

21.56.010 Purpose

The purpose of this chapter is to:

- A. Establish clear regulations for the siting and design of Wireless Communication Facilities (WCFs) consistent with state and federal regulations;
- B. Promote the health, safety, and general welfare of the Redmond community by regulating the siting of WCFs;
- C. Minimize visual, safety, aesthetic, and environmental impacts of WCFs on surrounding areas by establishing standards for location, structural integrity, and compatibility;
- D. Encourage the location and collocation of wireless communications equipment on existing structures; and
- E. Accommodate the growing need and demand for wireless communication services.

21.56.020 APPLICABLE PERMITS, EXEMPTIONS AND PROHIBITED FACILITIES

A. Permits Required.

- 1. A land use permit is required to locate or install any Wireless Communication Facility (WCF) outside public rights-of-way, and in certain instances within public rights-of-way, unless the WCF is exempt under subsection B below. Table 21.76.070 *Wireless Communication Facilities Review Process* in Redmond Zoning Code (RZC) Chapter 21.76, sets forth the type of permit required based upon the nature of the facility and its location.
- 2. Redmond Municipal Code (RMC) Chapter 12.14, Telecommunications, governs the installation of any WCF within Public Rights-of-Way. A Facilities Lease Agreement is required to install any WCF on ~~other~~ City-owned property or infrastructure within the City of Redmond, including public rights-of-way.

B. **Exemptions.** The following WCFs shall be exempt from the requirement to obtain land use permits:

1. VHF and UHF Receive-Only Television Antenna(s). VHF and UHF receive-only antenna(s) shall not be required to obtain land use permit approval nor shall they be required to obtain building permit approval. VHF/UHF antenna(s) shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.
2. Small Satellite Dish Antenna(s). Small dish antenna(s) in all zones shall be exempt from obtaining land use permit approval ~~in accordance with the Federal Telecommunications Act~~. Such antennas shall not be required to obtain building permit approval, but installation must comply with any applicable provisions of the City Building Code.
3. Small Cell Facilities attached to Utility Poles, Light Poles and Miscellaneous Poles within public rights-of-way shall be exempt from obtaining land use permit approval except for Small Cell Facilities located within Special Design Areas where a Type II land use permit is required. See RMC Chapter 12.14, Telecommunications, ~~Article III~~, for additional requirements.
4. Eligible Facilities Requests that meet the definition as set forth in RZC 21.78 shall be exempt from having to obtain a land use permit. A written request for an Eligible Facilities Request must be submitted to determine if the modification qualifies for this exemption. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facility modification will substantially change the physical dimensions of an eligible support structure.
5. The addition of a new antenna(s) attached to an existing antenna support structure or structure mounted facility which already has at least one WCF ~~Collocation of new antennas~~; removal or replacement of existing antennas; and associated ground mounted equipment enclosures on existing legally established structure mounted facilities (other than towers) that have received previous WCF approval and that comply with

size and concealment requirements established in RZC 21.56 or the applicable permit approving the WCF. Other applicable permits such as building permits and right-of-way use permits may be required. ~~This exemption shall not apply to small cell facilities.~~

6. Routine maintenance and repair or replacement of antennas ~~and equipment associated with~~ ~~and~~ wireless communication facilities. Replacement antennas shall be located within the same location as existing antenna and shall be of similar size, weight and height and shall comply with concealment requirements established in RZC 21.56 and in the applicable permit approving the WCF, ~~unless such replacement antennas are approved exempted as under~~ an Eligible Facilities Request ~~application~~. Other applicable permits such as building permits and right-of-way use permits may be required.
 7. Temporary WCF for emergency communications equipment during a declared public emergency.
 8. Wireless communication equipment, ~~including, such as~~ but not limited to, the support of traffic signal systems, Supervisory Control and Data Acquisition (SCADA) devices, Intelligent Transportation Systems (ITS), LED Street Light Gateways, transit signal priority devices and other similar devices shall not be required to obtain land use permit approval.
- C. Permits may be conditioned to allow review of the continued use of the antenna support structure ~~or structure mounted facility~~ at five-year intervals in order to recognize that rapid technological advancements, changing markets, and legal interpretations by the FCC and by the courts may require periodic design review.
- D. In addition to complying with the requirements of this chapter and the International Building Code, all wireless communication facilities located within the shorelines of the City shall comply with RZC 21.68.160, *Utilities Within Shorelines*.

- E. All permits for WCF's shall be expressly conditioned upon compliance with the removal requirements of RZC 21.56.080, *Cessation of Use*, below upon cessation of use of any such facility.
- F. **Performance Assurance.** The Administrator may require a performance assurance under Redmond Municipal Code (RMC) Chapter 12.14 Telecommunications when located within public rights-of-way to ensure compliance with any aspect of this chapter. The Administrator may require a performance assurance under RZC ~~Chapter~~ 21.76.090 when located outside of public rights-of-way or when located on any private property.
- G. **Prohibited Devices.** WCF's that are not permanently affixed to a support structure and which are capable of being moved from location to location (e.g., "cell on wheels" or ballast mounts) are prohibited except for when allowed as a Temporary WCF consistent with RZC 21.56.021 below.

21.56.021 Temporary Wireless Communication Facilities

A. Permits Required.

1. A Type I land use permit is required to locate or install any ~~t~~Temporary Wireless Communication Facility (WCF) on private property within the City of Redmond unless specially exempted per RZC 21.56.020(B)(6). See Table 21.76.070 *Wireless Communication Facilities Review Process* in Redmond Zoning Code (RZC) Chapter 21.76.
2. Except during a declared public emergency a ~~l~~ease ~~a~~Agreement is required, consistent with RMC Chapter 12.14 Telecommunications to install any ~~t~~Temporary WCF on City-owned property within the City of Redmond.. ~~See Redmond Municipal Code (RMC) Chapter 12.14 Telecommunications.~~ Temporary WCF's are not permitted within public rights-of-way except for exempt facilities per RZC 21.56.020(B) (~~6~~7).

B. Temporary WCF's shall only be allowed for:

1. The reconstruction of a permanent WCF and limited to a duration of 18 months from the date of approval unless an

extension is requested at least 30 days prior to the expiration date; or

2. Large scale events and limited to the duration of the event, plus ten days prior to the event and ten days after; or
3. Emergency communications equipment during a declared public emergency.

C. **Temporary WCF facilities shall be portable without a permanent foundation.** Roof mounted Temporary WCF facilities shall comply with size requirements established for Structure Mounted Facilities and ground mounted Temporary WCF facilities shall comply with size requirements for Antenna Support Structures as established in RZC 21.56.040, *General Development Standards for Wireless Communication Facilities*.

21.56.030 General Siting Criteria

A. RZC 21.76.070.AD, *Wireless Communication Facilities*, identifies zoning districts, standards and the review process for Wireless Communication Facilities.

B. New antenna support structures shall:

1. Comply with the siting standards and hierarchy set forth in the following subsections.
2. Not be permitted within public rights-of-way unless the applicant can demonstrate that alternative locations outside the right-of-way are not feasible.
3. Not be permitted if an existing antenna support structure is in a higher priority location within one-quarter mile and such existing structure is suitable for attachment of an antenna or collocation, unless the applicant demonstrates that the alternative location is not feasible. The applicant shall provide a map showing all existing antenna support structures and existing structure mounted facilities housing WCFs located within one-quarter mile of the proposed site.

