WIRELESS – NEW MACRO FACILITY PERMIT

City of Tukwila - Permit Center 6300 Southcenter Blvd, Suite 100, Tukwila, WA 98188 www.tukwilawa.gov/departments/



Permit Type: Wireless Facilities
Permit Subtypes: - New Macro Facility

- New Tower

*Please see separate checklists for Eligible Facility Modification or Small Wireless Facilities.

ABOUT WIRELESS FACILITY PERMITS

In the City of Tukwila, wireless permits for macro facilities and new towers are necessary to ensure that telecommunications infrastructure complies with local regulations and community standards. The permit process allows the city to control where new towers are built, ensuring they align with zoning and land use rules. Additionally, the process ensures that the structures are designed safely, reducing potential risks to the public. By regulating wireless facilities, the city can also address concerns about aesthetics, environmental impact, and any interference with aviation or other critical systems.

Applicable Regulations:

• <u>Title 18 – Zoning (Chapter 18.58)</u>

Resources:

- City Maps
- Land Use Permit Portal
- Permit Fees

What is the difference between macro facilities and small wireless facilities?

- <u>Macro facilities</u> are large cell towers or building-mounted structures that provide wide coverage, often over several miles, and are used to support many users.
- Small wireless facilities, or "small cells," are smaller, localized installations covering only a few hundred feet, typically used in dense urban areas to enhance network capacity, especially for 5G.
 See our Small Wireless Facilities checklist for more information.

PRE-APPLICATIONS

When preparing to submit a design review application in the City of Tukwila, it's highly recommended that applicants complete a pre-application process first. This step can help you identify any potential issues early, clarify the requirements, and streamline the overall application process. By engaging in a pre-application meeting with the City's planning staff, you'll gain valuable insights that can save time and resources down the line, ensuring that your final application is more likely to meet the necessary criteria for approval.

COMPLETE APPLICATION

A Land Use Application is deemed complete when it is accompanied by the required items in the checklists identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues.

No application shall be considered complete if any of the required information is missing. Additional copies of certain items will be required later in the process. The applicant may request in writing that the preliminary plat be processed simultaneously with application for rezones, variances, planned unit developments, site plan approvals, and similar quasi-judicial or administrative actions as per RCW 58.17.070.

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LAND USE + DEVELOPMENT PERMIT REQUIREMENTS

Some wireless facility projects require both a land use (wireless) permit and a development (building) permit to ensure they meet all regulatory standards. The land use permit focuses on compliance with zoning, environmental, and community guidelines for wireless facilities, while the development permit addresses construction aspects, such as safety and building codes. This dual-permitting process helps ensure that wireless infrastructure is built responsibly and in accordance with both land use and structural regulations, supporting safe, effective integration within the community.

	Land Use Permit	Development Permit
Eligible Facility Modification	Not Required – use Eligible Facility	Required
	Checklist	
Macro Facility – No New Tower	Required – use this checklist	Required
Macro Facility – New Tower	Required – use this checklist	Required

SUBMITTAL CHECKLIST - REQUIRED FOR ALL PERMITS

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.

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

CHECKLIST	FILE NAME	DESCRIPTION
DOCUMENTS		
	AFFIDAVIT	Notarized affidavit of ownership and hold harmless agreement.
	DESCRIPTION	Letter describing the proposed project.
	ENGINEER LETTER	FCC Compliance Affidavit sign by RF engineer.
	RESPONSE TO CRITERIA –	Narrative responding to criteria in TMC 18.58.060 (see below)
	18.58.060	
	RESPONSE TO CRITERIA –	Narrative responding to criteria in TMC 18.58.070 (for New Towers,
	18.58.070	see below)
PLANSETS		
	SITE PLANS	Site Plan - include the following:
		a. Vicinity Map
		Streets and Structures
		Surrounding land uses, open spaces, parking
		Nearby critical areas, bodies of water, etc.
		b. Construction Drawings
		Method of attachment
		Location of proposed antennas
		Proposed screening
		 Fencing, paths, trails, and sidewalks
		Landscaping (if required)
		o Any other information to depict the project

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MACRO FACILITY: New Macro Facility (no new tower)

(Type 2 Permit - Administrative)



Application Type per Online Portal

Tukwila Municipal Code 18.58.060:

<u>Applicability:</u> 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 17.58.090.B.7.

Macro facility application requirements:

The following information shall be provided by all applicants for a macro facility permit:

Ш	The name, address, phone number and authorized signature on behalf of the applicant. b. If the proposed
	site is not owned by the City, the name, address and phone number of the owner and a signed document or
	lease confirming that the applicant has the owner's permission to apply for permits to construct the macro
	facility.
	A statement identifying the nature and operation of the macro facility.
	A vicinity sketch showing the relationship of the proposed use to existing streets, structures and
	surrounding land uses, and the location of any nearby bodies of water, wetlands, critical areas or other significant natural or manmade features.
	Construction drawings as well as a plan of the proposed use showing proposed streets, structures, land
	uses, open spaces, parking areas, fencing, pedestrian paths and trails, buffers, and landscaping, along with text identifying the proposed use(s) of each structure or area included on the plan.
	Photo simulations of the proposed macro facility from public rights-of-way, public properties and affected residentially zoned properties. Photo simulations must include all cable, conduit and/or ground-mounted equipment necessary for and intended for use in the deployment regardless of whether the additional
	facilities are to be constructed by a third party.
	A sworn affidavit signed by an RF engineer with knowledge of the proposed project affirming that the macro facility will be compliant with all FCC and other governmental regulations in connection with human exposure to radio frequency emissions for every frequency at which the facility will operate. If facilities that generate RF radiation necessary to the macro facility are to be provided by a third party, then the permit shall be conditioned on an RF certification showing the cumulative impact of the RF emissions on the entire installation.
	Information necessary to demonstrate the applicant's compliance with FCC rules, regulations and
	requirements that are applicable to the proposed macro facility.
	If not proposing a collocation, then documentation showing that the applicant has made a reasonable attempt to find a collocation site acceptable to engineering standards and that collocating was not technically feasible, or that it was not financially feasible based on commercially reasonable efforts, or that it posed a physical problem

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.

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- 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.

<u>Required applications:</u> 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.

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MACRO FACILITY: New Tower

(Type 3 Permit – Hearing Examiner)



Application Type per Online Portal

Tukwila Municipal Code 18.58.070:

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.

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:

- ☐ 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;
 - 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.

The proposed tower meets all applicable design standards in TMC Section 18.58.060.
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.

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.

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EXEMPTIONS

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

- 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.