

**PROJECT STATEMENT  
FOR  
TEMPORARY 124' WIRELESS COMMUNICATION FACILITY**

**Submitted to City of Salt Lake  
Land Use Review Planning & Community Development**

**May 2023**

**1. GENERAL INFORMATION**

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**Applicant:** Crown Castle  
Todd Daoust  
109 East Tuckey Lane  
Phoenix, AZ 85012

**Site Address:** 52 West Fayette  
Salt Lake, City, UT 84111

**TSN:** 15-12-280-043-0000

**Zoning Classification:** D-2, Downtown Support District

**Crown Castle Site:** 880617 – Alley

**Property Owner:** Lake Limited

**Request:** Approval of a temporary 124' monopole to support the *relocation of existing wireless Communications equipment.*

**2. INTRODUCTION**

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Wireless technology has become an integral part of our daily lives. This technology relies on infrastructure (Cell Sites) to create the coverage and capacity to meet bandwidth demand. In 2020, wireless traffic topped 42 trillion MBs- a 208% increase since 2016. By 2023, we will have 329 million mobile users (88 percent of regional population), up from 313 million (86 percent of regional population) in 2018 (Source Cisco Networking).

High speed mobile broadband is available to nearly all consumers in the U.S., and those broadband speeds keep increasing. Faster speeds mean better connections and more advanced applications. Wireless is increasingly the preferred way to access the internet.

Wireless data use will continue to grow. By 2025, people will interact with connected devices every 18 seconds. 5G networks will be 100 times faster, connect 100 times more devices and be five times more responsive. Connecting everyone and everything will unlock innovation across every part of our lives-powering breakthroughs in healthcare, energy, and manufacturing.

Wireless industry innovation will enable truly smart cities and is critical to the emerging Internet of Things (“IoT”), connecting watches, clothing, drones, homes, offices, cars and more- creating new industries and jobs, improving safety. Reducing waste and enhancing our environment.

Crown Castle has been part of the national wireless community since 1994, possessing approximately 40,000 cell towers hosting approximately 91,000 carrier installations. Crown Castle’s extensive infrastructure, including fiber and small cells as well as towers, serves as the backbone of the nation’s communication network. The existing site is a critical component of that network, providing continuity for the public interest, emergency 911-call services, and reliable long-term stability for wireless service in the Salt Lake community.

Crown invests heavily in the resources necessary to ensure quality, reliable wireless service for the area. In addition to its in-house legal team dedicated to addressing compliance matters, Crown also conducts annual safety inspections on all towers and employs a national operations center monitoring all critical systems 24 hours a day, 7 days a week, 365 days a year. In the event of an emergency, Crown is prepared with a national disaster recovery program on standby with the objective of maintaining wireless communications to the extent possible.

### **3. REQUEST**

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This application submittal accompanies the formal request be made to the City of Salt Lake:

- 1) Approval of a Conditional Use Permit for a temporary “Non-Stealth” 124’ communications monopole tower.

### **4. PROJECT DESCRIPTION/HISTORY**

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Crown Castle, a wireless communications infrastructure company operating in the City of Salt Lake, UT, currently owns and operates a wireless communications facility located at 52 West Fayette Avenue, Salt Lake City, UT. The Parent Parcel measures .22 acres, and is used in conjunction with the adjacent 1.13 Acre parcel (46 Fayette Ave., 15-12-280-016-0000). The site was originally developed by Sprint (now T-Mobile) in 1999 and consisted of a 60’ Monopole in a 20’ X 30’ compound. The site was subsequently transferred to Crown Castle as part of an acquisition of a larger tower portfolio, who facilitated the collocation of Verizon Wireless with the installation of an eight-foot extension to the structure. The two-carrier compound now measures approximately 47’ X 20’ with a 68’ monopole tower.

The property owner, Lake Limited, intends to redevelop the property (in conjunction with 15122800160000 at 46 W Fayette Ave.) with a multi-story building of 100’ in height. *This redevelopment not only requires the demolition of the existing 68’ monopole; it requires the deployment of a temporary structure supporting both T-Mobile and Verizon Wireless at antenna height necessary to maintain its existing coverage in the area while this new structure is built, estimated at 18-24 months. We are therefore requesting the Conditional Use Permit for the temporary structure for this duration.*

The Applicant is proposing to build a 124’ temporary monopole to support T-Mobile and Verizon Wireless until the new building is constructed. Both carriers will migrate to the roof of the new building once completed. The carriers will utilize their existing equipment enclosures in the existing compound in conjunction with the temporary structure.