C. New antenna support structures for macro cell facilities and small cell facilities located outside public rights-of-way and macro cell facilities located within public rights-of-way shall

be sited within the zoning districts of the City according to the following siting hierarchy, with (1) being the highest (most preferable) ranking site and (9) being the lowest (least preferable) ranking site. New antenna support structures for small cell facilities located within public rights-of-way shall be sited according to the siting hierarchy established in section D below. New antenna support structures must be located on the highest ranking site unless the applicant can demonstrate that the site is not technically feasible or available given the location of the proposed structure and the network need. This demonstration shall be provided in a report prepared by a qualified licensed radio frequency engineer, professional engineer, or a professional with training in the field of wireless communications facility siting. In order of ranking, from highest to lowest, the sites are:

1. ~~Collocated~~ Attached to ~~on~~ an existing legally established antenna support structure~~s~~ or structure mounted ~~facilities~~ facility with an existing WCF.
2. Attached to a structure mounted facility on sites used exclusively for business park, general commercial, industrial or manufacturing park uses within the BP, GC, I and MP zones.
3. Attachment to a structure mounted facility, such as a water tower within all zoning districts.
4. Attached to a structure mounted facility on sites used exclusively for manufacturing, research and development, commercial, and office uses in the commercial, Downtown, and Overlake zoning districts. Within these zoning districts, the highest to lowest ranking sites are I, MP, BP, GC, NC-2, RR, OBAT, OV1-5, Downtown Zones, and NC-1.
5. On institutional structures, places of worship, and other nonresidential structures located in residential zones.
6. Attached to multifamily residential structures in the R-20 and R-30 zoning districts. Wireless communication facilities attached to residential structures are not

permitted in any residential zoning district other than R-20 and R-30. ~~(Ord. 2614)~~

7. Placement on a new antenna support structure located within BP, GC, I and MP zones.
 8. Placement on a new antenna support structure located within all zones except BP, GC, I, MP, UR, RA-5, R-1, R-2, R-3, R-4, R-5, R-6 and Shoreline Areas
 9. Placement on a new antenna support structure located within UR, RA-5, R-1, R-2, R-3, R-4, R-5 and R-6 and Shoreline Areas. See RZC 21.56.060 for additional requirements. Antenna Support Structures located within R-2, R-3, R-4, R-5 and R-6 are subject to Special Exceptions outlined RZC 21.56.060.
- D. New Antenna Support Structures for Small Cell Facilities located within public rights-of-way shall be in accordance with the following siting hierarchy, with (1) being the highest (most preferable) ranking site and (8) being the lowest (least preferable) ranking site. A new Small Cell Facility must be located on the highest ranking site unless the applicant can demonstrate that the site is not technically feasible or available given the location of the proposed structure and the network need. This demonstration shall be provided in a report prepared by a qualified licensed radio frequency engineer, professional engineer, or a professional with training in the field of wireless communications facility siting. In order of ranking, from highest to lowest, the sites are:
1. Placement of small cell facility on existing ~~and~~ or replacement utility poles, light poles or miscellaneous poles in nonresidential zones.
 2. Placement of small cell facility on existing ~~or~~~~and~~ replacement utility poles, light poles or miscellaneous poles in residential zones.
 3. ~~Attachment Collocation~~ of a small cell facility ~~or a macro facility~~ on an existing structure mounted facility

or existing antenna support structure which has an existing WCF in any zone.

4. Placement of a small cell facility on a new light pole when pole design standards are met and a lighting analysis is submitted showing the need and correct placement for a new light pole.
5. Placement on a ~~new~~ structure mounted facility in any zone.
6. Placement on a new antenna support structure located within BP, GC, I and MP zones.
7. Placement on a new antenna support structure located within all zones (except BP, GC, I, MP, UR, RA-5, R-1, R-2, R-3, R-4, R-5, R-6 and Shoreline Areas).
8. Placement on a new antenna support structure located within UR, RA-5, R-1, R-2, R-3, R-4, R-5 and R-6 and Shoreline Areas. See RZC 21.56.060 for additional requirements. Antenna Support Structures located within R-2, R-3, R-4, R-5 and R-6 zones are subject to Special Exceptions outlined RZC 21.56.060.

21.56.040 General Development Standards

A. All Wireless Communication Facilities shall be installed and operated in accordance with the regulations of the Federal Communications Commission (FCC) and in compliance with the development standards set forth in the following subsections.

1. Large Satellite Dish Antenna(s):

- a. Shall not be located within front or side yard building setback areas. Shall be located outside of any required landscaped area and preferably located in service areas or other less visible locations.
- b. Ground mounted and roof mounted antennas are allowed in all zones except for Urban Recreation (UR) zones and Residential (R) zones where only ground mounted antennas are allowed. Ground mounted antennas shall not exceed 12 feet in diameter and 15 feet in height,

including their bases measured from existing grade. Roof mounted antennas shall not exceed 12 feet in diameter and 15 feet in height, including their bases measured from the roof line.

- c. Mountings and satellite dishes shall be no taller than the minimum required for obtaining an obstruction-free reception window.
- d. Construction plans and final construction of the mounting bases of all large satellite dish antenna(s) shall be approved by the City's Building Division.

2. Amateur Radio Towers:

- a. Towers in all zones shall not be located within any easements, front, side, or rear yard building setback areas. Shall be located at a point farthest from lot lines as feasible, or the point farthest from residential structures on abutting properties. Towers located in Semi-Rural (RA-5) zone, UR, and Bear Creek Design District 2 (BCDD2) zone shall be located in the yard of the residence and avoid using land that is available for crops, pasturage, or other agricultural activities.
- b. Ground mounted and roof mounted antennas are allowed in all zones. Ground mounted towers shall not exceed 65 feet in height unless a proposal demonstrates that physical obstructions impair the adequate use of the tower. Telescoping towers may exceed the 65-foot height limit only when extended and operating.
- c. The combined structure of a roof-mounted tower and antenna(s) shall not exceed a height of 25 feet above the existing roofline. Within the shoreline jurisdiction, the height limit for ground-mounted and roof-mounted towers and antennas, inclusive of building height, is 50 feet (SMP). Screening shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof.

- d. Mountings and Amateur Radio Towers shall be no taller than the minimum required for the purposes of obtaining an obstruction-free reception window.
 - e. Construction plans and final construction of the mounting bases of amateur radio towers covered by this section shall meet the structural design requirements of this section and shall be approved by the City's Building Division.
 - f. Applications shall document that the proposed tower and any mounting bases are designed to withstand wind and seismic loads as established by the International Building Code.
3. Macro Cell Facilities and Small Cell Facilities located on Structure Mounted Facilities and associated Equipment Enclosures:
- a. Macro cell facilities and small cell facilities shall be structure mounted only (rooftop or façade) under this subsection. Standalone ground mounted facilities are not allowed and associated equipment enclosures may be roof or ground mounted. Ground mounted equipment enclosures shall not be located within public rights-of-way and shall not be permitted in any public easements or building setback areas.
 - b. Associated above-ground equipment enclosures for macro cell facilities shall be minimized, and shall not exceed 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed.
 - c. Associated above-ground equipment enclosures for small cell facilities shall be minimized, and shall not exceed a footprint of 16 square feet (e.g., 4 by 4 feet) unless operators can demonstrate that more space is needed.
 - d. Where an antenna is to be mounted on the roof of a building, the combined antenna(s) and all associated

equipment and required screening shall not extend more than 15 feet above the existing or proposed roof structure. Attachment to residential structures are not permitted in any residential zoning district other than R-20 and R-30.

