

# WIRELESS FACILITY PERMIT CHECKLIST



This checklist applies to:

- New Macro Facility on Existing Structure
- New Macro Facility on a New Tower
- For small wireless facilities please see the [Small Wireless Facility Information Form](#).
- Eligible Facilities Modifications require an Eligible Facilities Modification Permit, please see page 2 for more information.

**Applications for new macro facilities on existing structures or new towers may be applied for under the WIRELESS FACILITY Application Type in the Online Permitting Portal.**

The materials listed below must be submitted at the time of your application. **ADDITIONAL MATERIALS MAY BE REQUIRED.** A pre-application meeting is encouraged prior to submitting an application for a macro facility permit.

Please ensure files are **saved as PDF** and conform to **City of Tukwila electronic submittal standards** prior to upload.

**\*\*\*\*ADDITIONAL PERMITS MAY BE REQUIRED\*\*\*\***

ATTACHMENTS REQUIRED		ATTACHMENT FILE NAME
<b>DOCUMENTS</b>		
	1. Notarized affidavit of ownership and hold harmless agreement.	Affidavit
	2. Letter describing the proposed project	Description
	3. FCC Compliance Affidavit sign by RF engineer	Engineer Letter
	4. Narrative responding to criteria in TMC 18.58.060	Response to Criteria – 18.58.060
	5. Narrative responding to criteria in TMC 18.58.070 (for New Towers)	Response to Criteria – 18.58.070
<b>PLANSETS</b>		
	6. Site Plan - include the following: <ul style="list-style-type: none"> <li>a. Vicinity Map <ul style="list-style-type: none"> <li>○ Streets and Structures</li> <li>○ Surrounding land uses, open spaces, parking</li> <li>○ Nearby critical areas, bodies of water, etc.</li> </ul> </li> <li>b. Construction Drawings <ul style="list-style-type: none"> <li>○ Method of attachment</li> <li>○ Location of proposed antennas</li> <li>○ Proposed screening</li> <li>○ Fencing, paths, trails, and sidewalks</li> <li>○ Landscaping (if required)</li> <li>○ Any other information to depict the project</li> </ul> </li> </ul>	Site Plan
	7. Photo simulations and/or Architectural Elevations	Photo Simulation

## WIRELESS FACILITY PERMIT PROCESS

The purpose of the Wireless Communication Facilities Chapter (TMC 18.58), in addition to implementing the general purposes of the Comprehensive Plan and development regulations, is to regulate the permitting, placement, construction, and modification of wireless communication facilities, in order to protect the health, safety and welfare of the public, while not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the City.

### **SMALL WIRELESS FACILITIES – TMC 18.58.020**

#### ***Do not require a Macro Facility Permit***

Small wireless facilities, as defined in TMC Section 18.58.040, are permitted uses throughout the City but still require a small wireless facility permit pursuant to TMC Section 18.58.020. Small wireless facilities located within the City's rights-of-way require a valid franchise. See the [Small Wireless Facility Information Form](#) for more information.

### **ELIGIBLE FACILITIES REQUESTS – TMC 18.58.090**

#### ***Do not require a Macro Facility Permit***

Under 47 USC 1455 and relevant FCC regulations (see 47 CFR §1.6100), a local jurisdiction must approve a modification of a wireless facility qualifying as an eligible facility request. Accordingly, the City adopts the following provisions for review of applications for eligible facility requests as defined by this chapter and federal law.

"Eligible facilities request" shall mean any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- a. Collocation of new transmission equipment;
- b. Removal of transmission equipment;
- c. Pole replacement or
- d. Replacement of transmission equipment.

### **MACRO FACILITY: NON-NEW TOWER MACRO FACILITY OR MODIFICATION OF EXISTING MACRO FACILITY – TMC 18.58.060**

#### ***(Type 2 Permit - Administrative)***

Applicability: A new macro facility on an existing or replacement structure, or a modification of an existing macro facility that constitutes a substantial change, pursuant to TMC 18.58.090.B.7.

Required applications: The following applications may be required, depending on the location of the proposed deployment.

1. *Franchise.* If any portion of the applicant's facilities are to be located in the right-of-way, the applicant shall apply for, and receive, a franchise consistent with TMC Chapter 11.32. An applicant with a franchise for the deployment of macro facilities in the City may apply directly for a macro facility permit and related approvals.
2. *Macro Facility Permits.* The applicant shall submit a macro facility permit application as required by TMC Section 18.58.020. Prior to the issuance of a macro facility permit, the applicant shall pay a permit fee in an amount in accordance with the fee schedule adopted by resolution of the City Council, or the actual costs incurred by the City in reviewing such permit application.

