EXHIBIT 1

ATTACHMENT 1—PROJECT NARRATIVE

LAND USE APPLICATION—CUP
Wireless Telecommunications Facility
AT&T (SP4359 Othello Downtown NSB)

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LAND USE APPLICATION—CUP
WIRELESS TELECOMMUNICATIONS FACILITY
AT&T (SP4359 Othello Downtown NSB)

Submitted to City of Othello, Washington
Community Development Department

Applicant:	New Cingular Wireless PCS, LLC ("AT&T") 19801 SW 72nd Avenue Suite 200 Tualatin, OR 97062
Representative:	Velocitel, Inc. 4004 Kruse Way Place, Suite 220 Lake Oswego, OR 97035 **Contact**: Jamison Cavallaro, CFM (503) 260-4685 jcavallaro@velocitel.com
Property-Owner:	Pilgrim Lutheran Church of Othello 640 Elm Street Othello, WA 99344
Project Address:	640 Elm Street Othello, WA 99344
Description & Tax Lot:	Parcel No. 1529030680155 (46.820344, -119.166256)
Zoning Classification:	Residential (R2)

Velocitel is submitting this application on behalf of New Cingular Wireless PCS, LLC ("AT&T") and the underlying property owner, Pilgrim Lutheran Church of Othello.

1. PROJECT OVERVIEW

AT&T is proposing to build a new wireless telecommunications facility ("Facility"), SP4359 Othello Downtown NSB, at the above noted project address. This Facility is intended to provide capacity relief from AT&T's existing wireless facilities in the area and provide reliable indoor service in AT&T's 4G LTE coverage in the Targeted Service Area (as defined herein) in downtown Othello.

AT&T intends for its application for the proposed Facility to include the following documents (collectively, "AT&T's Application"):

- Attachment 1—Project Narrative
- Attachment 2—Statement of Code Compliance
- Attachment 3—RF Justification
- Attachment 4—FCC- MPE Letter
- Attachment 5—FCC Licenses Adams County
- Attachment 6—FAA TOWAIR Determination
- Attachment 7—Jurisdiction Correspondence
- Attachment 8—Alt Site Correspondence
- Attachment 9—Photo Simulations
- Attachment 10—Zoning Drawings

As shown in AT&T's Application, the proposed Facility meets all of the City of Othello's criteria for siting new wireless communications facilities and complies with all other applicable state and federal regulations. AT&T's proposal is also the least intrusive means of improving the service of AT&T's 4G LTE coverage experienced by its customers in the targeted service area. Accordingly, AT&T respectfully requests the city approve this project as proposed, subject only to the city's standard conditions of approval.

Please Note: The responses and information included in **Attachment 2—Statement of Code Compliance** are intended to support and supplement this Project Narrative. All references to "Attachments" in this Project Narrative and the Statement of Code Compliance are in reference to the attachments included as part of AT&T's Application.

2. PROPOSED PROJECT DETAILS

2.1. Location

Detailed information regarding the subject property and the lease area for this proposed Facility is included in **Attachment 10—Zoning Drawings**.

2.1.1. Subject property.

- The subject property of this proposal is located at 640 E. Elm Street, Othello, WA 99344 (the "Property"). The Property is owned by Pilgrim Lutheran Church of Othello.
- The Property is zoned as R-2 and is presently used as local, community church and annex.

2.1.2. Lease area.

- The proposed 30ft x 30ft lease area for the Facility is located near the SW section of the Property in an open field on the backside of the parking lot (the "Lease Area").
- The Lease Area will be covered in 6in of 3/4in crushed rock with weed barrier on 95% compacted fill.
- The Lease Area will be surrounded by an 8ft wooden fence. Access to the lease area will be secured by a locked gate.
- All structures and equipment for the proposed Facility will be located within the Lease Area.

2.1.3. Access and parking.

- **Access.** Access to the Lease Area is available from 7th Street, then west on an existing, paved parking lot on the Property.
- **Parking.** Maintenance vehicles will park within the existing parking lot on the Property.
- **Trip generation**. The Facility will generate approximately one trip per month, on average, for maintenance visits by personnel in a single vehicle. The proposed Facility will have no impact on existing vehicular access to and from the Property or to pedestrian, bicycle, and transit circulation.