4. New Antenna Support Structures for Small Cell Facilities and Macro Cell Facilities and associated Equipment Enclosures:

- a. New antenna support structures shall be ground mounted only and shall not be located in any setback area on private and public property.
- b. In all zones except for UR and R zones, the combined height inclusive of antennas shall not exceed 85 feet, except when collocation is specifically provided for, then the new antenna support structure shall not exceed 100 feet. New antenna support structures located within public rights-of-way shall be limited to ~~45~~ 50 feet in height inclusive of antennas.
- c. In UR and R zones, the combined height inclusive of antenna(s) shall not extend more than 15 feet above the maximum height of the zone for which it is proposed to a maximum of 60 feet. A height increase of 15 feet may be allowed by the Administrator when collocation is specifically provided. New antenna support structures located within public rights-of-way shall be limited to the maximum height allowed in the underlying zone.
- d. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside ~~the~~ public rights-of-way shall not exceed a footprint of 240 square feet (e.g., 12 by 20 feet) for macro cell facilities and 16 square feet (e.g., 4 by 4 feet) for small cell facilities unless operators can demonstrate that more space is needed.

- e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment~~7~~ (excluding antennas but including all ~~exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet ~~for enclosures~~.
 - f. Placement of a new antenna support structure shall be denied unless the applicant can demonstrate through an alternative site analysis or other supporting documentation that other existing WCF sites and the siting hierarchy per RZC 21.56.030(C) or (D) were considered and are either not technically feasible or available.
 - g. Special Exceptions per RZC 21.56.060 apply to locate ~~an~~ a new Antenna Support Structure in UR, RA-5, R-1, R-2, R-3, R-4, R-5 & R-6 zones or within shoreline areas of the City or to exceed height limits in any zone.
5. Small Cell Facilities attached to existing and replacement Utility Poles (excluding Light Poles) and Miscellaneous Poles:
- a. Antennas and pole-top extenders, to the extent allowed by RZC 21.56.050, shall not extend more than 15' above the top of pole or electrical lines, if any. Additional height may be allowed to meet the pole owner's separation requirements. Antenna canisters or shrouds on top of a utility pole shall not exceed sixteen (16) inches in diameter or three (3) inches outside the diameter of the existing/replacement pole whichever is greater measured at the top of the pole. Pole-top antenna canisters or shrouded panel antennas on miscellaneous poles shall not exceed more than three

(3) inches outside the diameter of the existing/replacement pole measured at the top of the pole. An increase in diameter may be allowed for pole-top antennas if compatible with the pole design.

- b. Distribution utility poles shall be limited to a maximum height of 50 feet inclusive of antennas measured above grade unless additional height is required by the pole owner.
- c. Transmission utility poles shall be limited to a maximum height extension of 15 feet unless additional height is required by the pole owner.
- d. Miscellaneous poles shall be limited to a maximum height of 35 feet.
- e. When additional height is required to meet separation requirements of the pole owner, the applicant shall be required to submit a letter from the pole owner specifying the height required for antennas attached to the top of pole or the height required for the pole.
- f. Replacement poles shall be limited to a 25% increase in diameter measured from the base of the existing pole to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole. A minimal increase above the 25% limit may be allowed to accommodate more equipment inside the pole. Any increase in diameter is subject to meeting ADA requirements, sight distance triangles, sidewalk clearance requirements and other applicable requirements.
- g. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards.
~~Bonding may be required per RZC 21.56.020 (C).~~

- h. Ground mounted equipment enclosures ~~and associated transmission equipment~~ are not permitted in public rights-of-way except for pole mounted equipment or when incorporated into street furniture (~~including such as~~ but not limited to mailboxes, garbage cans and benches and other similar features), the base of a pole or other similar concealment techniques.
 - i. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (~~excluding antennas but including all exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole (~~excluding antennas~~) shall be of the minimum size possible and shall not exceed ~~17-28~~ cubic feet for ~~enclosures equipment~~ on utility poles and 3 cubic feet for ~~enclosures equipment~~ on miscellaneous poles.
 - j. Vertical clearance shall be reviewed by the Public Works Department and verified by the underlying utility owner to ensure that structures will not pose a hazard to other users of the right-of-way.
6. Small Cell Facility attached to existing, replacement and new Light Poles:
- a. Antennas on top of the light pole are not to extend more than six (6) feet above the height of the existing pole and shall be equal to the diameter of the existing/replacement pole. An increase in diameter for pole-top canister antennas or shrouded panel antennas may be allowed if compatible with the pole design when the applicant demonstrates it is the minimum diameter necessary to meet technical requirements. Antennas may extend beyond six (6) feet up to a maximum of ten (10) feet if the applicant can demonstrate that more space is needed.

- b. Replacement poles shall be limited to a 25% increase in diameter measured from the base of the existing pole to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole. A minimal increase above the 25% limit may be allowed to accommodate more equipment inside the pole. Any increase in diameter is subject to meeting ADA requirements, sight distance triangles, sidewalk clearance requirements and other applicable requirements.
- c. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards.
~~Bonding may be required per RZC 21.56.020 (C).~~
- d. New light poles are allowed when determined necessary through a lighting analysis and when illumination design standards and pole standards are met. New light poles shall be the same height as other nearby light poles of the same pole design. A minimal increase in diameter may be allowed to accommodate conduit routed through the inside of the pole or to allow the placement of equipment enclosures in the base of the pole subject to meeting ADA requirements, sight-distance triangle and other applicable requirements.
- e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including ~~all exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole, ~~(excluding antennas)~~ shall be of the minimum size possible and shall not exceed ~~17~~ 28 cubic feet for enclosures.

- f. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside public rights-of-way shall not exceed a footprint of 16 square feet (e.g., 4 by 4 feet) for Small Cell Facilities unless ~~operators~~ applicants can demonstrate that more space is needed.
 - g. Ground mounted equipment enclosures are not permitted in public rights-of-way except for pole mounted equipment or when incorporated into street furniture (including but not limited to mailboxes, garbage cans and benches and other similar features), the base of a pole or other similar concealment techniques.
 - h. Small Cell Facilities are prohibited on all traffic signal poles.
 - i. Vertical clearance shall be reviewed by the Public Works Department and verified by the underlying utility owner to ensure that the structures will not pose a hazard to other users of the right-of-way.
7. Macro Cell Facility attached to existing and replacement Utility Poles:
- a. Antennas shall not extend more than 20' above the top of the pole or electrical lines, if any. Additional height may be allowed to meet the pole owner's separation requirements. An increase in diameter for pole-top canister antennas or shrouded panel antennas may be allowed if compatible with the pole design when the applicant demonstrates it is the minimum diameter necessary to meet technical requirements.
 - b. Distribution utility poles shall be limited to a maximum height of 50 feet inclusive of antennas measured above grade unless the existing pole is taller or unless additional height is required by the pole owner.

