, such as an emergency shutoff, shall be permitted to be located outside of such equipment shroud or cabinet if necessary for access by the utility.
- g. All Small WCFs shall post a sign in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency. The only other signage permitted shall be that required by the FCC or any other federal or state agency. All signage associated with a Small WCF shall be approved by the Borough Zoning Officer.
- h. Accessory Equipment placement shall not materially impair light, air, or views from adjacent windows. To the extent Technically Feasible, all Accessory Equipment shall be placed facing away from adjacent windows.
- i. No Accessory Equipment shall feature any lighting, including flashing indicator lights, unless required by state or federal law.

### **3. Wiring Standards**

- a. The only wiring permitted to be installed as part of a Small WCF is that which is immediately necessary to the operation of the Small WCF.
- b. Exposed wiring is prohibited on any Small WCF.
- c. Transmission, fiber, power cables and any other wiring shall be contained within any Utility Pole or Wireless Support Structure for which such concealment is Technically Feasible. If wiring cannot be contained within the Utility Pole or Wireless Support Structure, all wiring shall be contained within conduit or U-guard that is flush-mounted to the Utility Pole or Wireless Support Structure.

- d. All wiring shall be installed without excessive slack or extra cable storage on the Utility Pole or Wireless Support Structure.
- e. Any conduit or U-guard shall be of a color that matches the Utility Pole or Wireless Support Structure to which the Small WCF is attached.
- f. Loops of extra wiring shall not be attached to any Utility Pole or Wireless Support Structure.

## **SECTION IV. WIRELESS SUPPORT STRUCTURE STANDARDS**

### **1. Replacement Wireless Support Structures**

- a. Replacement Wireless Support Structures shall be permitted only upon a showing by the Applicant that Collocation on an existing Utility Pole or other structure is not Technically Feasible.
- b. The maximum height of any Small WCF requiring a replacement Wireless Support Structure, as measured from ground level to the highest point on the WCF, shall be fifty (50) feet above ground level. The Applicant shall submit documentation to the Borough justifying the total height of the proposed Wireless Support Structure.
- c. Any replacement Wireless Support Structure shall be of comparable materials and design to the existing Utility Pole being replaced.
- d. Any replacement Wireless Support Structure shall be placed within a three (3) foot radius of the existing Utility Pole being replaced.
- e. Any replacement Wireless Support Structure shall be designed to accommodate all uses that existed on the Utility Pole being replaced.
- f. Any replacement Wireless Support Structure shall not deviate from the predominant pattern of existing Utility Poles.

### **2. New Wireless Support Structures**

- a. New Wireless Support Structures shall be permitted only upon a showing by the Applicant that Collocation on an existing Utility Pole or other Structure or replacement of an existing Utility Pole is not Technically Feasible.



- b. The maximum total height of any Small WCF requiring the installation of a new Wireless Support Structure, as measured from ground level to the highest point on the WCF, shall be fifty (50) feet above ground level. The Applicant shall submit documentation to the Borough justifying the total height of the proposed Wireless Support Structure.
- c. Any new Wireless Support Structure shall be installed in accordance with the predominant pattern of existing Utility Poles.
- d. To the extent Technically Feasible, no new Wireless Support Structure shall be installed:
  - i. In an Underground Area;
  - ii. In the Front Façade Area of any residential building or business;
  - iii. Within ten (10) feet of the edge of any driveway;
  - iv. In the public rights-of-way directly opposite any driveway; or
  - v. In violation of the design standards contained herein.

### **3. Decorative Poles:**

- a. No Small WCF shall be permitted on an existing Decorative Pole unless the Applicant provides documentation showing that such Decorative Pole is the only Technically Feasible location for placement and that no suitable alternative sites exist.
- b. Decorative Poles shall be required:
  - i. For the replacement of any existing Decorative Pole;
  - ii. In any historic district, as established by the Code of the Borough of West Reading; and
  - iii. In any residential district.
- c. For any replacement Decorative Pole, the replacement Decorative Pole shall match the existing Decorative Pole in shape, design, color, and material.