2.1.4. Utilities.

- **Power.** Power to the Facility will be undergrounded from the proposed AT&T transformer just SE of the Lease Area.
- **Telecommunications.** Telecommunications fiber to the Facility will be undergrounded from the proposed AT&T fiber box just SE of the Lease Area.
- **Water.** A water line is proposed to be added from the existing water connection valve located at the NW section of the Property to the Lease Area for irrigation of the landscaping buffer (see below). As this is an unmanned facility, no potable water service is needed.
- **Sewer.** As this is an unmanned wireless facility, no sewer service is needed.

2.1.5. Landscaping and screening.

- The Lease Area will be screened on all sides by a landscaping buffer consisting of 6ft evergreen trees and a continuous 36in hedge at time of planting. The proposed landscaping will comply with OMC 17.75.040—Buffer and Screening Requirements.

2.2. Wireless Facilities and Equipment

Specifications of the facilities outlined below, including a site plan, can be found in **Attachment 10—Zoning Drawings**. Photo depictions of the proposed facility can be found in **Attachment 9—Photo Simulations.**

2.2.1. Support structure design.

- AT&T is proposing to build a new 100ft, tri-pole tower utilizing a stealth design to appear as a church bell tower (the "Tower").
- This will be an unmanned wireless facility.
- The Tower will be painted in a neutral, complimentary color to match the adjacent church and will have an anti-glare finish.

2.2.2. Antennas and accessory equipment.

- The Tower will contain the following AT&T 4G LTE equipment:
    - Up to six (6) panel antennas
    - Up to twelve (12) remote radio head ("RRH") units
    - Two (2) surge protectors
    - All associated accessory equipment
- The antennas, RRHs, and accessory equipment on the Tower will be concealed inside the proposed bell tower.

2.2.3. Ground equipment.

- All ground equipment associated with the Tower will be constructed within the Lease Area.
- The ground equipment will be enclosed within a pre-fabricated 8ft x 16ft walk-in cabinet shelter placed on a concrete slab.
- A diesel-fueled generator will also be located in the Lease Area for emergency back-up power.

2.2.4. Lighting.

- The Tower will not be artificially illuminated, and no artificial lighting is required pursuant to federal authorities. (*See* **Attachment 6—FAA TOWAIR Determination)**

3. AT&T's SERVICE OBJECTIVES & TARGETED SERVICE AREA

3.1. Overview—AT&T 4G LTE

AT&T is upgrading and expanding its wireless communications network to support the latest 4G LTE technology. LTE stands for "Long Term Evolution." This acronym refers to the ongoing process of improving wireless technology standards, which is now in its fourth generation. With each generation comes improvement in speed and functionality—4G LTE offers speeds up to ten times faster than 3G. LTE technology is the next step in increasing broadband speeds to meet the demands of uses and the variety of content accessed over mobile networks.

Upon completion of this update, AT&T will operate a state-of-the-art digital network of wireless communications facilities throughout the proposed service area as part of its nationwide wireless communications network.

3.2. Service Objectives for Proposed Facility

This proposed new Facility is intended to provide service capacity to AT&T's existing nearby wireless facility to improve 4G LTE capacity for its customers in downtown Othello and south of downtown (the "Targeted Service Area"). As proposed, this new Facility meets AT&T's service objectives to provide sufficient continuous outdoor, in-vehicle, and in-building wireless service within the Targeted Service Area. This proposed new Facility will add much needed additional capacity to allow for uninterrupted wireless service in the Targeted Service Area with fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands. This includes emergency 911 calls throughout the area.

The full analysis from AT&T's Radio Frequency ("RF") engineers regarding how the proposed Facility meets AT&T's service objectives within the Targeted Service Area is provided in **Attachment 3—RF Justification**.

4. SEARCH RING

AT&T's RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate site location and antenna height required to fulfill the noted service objectives for the Targeted Service Area. From this study, AT&T's RF engineers identified a specific geographic area, or "search ring", where a Facility may be located to provide effective service in the Targeted Service Area.

The search ring established for this proposal, and a description of the methodology used to identify the search ring, is provided in **Attachment 3—RF Justification**.

5. SITING ANALYSIS

AT&T considers all siting possibilities within, and adjacent to, a search ring to determine the best location for a new facility to meet AT&T's service objectives in the Targeted Service Area. AT&T will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or determined to be infeasible, AT&T will then propose a new tower.

For this proposed Facility, AT&T's construction and real estate group, with the assistance of outside consultants, thoroughly analyzed all siting options and identified and evaluated several alternative sites within and directly adjacent to the search ring as possible locations for the proposed new Facility.

5.1. Siting Priorities / Alternative Site Analysis

Pursuant to OMC 16.68.070, the following is AT&T's evaluation of each priority siting location for locating the proposed new Facility.