- c. Transmission utility poles shall be limited to a maximum height extension of 15 feet. A maximum height of 100 feet inclusive of antennas may be allowed if required by the pole owner or as required to match the height of the existing pole.
- d. When additional height is required to meet separation requirements of the pole owner, the applicant shall be required to submit a letter from the pole owner specifying the height required for antennas attached to the top of pole or the height required for the pole.
- e. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment (excluding antennas but including ~~all exterior or interior~~ conduit), and all other wireless equipment associated with the antennas and any pre-existing associated equipment on the pole shall be of the minimum size possible and shall not exceed 28 cubic feet for enclosures.
- ~~f. Pole mounted equipment enclosures, unified camouflage designs and associated transmission equipment, (excluding antennas) shall be of the minimum size possible and shall not exceed 17 cubic feet for enclosures.~~
- g. Ground mounted equipment enclosures ~~and associated transmission equipment~~ outside public rights-of-way shall not exceed a footprint of 240 square feet (e.g., 12 by 20 feet) unless operators can demonstrate that more space is needed. Ground mounted equipment enclosures for macro cell facilities are not permitted within the rights of way, unless in an underground vault.
- h. Replacement poles shall be located within five (5) feet of the existing pole and shall be placed in a location that meets all applicable City standards. ~~Bonding may be required per RZC 21.56.020(C).~~

- i. Macro cell facilities are prohibited on utility poles along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets.
- B. Macro Cell Facilities are prohibited on all light poles, miscellaneous poles and traffic signal poles in all public rights-of-way. Macro cell facilities are prohibited on utility poles along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets.
- C. No Wireless Communication Facility shall be used for the purposes of signage or message display of any kind, other than signage required by FCC regulations, or as specifically approved as stealth concealment.
- D. Rooftop antenna(s) and all associated rooftop equipment shall be restricted to a height limit of no more than 15 feet above the existing or proposed roof unless otherwise specified.
- E. A professional engineer licensed by the State of Washington shall certify in writing, over his or her seal, that both construction plans and final construction of the WCF are designed to withstand wind and seismic loads as established by the International Building Code.

21.56.050 Design Standards for Wireless Communication Facilities

Compliance Required. All wireless communications facilities shall comply with the design standards set forth in the following subsections below:

1. Large Satellite Dish Antenna(s):
 - a. Aluminum mesh dishes should be used whenever possible instead of a solid fiberglass type.
 - b. Screening shall be as high as the dish if technically feasible or shall be as high as the center of the dish. Full screening shall be provided

as high as the dish if the proposed location abuts an adjoining residential zone.

- c. Ground Mounted: Screening shall be provided with one or a combination of the following methods: solid fencing, walls, landscaping or structures, to block the view of the facility as much as possible. Chain-link fencing with slats shall not be permitted unless in combination with a Type I visual landscape screen (90 percent solid or more) pursuant to RZC 21.32.080, *Types of Planting*. When landscaping alone is proposed for screening purposes, a Type I visual screen as specified above is required. Landscaping for the purpose of screening shall be maintained in a healthy condition.
- d. Roof Mounted: Shall be placed as close to the center of the roof as possible. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening.
- e. To the extent technically feasible and in compliance with safety regulations, specific paint colors shall be required for camouflage purposes.

2. Amateur Radio Towers:

- a. The tower shall be painted to camouflage the facility with its surroundings when technically feasible and when in compliance with safety regulations.
- b. Ground Mounted: Screening shall be provided for all associated ground mounted equipment with one or a combination of the following methods: solid fencing, walls, landscaping or structures, to block the view of the facility as much as possible. Chain-link

fencing with slats shall not be permitted unless in combination with a Type I visual landscape screen (90 percent solid or more) pursuant to RZC

21.32.080, *Types of Planting*. When landscaping alone is proposed for screening purposes a Type I visual screen as specified above is required. Landscaping for the purpose of screening shall be maintained in a healthy condition.

- c. Roof Mounted: Screening shall be placed as close to the center of the roof as possible. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening.

3. Macro Cell Facilities and Small Cell Facilities located on Structure Mounted Facilities and associated Equipment Enclosures:

- a. Antenna arrays located on existing buildings or other structures and associated equipment shall be screened to block the view of the antennas as much as possible and specific paint colors shall be required for camouflage purposes.
- b. Antenna Arrays for Macro and Small Cell facilities mounted on rooftops of mixed-use, commercial, multifamily and other similar structures shall be fully screened. Screening shall be of a material and design compatible with the building, and can include penthouse screening, parapet walls, or other similar screening. Omni-directional antennas shall be of a color compatible with the roof, structure or background. Antenna Arrays attached to residential structures are not permitted in any residential zoning district other than R-20 and R-30.
- c. Antenna ~~s Arrays~~ for Small Cell Facilities attached to a building façade shall be flush mounted, mimic the façade they are attached to by use of color and materials and/or use other stealth tactics and shall

not project above the facade wall on which they are mounted. Antenna Arrays for Macro Cell Facilities are not permitted on any building façade other than water towers.

- d. Macro **Cell Facilities** and Small Cell Facilities are prohibited on any historic landmark.
- e. Operators shall consider undergrounding equipment if technically feasible or placing the equipment within existing structures.
- f. Above-ground equipment enclosures for antenna **s** ~~arrays~~ located on a building shall be located within the building, on the building rooftop or, on the sides or behind the building and screened to the fullest extent possible. Screening of associated above ground equipment enclosures shall be of a material, color and design compatible with the building to appear as part of the building and/or a Type I visual screen, as shown in RZC 21.32.080, *Types of Planting*, shall be created around the perimeter of the Equipment Enclosure. Landscaping for the purpose of screening shall be maintained in a healthy condition.
- g. The use of concrete or concrete aggregate shelters is not allowed in UR, RA-5 and R zones.
- h. Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040.D, *Accessory Standards*.

4. New Antenna Support Structures for Small Cell Facilities and Macro Cell Facilities and associated Equipment Enclosures:

- a. For macro cell facilities ~~S~~stealth technology shall be required using structures such as monopines (that mimic a native tree), slimline poles, flagpoles or

other similar poles. The pole type chosen shall blend with existing characteristics of the subject site when located outside public rights-of-way or shall blend with the streetscape and street poles when located within public rights-of-way. Glulam poles may be allowed if compatible and only when blended with existing characteristics such as mature trees and/or other existing wooden poles. The new antenna support structure ~~tower~~ shall be painted to blend with the background of the surrounding environment. Guyed and Lattice Antenna Support Structures are prohibited.

- b. For small cell facilities located in the rights of way, applicants shall use utility or light poles that have a similar or compatible design to existing neighboring utility or light poles in the rights of way.
- c. Antennas shall be internal to the pole or placed in a canister at the top of the pole, if technically feasible, otherwise external antenna mounts are allowed and shall be flush mounted. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(4)(e) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than ~~twelve~~ 12 inches off the pole, measured from the inside edge of the antenna to the surface of the pole.
- d. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully

concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

- e. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A) (4) (e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.
- f. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.
- g. Collocations shall be prohibited for macro cell facilities located within public rights-of-way, except where fully concealed within a stealth or slimline pole.
- h. Cable and/or conduit shall be routed through the inside of all poles.