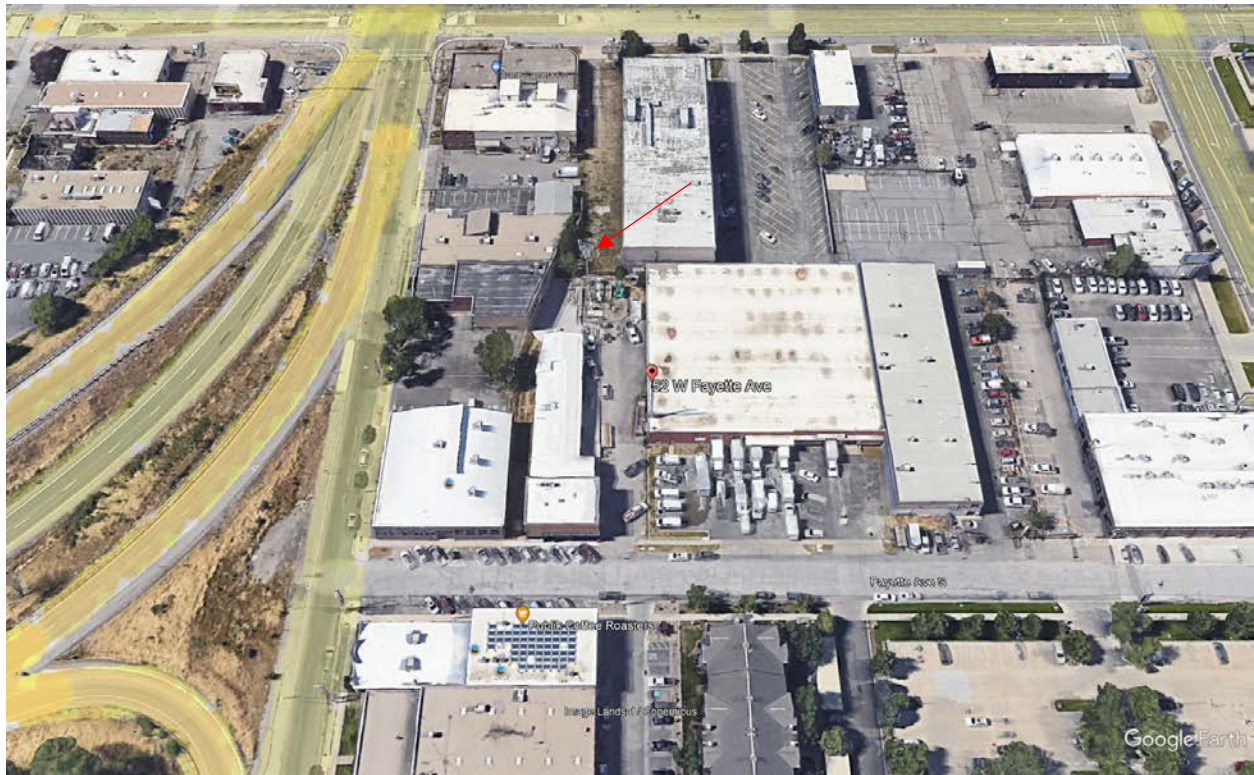
View of site.

## 5. ZONING (FINDINGS/COMPLIANCE)

The Proposed Site is zoned D-2, Downtown Support District within Salt Lake, where non-stealth freestanding Wireless Communication Facilities are allowed with a Conditional Use Permit.

Generally speaking, the parent parcel and proposed site are situated in an area bordered by Fayette Avenue to the south, W 900 S to the north, South W Temple to the west, and S Main Street to the east. No single-family zoning designations or land uses occur in this immediate area.

*Google Earth View*



The surrounding zoning and land uses are as follows:

*Surrounding Zoning and Land Uses*

Direction	Existing Zoning	Existing Use
Site	D-2	Commercial/Office
North	D-2	Commercial/Office
East	D-2	Commercial/Office
South	CC & R-MU	Commercial/Mixed Use
West	D-2	Commercial/Office

Salt Lake City Zoning Map



Notably, the most recent zoning actions on this site are PLNPC2021-00562 and PLNZAD2022-00359.

## **6. CARRIER COVERAGE**

The need for wireless service is determined by market demand, coverage requirements for a specific geographic area, and the obligation to provide continuous coverage from one site to another in a particular geographic region to avoid call failures, dropped calls and slow data speeds. Approval of this application will allow Sprint/T-Mobile and Verizon Wireless to meet the ongoing service obligations to this area from this location.

The Existing Site has historically provided coverage to the immediate surrounding commercial areas. The impending loss of this site would create a gap in coverage for this populated area of downtown Salt Lake. The proposed temporary site will fill the gap in coverage created by the loss of the existing site.

Wireless coverage provided by communication sites, such as the one at this location, functions as an important link to complete and fortify the overall communications network locally and nationally. The Project will be an essential part of the carrier's regional wireless networks. This site will fill a significant gap in coverage and expand coverage in the area, and as evidence, a propagation coverage maps are shown below.

### **Site Justification**

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#### **A. Least Intrusive Means to Fill a Significant Gap in coverage.**

Section 332(c)(7)(B)(i)(II) of the Federal Telecom Act bars local governmental decisions from precluding the provision of wireless services:

The regulation of the placement, construction, and modification of personal wireless service facilities by any State or Local government or instrumentality thereof—

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(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

The area in which a site can be relocated is geographically limited because each site is a "link" in a chain of sites and cannot move very far in any direction once the network has been established. Moving too far one way or another would cause interference or create a gap in coverage. Further, the Proposed Site's height, placement, and existing use as a wireless communications facility renders this site the least intrusive means of addressing this gap.