- d. Any replacement Decorative Pole shall maintain the primary function of the existing Decorative Pole being replaced, including but not limited to lighting, traffic signaling or control, or signage.

## **SECTION V. APPROVAL**

1. The Borough Zoning Officer shall determine whether a proposed Small WCF design complies with the requirements of this Design Manual.
2. Any requests for relief from the requirements of this Design Manual shall be considered on a case-by-case basis by the Borough Zoning Officer and shall be approved upon a determination by the Borough Zoning Officer that such relief is necessary to prevent the effective prohibition of wireless service pursuant to the rules of the Federal Communications Commission.

## **SECTION VI. PRIOR APPROVED DESIGNS**

1. A record of Prior Approved Designs shall be kept on file at the Borough Zoning Department.

### Small WCF Design Checklist

The information detailed in the following checklist shall be included with any application for a Small WCF:

Item	Description	Included in Application?	
		Yes	No
<b>Cover Letter</b>	<ul style="list-style-type: none"> <li>The application shall include a cover letter detailing the location of the proposed site, all equipment being proposed, and a certification that the WF Applicant has included all information required by the Borough Code. The cover letter shall include the name and contact information for the Applicant and, if different, the owner of the proposed Small WCF.</li> </ul>		
<b>Site Plan</b>	<ul style="list-style-type: none"> <li>Site plan shall show all proposed equipment associated with the Small WCF.</li> <li>The manufacturer and model, proposed location, and physical dimensions of each piece of equipment should be clearly shown.</li> <li>Before and after diagrams of the proposed site showing the dimensional changes shall be included.</li> <li>If the proposed Wireless Support Structure supports existing attachments, the site plan shall show the location and dimensions of all such attachments.</li> <li>If installation of a new or replacement Wireless Support Structure is being proposed, the site plan shall include the color, dimensions, material and type of Wireless Support Structure proposed.</li> <li>The site plan shall include an aerial photo showing the location of any existing structures within five hundred (500) feet of the proposed location, including but not limited to residential structures, commercial structures, light poles, traffic signals, traffic signage, and existing Wireless Support Structures.</li> </ul>		

<b>Photo Simulations</b>	<ul style="list-style-type: none"> <li>• Before-and-after photo simulations shall depict the Small WCF from at least three locations near the proposed site.</li> <li>• The photo simulations should reflect the proposed design and location of all Accessory Equipment associated with the Small WCF.</li> </ul>		
<b>Engineer Certifications</b>	<ul style="list-style-type: none"> <li>• A written certification by a structural engineer licensed in the Commonwealth of Pennsylvania confirming that the proposed Small WCF and Wireless Support Structure are structurally sound and shall not endanger public health and safety.</li> <li>• A report by a qualified engineering expert which shows that the Small WCF will comply with applicable FCC regulations, including applicable standards for radiofrequency emissions.</li> </ul>		
<b>Paint</b>	<ul style="list-style-type: none"> <li>• Accessory Equipment shall be painted a color that matches the Wireless Support Structure upon which such Accessory Equipment is mounted.</li> <li>• Application shall detail the proposed painting of any Accessory Equipment necessary to achieve aesthetic uniformity of the site.</li> </ul>		
<b>Wiring</b>	<ul style="list-style-type: none"> <li>• All proposed wires associated with the Small WCF shall be clearly shown.</li> <li>• A depiction and description of the concealment methods to be utilized for the wiring shall be included.</li> <li>• No exposed wiring is permitted.</li> </ul>		
<b>Signage</b>	<ul style="list-style-type: none"> <li>• Signage shall be posted in a readily visible location and identify the owner's permit number and the name and phone number of a party to contact in the event of an emergency.</li> <li>• If required, FCC-mandated signage is permitted. The Applicant shall identify such signage in its application.</li> </ul>		

<b>Certification of Compliance</b>	<ul style="list-style-type: none"> <li>• A signed statement affirming the proposed WCF and WCF application's compliance with the applicable requirements of Code of Ordinances of the Borough of West Reading and this <i>Small WCF Design Manual</i>.</li> </ul>		
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