- i. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, *Types of Planting*, shall be required for any ground equipment enclosure located within a new compound/lease area outside public rights-of-way. Landscaping for the purpose of screening shall be maintained in a healthy condition. The use of concrete or concrete aggregate shelters is not allowed in UR, RA-5 and R zones. Any fencing required for security shall meet screening codes in the same manner as applied to screening for mechanical and service areas in RZC 21.60.040.D, *Accessory Standards*.
 - j. Within the shoreline jurisdiction, additional screening shall be provided through plantings or double rows of native conifers surrounding the base of the structure. (SMP)
5. Small Cell Facility attached to existing and replacement Utility Poles (excluding Light Poles) and Miscellaneous Poles:
- a. Except for wooden utility poles, antennas shall be internal to the pole whenever technically feasible otherwise external antenna mounts are allowed and shall be flush mounted to the surface of the pole. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(5)(i) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than twelve (12) inches off the pole, measured from the inside edge of the antenna to the surface of the pole, unless otherwise required by the pole owner. Side arm brackets are prohibited.

- b. Antennas attached to the top of a miscellaneous pole shall be flush mounted as close to the top of the pole as technically feasible. Antennas shall be shrouded or screened to blend with the pole except for canister antennas which shall not require screening. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and shall be painted to match the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole.
- c. Antennas attached to the top of a utility pole and associated mounting hardware such as pole toppers or pole extenders are not allowed unless they are canister antennas or designed to blend with the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole and shall substantially match the diameter of the pole. Canister antennas or shrouding or other similar screening material shall be compatible with the pole and painted to match the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be concealed.
- d. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting

to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.

- e. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(5)(i). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.
- f. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted ~~or tinted~~ to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.
- g. ~~Attachment of additional small ~~wireless~~ cell facilities to a utility pole which has an existing small ~~wireless~~ cell facility attached~~ ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact.
- h. Cable and/or conduit shall be routed through the inside of all poles except for wooden poles where cable and/or conduit shall be allowed on the outside

of the pole. The outside conduit shall be painted to match the pole and shall comply with the engineering standards of the pole owner.

- i. New poles for the sole purpose of accommodating WCF's shall be reviewed as a new antenna support structure.

6. Small Cell Facilities attached to existing, replacement and new Light Poles:

- a. Antennas shall be internal to the pole whenever technically feasible otherwise external antenna mounts are allowed and shall be flush mounted to the surface of the pole. Unified camouflage designs concealing antennas and equipment within a single enclosure meeting dimensional requirements as specified in RZC 21.56.040(A)(6)(e) are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible; however, in no case shall the mount or bracket extend more than twelve (12) inches off the pole, measured from the inside edge of the antenna to the surface of the pole, unless otherwise required by the pole owner. Side arm brackets are prohibited.
- b. Antennas attached to the top of the pole shall be flush mounted as close to the top of the pole as technically feasible. Antennas shall be shrouded or screened to blend with the pole except for canister antennas which shall not require screening. Canister antennas or screening/shrouding for all other antennas shall be painted to match the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole. All cabling and mounting hardware/brackets from the bottom of the antenna to

the top of the pole shall be fully concealed and integrated with the pole.

- c. Full concealment of antennas, equipment enclosures and all associated transmission equipment is required for all poles when located along Leary Way, Cleveland Street, Gilman Street, Bear Creek Parkway and 152nd Avenue NE between NE 20th and NE 31st Streets. Equipment enclosures shall be fully concealed within the base of the pole, inside the pole or incorporated into street furniture, park furniture and/or other similar features and structures whenever technically feasible. Mounting to the exterior surface of the pole is not allowed unless camouflaged to appear as an integrated part of the pole.
- d. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(6)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.
- e. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted or tinted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and equipment shall not dominate the structure upon

which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility

- f. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, *Types of Planting*, shall be required for any Equipment Enclosure located within a new compound area outside public rights-of-way.
- g. Cable and/or conduit shall be routed through the inside of all poles.
- h. Replacement and new light poles shall meet City design standards.
- i. New poles for the sole purpose of accommodating WCF's shall be reviewed as a new antenna support structure except for when deemed necessary through a lighting analysis submitted by the applicant and when illumination design standards and pole standards are met.

7. Macro Cell Facility attached to existing and replacement Utility Poles:

- a. External antenna mounts are allowed and shall be flush mounted. Unified camouflage designs concealing antennas and equipment within a single enclosure are permitted. If standoff mounts or brackets are used such mount or bracket shall be located as close to the pole as technically feasible. Side arm brackets are prohibited.
- b. Antennas attached to the top of a utility pole and associated mounting hardware such as pole toppers or pole extenders are not allowed unless they are canister antenna or designed to blend with the pole. Pole extensions and other such mounting hardware attached to the top of the pole shall be centered to the top of the pole and shall substantially match the diameter of the pole. Canister antennas or shrouding

or other similar screening material shall be compatible with the pole and painted to match the pole. All cabling and mounting hardware from the bottom of the antenna to the top of the pole shall be concealed.

- c. Pole mounted equipment enclosures and all associated transmission equipment shall be allowed after considering full concealment inside the pole. Pole mounted equipment shall be located in a manner that minimizes clutter and visual impact. Equipment enclosures shall be limited to a maximum of one enclosure per pole, unless the applicant can demonstrate that multiple equipment enclosures will provide less of a visual impact. The primary equipment enclosure may not exceed the size parameter outlined in RZC 21.56.040(A)(7)(e). If photo simulations show that all equipment located outside an enclosure will provide less of a visual impact then no enclosures shall be required.
- d. Equipment enclosures and transmission equipment mounted to the exterior surface of the pole shall be painted to match the pole and existing or required signage (such as but not limited to no parking signs and other similar signage) shall be utilized to conceal equipment whenever possible within public rights-of-way. The antennas and all associated equipment shall not dominate the structure upon which it is attached and shall be visually concealed utilizing color and compatible material to camouflage the facility.
- e. Attachment of additional ~~small~~ wireless facilities to a utility pole which has an existing ~~small~~ wireless facility attached ~~Collocations~~ shall be permitted on utility poles if located in a manner that minimizes clutter and visual impact. Canister antennas attached to the top of the pole shall be stacked as technically feasible.

- f. A Type 1 visual screen (90 percent solid barrier or more) pursuant to RZC 21.32.080, Types of Planting, shall be required for any Equipment Enclosure located within a new compound area outside public rights-of-way.
- g. Cable and/or conduit shall be allowed on the outside of the pole. The outside conduit shall be painted to match the pole and shall comply with the engineering standards of the pole owner.
- h. New poles for the sole purpose of accommodating WCF's are reviewed as a new antenna support structure.

21.56.060 Special Exceptions

A. Purpose. The purpose of this section is to provide for the granting of special exceptions when adherence to all development and design standards of this chapter would result in a physical or technical barrier which would block signal reception or transmission or ~~in-would otherwise circumstances which prevent be an effective prohibition of wireless services~~ communication.

B. Applicability.

1. A special exception is required whenever an applicant desires to:
 - a. Vary from the height, location, or setback limitations on the siting of amateur radio towers; or
 - b. Vary from the setback limitations for antenna support structure; or
 - c. Locate ~~a~~ new antenna support structure within the UR, RA-5, R-1, R-2, R-3, R-4, R-5, and R-6 zones or within the shoreline areas of the City; or
 - d. Exceed the height limit on Structure Mounted Facilities; or
 - e. Vary from the setback, size, screening, landscape, and service area requirements for large satellite dishes in all zones; or
 - f. Requests to exceed the height limit for a proposed new or replacement antenna support structure in any zone.