The direct and indirect financial benefits of reliable wireless service to the area surrounding the proposed temporary replacement tower including the City of Salt Lake are indicative of the very nature of the use by the public and private sector. In a recent report, the "National 911 Program," which is an office housed within the National Highway Traffic Safety Administration, found that "76 percent of consumers are using cellular phones to make 911 calls." Today, just over half – 50.8% - of American households only have a mobile voice connection and 90% of US households use wireless service. For Millennials (those born between 1982 and 2004), that increases to over two-thirds who live in mobile-only households. Wireless may also be the only connection available to access 911 and reverse 911. A 2015 survey found that cellular service is of major importance to homebuyers. It was more important than schools when looking for a

home (cellular service ranked 76% versus 60% for schools). Cellular coverage trailed only crime rates (96%), local taxes (90%), and amenities (84%). Among Millennials, 83% said cell service was the most important fact in purchasing a home. (RootMetrics & Money, June 2, 2015). In 2016, wireless data traffic reached yet another record high. In all, traffic totaled 13.72 trillion megabytes – the equivalent of 1.58 million years of streaming HD video – an increase of 4.07 trillion megabytes over 2015. Over the past two years, data use has increased 238 percent. (2017 CTIA Wireless Snapshot, May 2017).

With this increase in demand from users in vehicles, at home, and the increasing number of users who work from home, there is a need for facilities to meet customer needs.

## **7. ANALYSIS OF FEDERAL LAW**

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### 1. Federal Telecommunications Act of 1996

In addition to local and state law, this application is governed by the Federal communications Act, 47 U.S.C. § 332(c)(7)(B). In the Telecommunications Act of 1996, Pub. L. No 104-104, 110 Stat. 56 (“Telecom Act”) Congress added Section 332(c)(7)(B), which provides rights to wireless service providers and establishes limitations upon state and local zoning authorities with respect to applications for permits to construct wireless service facilities. The express purpose of the Act is “to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers.” Pub. L. No. 104-104, 110 Stat. 56, 56 (1996); see also *City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115 (2005). It also is intended to “encourage the rapid deployment of new telecommunications technologies.” *Id.*; see also H.R. Conf. Rep. No. 104-458, at 113 (1996) (purpose of the 1996 Act is “to provide for a pro-competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services . . . by opening all telecommunications markets to competition”).

Recognizing that wireless service can bring enormous benefits to communities and can boost jobs and economic productivity, this important law and subsequent regulations applicable to wireless facilities were enacted to remove impediments to and promote the rapid deployment of wireless technology on a national basis.

The applicable limitations and directives include the following:

- (a) State and local governments may not unreasonably discriminate among providers of functionally equivalent services (§332(c)(7)(B)(i)(I)).
- (b) State and local governments may not regulate the placement, construction or modification of wireless service facilities in a manner that prohibits, or has the effect of prohibiting, the provision of personal wireless services (better known as the “effective prohibition clause”) (§332(c)(7)(B)(i)(II)).
- (c) State and local governments must act on requests for authorization to construct or modify wireless service facilities within a reasonable period of time (§332(c)(7)(B)(ii)).

(d) Any decision by a state or local government to deny a request for construction or modification of personal wireless service facilities must be in writing and supported by substantial evidence contained in a written record (§332(c)(7)(B)(iii)).

(e) Finally, no state or local government or instrumentality thereof may regulate the placement, construction or modification of personal wireless service facilities on the basis of the perceived environmental effects of radio frequency emissions to the extent that such facilities comply with federal Communications Commission's regulations concerning such emissions (§332(c)(7)(B)(iv)). See Proof of FCC Compliance attached as Exhibit 1.

Rapid deployment of wireless facilities is an important national issue, especially given the trend of Americans eliminating traditional landline service in favor of wireless Communications. The Center for Disease Control and Prevention ("CDC") tracks "wireless substitution" rates as part of its National Health Interview Survey and publishes the findings every six months in its Wireless Substitution reports. The most recent report, issued in December of 2019, estimates that more than one-half (57%) of American homes have only wireless phones.

Reliable and robust wireless communication is essential, especially considering over half of Americans and Utahans do not have a landline and rely on wireless service to conduct personal and business communications, to access the internet or to reach emergency responders. Ensuring access in the event of an emergency is critical, be it communications between emergency service personnel or for people calling for help.

## **8. CONCLUSION**

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Due to the land use character of Salt Lake Salt Lake community and the design elements presented, the proposed site is the least intrusive to the community, extends/improves the existing coverage and preserves the aesthetics while allowing a central location to fill in the significant coverage gap that would exist if the current site went away.

The proposed temporary site will support continued coverage and capacity for T-Mobile and Verizon Wireless, and other potential wireless and therefore help reduce the number of towers needed to serve the community within this service area while the parcel is redeveloped. Again, once the new building has been completed, these carriers will migrate to the rooftop of that building.

Please contact the undersigned with any comments or questions.

Respectfully,

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