- **(a) Place antennas on appropriate rights-of-way and existing structures, such as buildings, towers, water towers and smokestacks.**

  o Given the required antenna tip height of 100ft, there are no appropriate rights-of-way locations or existing structures within AT&T's search ring that are technologically feasible to meet AT&T's service objectives within the Targeted Service Area. Because this is a service capacity site intended to offload capacity in a specific area, the proposed new Facility must be located within the identified search ring, at the requested height, to be able to establish a dominant signal and enhance capacity within the Targeted Service Area. (*See* **Attachment 3—RF Justification, Search Ring**)

  o **City of Othello Water Tank.** Though not within the search ring, the city's water tank at the corner of E Ash Street and S 14th Avenue is directly adjacent. AT&T contacted the city's public works department regarding co-location on the city's water tank however the public works department declined to pursue such a co-location. (*See* **Attachment 8—Alt Site Correspondence**) Additionally, pursuant to AT&T's RF engineering analysis, the water tank is located outside the search ring and the RF propagation from the ~70ft available antenna tip height would be insufficient to meet AT&T's service objectives within the Targeted Service Area. (*See* **Attachment 3—RF Justification, Alternative Site #2**)

  o **AT&T's Existing Facility.** AT&T's existing facility on a tower northwest of downtown Othello, over 0.50 miles outside the search ring, does not provide dominant capacity relief within the Targeted Service Area. (*See* **Attachment 3—RF Justification, Search Ring**)

  o **Existing Monopole.** Though not within the search ring, aside from AT&T's existing facility, the next closest existing wireless tower is located at 1040 E Main Street, which is approximately 0.60 miles outside of the search ring and has an available antenna tip height of approximately 27ft. This monopole is not a viable option for co-location because, pursuant to AT&T's RF engineering analysis the RF propagation from an antenna tip height of 27ft would be insufficient to meet AT&T's service objectives within the Targeted Service Area. (*See* **Attachment 3—RF Justification, Alternative Site #6**)

- **(b) Place antennas and towers in districts zoned industrial.**

  o There are no districts zoned industrial within the search ring. As noted by AT&T's RF engineers, because this is a service capacity site intended to offload capacity in a specific area, the proposed new Facility must be located within the identified search ring to be able to establish a dominant signal and enhance capacity within the Targeted Service Area. (*See* **Attachment 3—RF Justification, Search Ring**)

- AT&T has an existing facility in the industrial zoned district northwest of downtown Othello, over a ½ mile outside the search ring. However, again, the capacity relief required does not extend to the Targeted Service Area. (*See* **Attachment 3—RF Justification, Search Ring**)

- **(c) Place antennas and towers in districts zoned commercial.**

  - There are no districts zoned commercial within the search ring. As noted by AT&T's RF engineers, because this is a service capacity site intended to offload capacity in a specific area, the proposed new Facility must be located within identified search ring to be able to establish a dominant signal and enhance capacity within the Targeted Service Area. (*See* **Attachment 3—RF Justification, Search Ring**)

- **(d) Place antennas and towers on other nonresidential property.**

  - To the extent this provision is referring to other properties with nonresidential uses, regardless of the underlying zoning, as noted above, the proposed Facility is located on a nonresidential property (church use) within a residential zone.

  - To the extent this provision is referring to other nonresidential zones, there are no other nonresidential zoning districts within the search area. (*See* **Attachment 3—RF Justification, Search Ring**)

  - AT&T evaluated the other following locations in the search ring with nonresidential uses for siting the proposed Facility:

    - **Stevens Funeral Chapel.** 511 S. 7th Ave, Othello, WA. This site is also a nonresidential use in the R-2 zone. The proposed Facility would not meet the setback requirements for that property.

    - **City of Othello Public Schools.** The school district declined construction of a new tower on any school property. (*See* **Attachment 8—Alt Site Correspondence**)

- **(e) Place antennas on churches, parks, schools, utility facilities, or other appropriate public facilities or multifamily residential structures exceeding thirty feet in height.**

  - There are no such public facilities or multifamily structures exceeding thirty feet in height within the search ring.