2. The special exceptions provided in this section do not apply to variations from the International Building Code.
3. A variance pursuant to [RZC 21.76, Review Procedures](#), is required for variations from applicable zoning regulations not described in this section.

C. Procedures .

1. A request for a Special Exception shall be processed in conjunction with the permit approving the Wireless Communication Facility and shall not require any additional application or fees. The final approval authority for granting of the Special Exception shall be the same as that for the permit approving the antenna(s) location.
2. Upon review of Special Exception requests, the approval authority shall consider first those standards having the least effect upon the resulting aesthetic compatibility of the antenna(s) or tower with the surrounding environment. The approval authority shall review setback, size, screening requirements, and height limits.
3. [The decision-making body for review of a Special Exception shall be the Technical Committee.](#)

D. Special Exception Decision Criteria.

1. The applicant shall justify the request for a Special Exception by demonstrating that the exception is requested for technological or aesthetic reasons or that the obstruction or inability to receive or transmit a communication signal is the result of factors beyond the property owner's or applicant's control, taking into consideration potential permitted development on adjacent and neighboring lots with regard to future reception window obstruction or other necessary facility design requirements. Pictures, drawings (to scale), maps and/or manufacturer's specifications, and other technical information as necessary, should be provided to demonstrate to the City that the Special Exception is necessary.

2. The applicant for a Special Exception shall demonstrate that the proposed materials, shape, and color of the antenna(s) will, to the greatest extent possible, minimize negative visual impacts on adjacent or nearby residential uses and recreational uses in the Agriculture and Urban Recreation zones and shoreline areas. The use of certain materials, shapes and colors, and landscaping may be required in order to minimize visual impacts.
3. Large Satellite Dish Antenna(s) - Special Exceptions. In addition to the general criteria for approval of Special Exceptions, the following criteria apply to large satellite dishes:
 - a. Urban Recreation, Semirural, Residential Zones and Shorelines (SMP).
 - i. Modifications to requirements for setback, size, screening, and maximum height limit may be considered by Special Exception. If a Special Exception from the height limit for a ground-mounted dish is requested, the height of the dish shall be limited to a maximum of 18 feet.
 - ii. Only if these modifications would still block an electromagnetic signal shall rooftop location be considered. If a Special Exception is sought to obtain a rooftop location, the diameter of the dish shall be limited to six feet and maximum permitted height shall be 15 feet above the roofline. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal.
 - b. Other Zones.
 - i. Ground-Mounted Antenna(s). Exceptions to be first considered shall be from setback, landscape and service area requirements, size and screening requirements. Only if these waived regulations would still block an electromagnetic signal shall a Special Exception from height requirements be considered. If a Special Exception

is sought to vary from the height limit, the height of the dish shall be limited to a maximum of 20 feet.

- ii. Roof-Mounted Antenna(s). The first exception to be considered shall be the center-of-roof requirement; the second exception shall be from the size and screening requirements, respectively. Only if these waived regulations would still result in a block of the signal shall a Special Exception from height requirements be considered. A Special Exception from the height limit shall be allowed up to a maximum of 20 feet above the existing or proposed structure. The approval authority may require the applicant to place the antenna(s) in an area on the roof which takes into consideration view blockage and aesthetics, provided there is a usable signal and structural considerations allow the alternative placement.

4. Additional Requirements for locating a ~~new~~ antenna support structure in UR, RA-5, R-1, or shoreline areas; or proposals to exceed height limits for a proposed antenna support structure in any zone:

- a. An applicant will be required to provide an evaluation of alternative sites during this process. ~~and that there is a gap in coverage.~~
- b. An amplified public involvement process shall be required and shall be conducted and paid for by the applicant. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts, and to determine potential mitigation measures that would make siting of that facility more acceptable.
 - i. The applicant shall propose an acceptable public involvement plan to be reviewed and approved by the Administrator.
 - ii. The public involvement process shall be initiated within 30 days of the issuance of a notice of application.

c. In addition to meeting the criteria established in RZC 21.56.040 and RZC 21.56.050, the following criteria shall be used to make a determination on the application:

- i. The impact of the facility including the design and operation on the surrounding uses, the environment and the City has been minimized;
- ii. The proposal considers possible mitigation measures that can be developed which would make siting the facility within the community more acceptable.

Effective on: 4/16/2011

21.56.070 Technical Evaluation

In addition to the specific technical evaluations required in this chapter, whenever the Administrator determines that technical expertise, evaluation, or peer review is required in order to determine whether an application meets the requirements of this chapter, the Administrator may require that an applicant provide such expertise, evaluation, or review at the applicant's expense, or the Administrator may obtain such expertise, evaluation, or peer review on the Administrator's own and may require that the applicant pay the cost of such expertise, evaluation, or review.

The selection of the third party expert shall be by mutual agreement between the applicant and the City; such agreement shall not be unreasonably withheld by either party. The third party expert shall have recognized training and qualifications in the field of radio frequency engineering.

The expert review is intended to be a site-specific analysis of technical aspects of the wireless communication facility and other matters as described herein. In particular, but without limitation, the expert shall ~~be entitled to~~ provide a recommendation on the location and height of the proposed facility relative to the applicant's ~~gap in coverage~~ technical and system design parameters. Such review shall address the accuracy and completeness of the technical data, whether the analysis techniques and methodologies are legitimate, the validity of the conclusions and any specific technical issues outlined by the City

or other interested parties. Based on the results of the third party review, the City may require changes to the application for the wireless communication facility that comply with the recommendations of the expert.

21.56.080 Cessation of Use

An antenna support structure or wireless communications facility shall be removed by the owner if operation of the same ceases for a period of 12 consecutive months or if the facility falls into disrepair and is not maintained. Disrepair includes structural features, paint, landscaping, or general lack of maintenance which could result in safety or visual impacts. Whenever a wireless communications facility ceases operation or falls into disrepair as provided in this section, the entire wireless communications facility shall be removed, including but not limited to all antennas, antenna supports, feeder lines, equipment enclosures, all associated equipment, conduit, and the concrete pad upon which the structure is located. This requirement does not extend to the removal of a utility pole, light pole or miscellaneous pole. All permits issued for new antenna support structures and equipment enclosures under this chapter shall be conditioned upon removal as required in this section.

21.76.040 TIME FRAMES FOR REVIEW

A. **Purpose.** The purpose of this chapter is to comply with RCW 36.70B.070 and 36.70B.080, which require that a time frame be established to ensure applications are reviewed in a timely and predictable manner. This chapter establishes the time frame and procedures for a determination of completeness and final decision for Type II, III, IV and V reviews, except where the review involves a development agreement or a land use permit for which a development agreement is required. No time frames are established by this chapter for Type I or Type VI reviews or for the review of development agreements or land use permits for which a development agreement is required. See also, [RZC 21.68.200](#), *Shoreline Administration and Procedures*.

B. Computing Time. Unless otherwise specified, all time frames are indicated as calendar days, not working days. For the purposes of computing time, the day the determination or decision is rendered shall not be included. The last day of the time period shall be included unless it is a Saturday, Sunday, or a day designated by RCW 1.16.050 or by the City's ordinances as a legal holiday, in which case it also is excluded, and the time period concludes at the end of the next business day.