3. *Associated Permit(s) and Checklist(s).* The applicant shall attach all associated required permit applications including, but not limited to, applications required under TMC Chapter 11.08, and applications or check lists required under the City's Critical Areas, Shoreline or SEPA ordinances.
4. *Leases.* An applicant who desires to place a macro facility on City property outside the right-of-way or attach a macro facility to any structure owned by the City shall include an application for a lease as a component of its application. Leases for the use of public property, structures, or facilities shall be submitted to the City Council for approval.

Macro facility permit review procedures:

1. *Completeness.* An application for a macro facility is not complete until the applicant has submitted all the applicable items required by TMC Section 18.58.060.B and to the extent relevant, has submitted all the applicable items in TMC Section 18.58.060.A and the City has confirmed that the application is complete.
2. *Public Notice.* The City shall provide notice of a complete application for a macro facility permit on the City's website with a link to the application. Prior to construction, the applicant shall provide notice of construction to all impacted property owners within 100 feet of any proposed wireless facility via a doorhanger that shall include an email contact and telephone number for the applicant. Notice is for the public's information and is not a part of a hearing or part of the land use appeal process.
3. *Review.* The Director shall review the application for conformance with the application requirements in this Chapter and specifically the review criteria in TMC Section 18.58.060.D to determine whether the application is consistent with this Chapter.
4. *Decision.* The Director shall issue a decision in writing. The Director may grant a permit, grant the permit with conditions pursuant to this chapter and the code, or deny the permit.
  - a. Any condition reasonably required to enable the proposed use to meet the standards of this chapter and code may be imposed.
  - b. If no reasonable condition(s) can be imposed that ensure the application meets such requirements, the application shall be denied.
  - c. The Director's decision is final.

**MACRO FACILITY: NEW TOWER - TMC 18.58.070**

***(Type 3 Permit – Hearing Examiner)***

- A. *Applicability.* Any application for a new macro facility tower shall be reviewed, and approved or denied, by the Hearing Examiner as a Type 3 decision pursuant to TMC Section 18.108.030.
- B. *Review Criteria.* The Hearing Examiner shall review the application to construct a new macro facility tower, and shall determine whether each of the following requirements are met:
  1. That collocation is not feasible because:
    - a. Existing structures or towers do not have sufficient structural strength to support the applicant's proposed antenna and ancillary facilities;
    - b. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing structures would cause interference with the applicant's proposed antenna;
    - c. The fees, costs or contractual provisions required by the owner or operator in order to share an existing tower or structure, or to locate at an alternative site, or to adapt an existing tower or structure or alternative site for sharing, are unreasonable. Costs exceeding new tower construction by 25% are presumed to be unreasonable; or
    - d. The applicant demonstrates other limiting factors that render existing towers and structures or other sites unsuitable. All engineering evidence must be provided and

certified by a registered and qualified professional engineer and clearly demonstrate the evidence required.

2. The proposed tower meets all applicable design standards in TMC Section 18.58.060.
  3. Where the proposed tower does not comply with the requirements of this Chapter, the applicant has successfully demonstrated that denial of the application would effectively prohibit the provision of service in violation of 47 USC 253 and/or 332.
- C. *Determination.* The Hearing Examiner, after holding an open public hearing in accordance with TMC Chapter 18.112, shall either approve, approve with conditions, or deny the application.

### **Exemptions**

The provisions of the Wireless Facilities chapter shall not apply to the following; however, a Development Permit or Right-of-Way may still be required:

1. Routine maintenance and repair of wireless communication facilities (excluding structural work or changes in height or dimensions of support structures or buildings); provided that the wireless communication facilities received approval from the City for the original placement and construction and provided further that compliance with the standards of this code is maintained and right-of-use permit obtained if the wireless communication facility is located in the right-of-way.
2. Changing or adding additional antennas within a previously permitted concealed building-mounted installation is exempt provided there is no visible change from the outside.
3. Bird exclusionary devices.
4. Additional ground equipment placed within an approved equipment enclosure, provided the height of the equipment does not extend above the screening fence.
5. An antenna that is designed to receive or send direct broadcast satellite service and/or broadband signals, or other means for providing internet service including direct-to-home satellite services, and that is 1 meter or less in diameter or diagonal measurement, and when the antenna is attached to the residence or business that is utilizing the service.
6. An antenna that is designed to receive video programming services via multipoint distribution services, including multi-channel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is 1 meter or less in diameter or diagonal measurement.
7. An antenna that is designed to receive television broadcast signals.
8. Antennas for the receiving and sending of amateur radio devices or ham radios, provided that the antennas meet the height requirements of the applicable zoning district, and are owned and operated by a Federally-licensed amateur radio station operator or are used exclusively for receive-only antennas and provided further that compliance with the standards of this code is maintained.
9. Emergency communications equipment during a declared public emergency, when the equipment is owned and operated by an appropriate public entity.
10. Any wireless communication facility that is owned and operated by a government entity, for public safety radio systems, ham radio and business radio systems.
11. Antennas and related equipment no more than 3 feet in height that are being stored or displayed for sale.
12. Radar systems for military and civilian communication and navigation.