  - Though this is a lower siting priority than the proposed location, AT&T did make an attempt to locate the proposed facility on the rooftop of the following public schools within

the search ring (though the school district declined leasing land for building a new tower, there was interest in a rooftop facility):

- **Othello High School.** 340 S 7th Ave, Othello, WA. ~25ft available antenna tip height. This is not a suitable siting option as the lower available antenna tip height will not provide significant enough coverage to address the traffic requirements and augment the current traffic requirements for downtown Othello. (*See* **Attachment 3—RF Justification, Alternative Site #3**)

- **Lutacaga Elementary School.** 795 S 7th Ave, Othello, WA. ~25ft available antenna tip height. This is not a suitable siting option as the lower available antenna tip height will not provide significant enough coverage to address the traffic requirements and augment the current traffic requirements for downtown Othello. (*See* **Attachment 3—RF Justification, Alternative Site #4**)

- **McFarland Middle School.** 790 S 10th Ave, Othello, WA. ~25ft available antenna tip height. This is not a suitable siting option as the lower available antenna tip height will not provide significant enough coverage to address the traffic requirements and augment the current traffic requirements for downtown Othello. (*See* **Attachment 3—RF Justification, Alternative Site #5**)

6. APPLICABLE LAW

6.1. Local Codes and Policies

6.1.1. Zoning Approval. Pursuant to Chapter 16.68 OMC, a conditional use permit (CUP) is required for all personal wireless facilities located in a R-2 residential zone. Accordingly, AT&T has submitted this Application to obtain a CUP for the proposed Facility.

6.1.2. Development standards and criteria. Please refer to **Attachment 2—Statement of Code Compliance** for demonstration of AT&T's compliance with all applicable OMC development standards and criteria for the proposed new Facility.

6.1.3. Acknowledgment of applicable law. Pursuant to OMC 19.05.010(d), AT&T acknowledges that "This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Chapter 19.07."

6.2. State Law

Pursuant to OMC 13.04.030, a SEPA Environmental Checklist is required as part of the Conditional Use Permit application for the proposed Facility. Accordingly, a completed SEPA Checklist is included with AT&T's Land Use application.

6.3. Federal Law

Federal law, primarily found in the Telecommunications Act of 1996 ("Telecom Act"), acknowledges a local jurisdiction's zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways.

6.3.1. Local jurisdictions may not materially limit or inhibit. The Telecom Act prohibits a local jurisdiction from taking any action on a wireless siting permit that "prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B)(i)(II). According to the Federal Communications Commission ("FCC") Order adopted in September 2018,[1] a local jurisdiction's action has the effect of prohibiting the provision of wireless services when it "materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment."[2] Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility in terms of adding capacity, updating to new technologies, and/or maintaining high quality service.[3]

While an applicant is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

- **Significant Gap**. Reliable in-building coverage is now a necessity and every community's expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a "significant gap" can exist based on inadequate in-building coverage. See, e.g., *T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City,* 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007*), affirmed in part,* 546 F.3d 1299 (10th Cir. 2008); *MetroPCS, Inc. v. City and County of San Francisco,* 2006 WL 1699580, *10-11 (N.D. Cal. 2006).

[1] *Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC 18-133 (rel. Sept. 27, 2018); 83 Fed. Reg. 51867 (Oct. 15, 2018) ("FCC Order").
[2] Id. at ¶ 35.
[3] Id. at ¶¶ 34-42.

- **Least Intrusive Means.** The least intrusive means standard "requires that the provider 'show that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve.'" 572 F.3d at 995, *quoting MetroPCS, Inc. v. City of San Francisco*, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code's preferences and siting requirements.

6.3.2. Environmental and health effects prohibited from consideration. Also, under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). AT&T has included with this application a statement from its radio frequency engineers demonstrating that the proposed facility will operate in accordance with the FCC's RF emissions regulations. (*See* **Attachment 5—FCC / MPE Letter**). Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed Facility should be disregarded in this proceeding.

6.3.3. No discrimination amongst providers. Local jurisdiction also may not discriminate amongst providers of functionally equivalent services. 47 U.S.C. § 332(c)(7)(B)(i)(I). A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers' applications for similarly situated facilities.

6.3.4. Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47 U.S.C. § 332(c)(7)(B)(ii). The FCC has issued a "Shot Clock" rule to establish a deadline for the issuance of land use permits for wireless facilities. 47 C.F.R. § 1.6001, *et seq*. A presumptively reasonable period of time for a local government to act on all relevant applications for a "macro" wireless facility on a new structure is 150 days. 47 C.F.R. § 1.6003(c)(1)(iv). The Shot Clock date is determined by counting forward 150 calendar days from the day after the date of submittal, including any required pre-application period. 47 C.F.R. § 1.6003(e).

Pursuant to federal law, the reasonable time period for review of this application is 150 days.