C. Complete Application Review Time Frame. The following procedures shall be applied to new applications to which this chapter applies, **except for Wireless Communications Facilities.**

1. Applications shall only be accepted during a scheduled appointment and deemed complete only when all materials are provided in accordance with the applicable application submittal requirements brochure. For applications deemed complete, a determination of completeness shall be issued. For applications deemed incomplete, a determination of incompleteness will be issued identifying the items necessary to complete the application. The applicant has 90 days to submit the required items to the City. While RCW 36.70B.070 requires that a determination of completeness or incompleteness be issued within 28 days after the application is filed, the City makes every effort to issue such determinations sooner than required, and may be able to issue a determination on the same day as the application is filed.
2. If a determination of completeness or a determination of incompleteness is not issued within the 28 days, the application shall be deemed complete at the end of the twenty-eighth (28th) day.
3. When a determination of incompleteness has been issued advising an applicant that additional items must be submitted before an application can be considered complete, the applicant shall be notified within 14 days after receipt of such additional items whether the application is then complete or whether additional items are still needed.

4. An application is complete for purposes of this section when it meets the submittal requirements established by the Administrator and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the Administrator from requesting additional information or studies either at the time of the determination of completeness or subsequently, if new information is required to complete review of the application or substantial changes in the permit application are proposed.
5. To the extent known by the City, other agencies with jurisdiction over the project permit application shall be identified in the City's determination of completeness required by subsection C.1 of this section.

D. Application Review and Decision Time Frame. The following procedures shall be applied to new applications to which this chapter applies, except for applications for Wireless Communications Facilities.

1. Decisions on Type II, III, IV or V applications, except applications for short plat approval, preliminary plat approval, or final plat approval, applications for development agreements and applications for land use permits for which a development agreement is required, shall not exceed 120 days, unless the Administrator makes written findings that a specified amount of additional time is needed for processing of a specific complete land use application or unless the applicant and the City agree, in writing, to an extension. Decisions on short plat approval and final plat approval shall not exceed 30 days and decisions on preliminary plat approval shall not exceed 90 days. For purposes of calculating timelines and counting days of permit processing, the applicable time period shall begin on the first working day following the date the application is determined to be complete pursuant to RZC 21.76.040.C, *Complete Application Review Time Frame*, and shall only include the time during which the City can proceed with review of the application.

2. Appeals. The time period for consideration and decision on appeals shall not exceed:
 - a. Ninety (90) days for an open record appeal hearing; and
 - b. Sixty (60) days for a closed record appeal;
 - c. The parties may agree in writing to extend these time periods. Any extension of time must be mutually agreed upon by the applicant and the City in writing.
3. Exemptions. The time limits established in this title do not apply if a project permit application:
 - a. Requires approval of the siting of an essential public facility as provided in RCW 36.70A.200;
 - b. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
4. See also RZC [21.68.200](#), *Shoreline Administration and Procedures*.

E. Calculating Decision Time Frame. In determining the number of days that have elapsed after the City has notified the applicant that the application is complete for purposes of calculating the time for issuance of the decision, the following periods shall be excluded:

1. Any period during which the applicant has been requested by the City to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date the City notifies the applicant of the need for additional information until the earlier of the date the City determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the City;
2. If the City determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies, and the procedures under subsection E.1 of this section shall apply as if a new request for information had been made;

3. Any period during which an Environmental Impact Statement is being prepared following a Determination of Significance pursuant to RCW Chapter 43.21C, or if the City and the applicant in writing agree to a time period for completion of an Environmental Impact Statement;
4. Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed.

F. Wireless Communications Facilities. In order to comply with Federal law and FCC guidelines, applications for the following wireless communications facilities and systems shall be finally approved, denied or conditionally approved within the following timeframes.

1. For all WCF applications, other than applications for Eligible Facilities Requests as described below, the City shall approve, deny or conditionally approve the application within the timeframes fixed by Federal or State law, unless review of such application is tolled by mutual agreement.

2. Eligible Facilities Requests

- a. *Type of Review.* Upon receipt of an application for an Eligible Facilities Request, the City shall review such application to determine completeness.
- b. *Approval; Denial.* An Eligible Facilities Request shall be approved upon determination by the City that the proposed facilities modification does not substantially change the physical dimensions of an eligible support structure. An Eligible Facilities Request shall be denied upon determination by the City that the proposed facilities modification will substantially change the physical dimensions of an eligible support structure.
- c. *Timing of Review.* The City shall issue its decision within sixty (60) days of receipt of an application, unless the review period is tolled by mutual agreement by the City and the applicant or according to subsection F.2.d.

- d. *Tolling of the Timeframe for Review.* The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the City and the applicant, or in cases where the City Administrator determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.
- i. To toll the timeframe for incompleteness, the City must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.
 - ii. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness.
 - iii. Following a supplemental submission, the City will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.
- e. *Failure to Act.* In the event the City fails to approve or deny an Eligible Facilities Request within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the City Administrator in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.
- f. *Remedies.* Any action challenging a denial of an application or notice of a deemed approved remedy,

shall be brought in King County Superior Court or Federal Court for the Western District of Washington within thirty (30) days following the date of denial or following the date of notification of the deemed approved remedy.

3. The Administrator is hereby authorized to take appropriate administrative action, such as the hiring of a special hearing examiner, as well as expedited processing of applications, review and appeals, if any, in order to meet Federal or State time limits.

RZC 21.76 REVIEW PROCEDURES

RZC 21.76.070 LAND USE ACTIONS AND DECISION CRITERIA

AD. Wireless Communication Facilities.

1. Purpose. The purpose of this section is to provide a mechanism to address issues of safety and appearance associated with Wireless Communication Facilities and to provide adequate siting opportunities at appropriate locations within the City to support existing communications technologies as needed for Redmond businesses and institutions to stay competitive. See (RZC 21.56.030 (C) and (D) for siting hierarchy).
2. Collocation requirements. All new Antenna Support Structures **built for the purpose of siting a macro cell facility** shall be constructed in a manner that would provide sufficient structural strength to allow the collocation of additional antennas from other service providers.
3. Construction plans and final construction of the WCF shall be approved by the City's Building Division, when applicable.
4. Time frame for Review. Refer to RZC 21.76.040 (F)
5. Scope. The chart below identifies the land use permit process type based on the facility and its location (Note that ~~a franchise or lease agreement~~ **additional approvals** may be required per RMC Chapter 12.14):

| Table 21.76.070 Wireless Communication Facilities Review Process | | | |
|---|-----------|---------------------------------|----------------------|
| Wireless Communication Facility Type (WCF) | Zone | Structure | Land Use Permit Type |
| Small satellite dish antenna | All | All | None required |
| Large satellite dish antenna | All | All | Type I |
| Amateur radio towers | All | All | Type I |
| Temporary Wireless Communication Facility | All | See definition of Temporary WCF | Type I |
| New Antenna Support Structures for Macro and Small Cell Facilities and New Antenna Support Structures for Macro and Small Cell Facilities that exceed height limits established in RZC 21.56. | All zones | Tower | Type II |

| Table 21.76.070 Wireless Communication Facilities Review Process | | | |
|---|------|------------------------------|----------------------|
| Wireless Communication Facility Type (WCF) | Zone | Structure | Land Use Permit Type |
| Collocation of new antennas; removal or replacement of existing antennas + and/or associated ground mounted equipment enclosures on previously approved Structure Mounted Facilities and that comply with size and concealment requirements established in RZC 21.56. | All | All structures except Towers | None required |

| Table 21.76.070 Wireless Communication Facilities Review Process | | | |
|--|--------------------------|--|--|
| Wireless Communication Facility Type (WCF) | Zone | Structure | Land Use Permit Type |
| Collocation of new antennas; removal or replacement of existing antennas + and/or associated ground mounted equipment enclosures on existing Antenna Support Structures that are not an Eligible Facilities Request and comply with height limits established in RZC 21.56. | All | Tower | Type I (None Required for removal of antennas) |
| Eligible Facilities Request | All | All | None required, however see RZC 21.56.020 (B) (4) |
| Macro Cell Facility and + Small Cell | All nonresidential zones | Nonresidential, Mixed Use & Multifamily Structures | Type I + |
| | R-20 and R-30 | Multifamily Use, Nonresidential & Mixed Use Structures | Type II |

| <p align="center">Table 21.76.070 Wireless Communication Facilities Review Process</p> | | | |
|---|--|---|---|
| Wireless Communication Facility Type (WCF) | Zone | Structure | Land Use Permit Type |
| Facility and Small Cell Network mounted to a Structure Mounted Facility and associated Equipment Enclosures | All residential zones except R-20 and R-30 | Nonresidential Structures | Type II |
| Macro Cell Facility and Small Cell Facility and Small Cell Network attached to Utility Poles, Light Poles and Miscellaneous Poles | All residential zones | Existing and Replacement Utility Poles, Light Poles and Miscellaneous Poles and New Light Poles subject to a lighting analysis (All other new poles are to be regulated as a New Antenna Support Structure) | Type II None required for Small Cell Facility located within public rights-of-way, see RMC Chapter 12.14, Telecommunications for additional Franchise requirements |
| | | | Type II if located within Special Design Areas |

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| | | | Type II if located within Special Design Areas |

5. Decision Criteria. All proposed wireless communication facilities shall not be approved unless the development regulations and design standards provided in [RZC 21.56](#), *Wireless Communication Facilities*, are met.

Amateur Radio Tower. A tower with antenna(s) which transmit and receive noncommercial communication signals, and is defined as an amateur radio tower by the Federal Communications Commission. Guy wires for amateur radio antenna(s) are considered part of the structure for the purposes of meeting development standards.

Antenna(s) . means an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC authorization, for the provision of personal wireless service and any

commingled information services. For purposes of this definition, the term antenna does not include an unintentional radiator, mobile station, or device authorized under Part 15 of Title 47 of the Code of Federal Regulations. Types of antenna(s) include, but are not limited to: ~~Any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points; includes, but is not limited to, radio antenna(s), television antenna(s), satellite dish antenna(s), and cellular antenna(s). Types of antenna(s) include:~~

1. Omnidirectional (or "whip") antenna(s) transmits and receives radio frequency signals in a 360-degree radial pattern. For the purpose of this document, an omnidirectional antenna(s) is up to 15 feet in height and up to six inches in diameter.
2. Directional (or "panel") antenna(s) transmits and receives radio frequency signals in a specific directional pattern of less than 360 degrees.
3. Parabolic antenna(s) (or "dish") antenna(s) is a bowl-shaped device for the reception and/or transmission of communications signals in a specific directional pattern.

Antenna Array. A single or group of antenna elements and associated mounting hardware, feed lines, or other appurtenances that may share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Antenna Support Structure. A vertical projection composed of metal or other material with a foundation that is designed for the purpose of accommodating antennas at a desired height. Types of support structures include the following:

1. Guyed antenna support structure - a style of antenna support structure consisting of a single truss assembly composed of sections with bracing incorporated. The sections are attached to each other and the assembly is attached to a foundation and supported by a series of wires that are connected to anchors placed in the ground or on a building.

2. Lattice antenna support structure - a tapered style of antenna support structure that consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.
3. Monopole antenna support structure - a style of antenna support structure consisting of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground. These facilities may also include, flagpoles, slimline poles, monopines or new utility poles and new miscellaneous poles.

Base Station. A structure or equipment at a fixed location that enables licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower or any equipment associated with a tower.

1. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
2. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
3. The term includes any structure other than a tower that supports or houses equipment described in paragraphs (1) and (2) above and that has been reviewed and approved under RZC 21.56, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

4. The term does not include any structure that does not support or house equipment described in paragraphs (1) and (2) above.

Collocation. Includes the (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modification of a structure for the purpose of mounting or installing an antenna facility on that structure. ~~The practice of installing and operating antennas for multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility, using different and separate antenna, feed lines, and radio frequency generating equipment.~~ Provided that, for purposes of Eligible Facilities Requests, "collocation" means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

Eligible Facilities Request. Means a request for modification of an existing tower or base station that does not result in a substantial change of the physical dimensions of such tower or base station, involving [See Substantial Change]:

1. Collocation of transmission equipment;
2. Removal of transmission equipment; or
3. Replacement of transmission equipment.

Equipment Enclosures. The wireless service provider's enclosure used to house any transmission related equipment other than antennas, usually located within and including cabinets, shelters, pedestals, or other similar enclosures used to contain electronic equipment for said purpose. This may include cabinets attached to a utility pole, light pole or miscellaneous pole.

Large Satellite Dish. Any satellite dish antenna(s) whose diameter is greater than one meter in the Urban Recreation,

Semirural, Residential zones, or Shorelines areas of the City, or two meters within any zone. *[See Satellite Dish Antenna(s).]*

Light Pole - A utility pole used primarily for lighting streets, parking areas, parks or pedestrian paths.

Macro Cell Facility. *A large wireless communication facility that provides radio frequency coverage served by a high power cellular tower. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other existing structures, at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three cubic feet per antenna and typically cover large geographic areas with relatively high capacity and are capable of hosting multiple wireless service providers.*

Miscellaneous Pole. A City owned pole other than a Traffic Signal or Light Pole including but not limited to a pole used exclusively for signage, banners, plants or decorative features. A new pole originally constructed for the purpose of providing support for a Wireless Communication Facility (WCF) shall be regulated as a new Antenna Support Structure.

Mixed Use. A land use where more than one classification of land use (for example, residential, commercial, and recreational) permitted within a zoning district is combined on a lot or within a structure.

Satellite Dish Antenna(s). A type of antenna(s) and supporting structure consisting of a solid, open mesh, or bar configured reflective surface used to receive and/or transmit radio frequency communication signals. Such an apparatus is typically in the shape of a shallow dish or cone.

Small Wireless Facilities or small cell(s). Are facilities that meet each of the following conditions:

- (1) The facilities—

- (i) are mounted on structures 50 feet or less in height including their antennas, or
- (ii) are mounted on structures no more than 10 percent taller than other adjacent structures, or
- (iii) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;

(2) Each antenna associated with the deployment, excluding associated antenna equipment, is no more than three cubic feet in volume;

(3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

(4) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR § 1.1307(b).

~~**Small Cell Facility.** (RCW 80.36.375) means a personal wireless service facility that meets both of the following qualifications:~~

- ~~1. Each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and~~
- ~~2. Primary equipment enclosures are no larger than seventeen cubic feet in volume. The following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: Electric meter, concealment, telecomm demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch.~~

~~**Small Cell Network.** A collection of interrelated small cell facilities designed to deliver personal wireless services.~~

Small Satellite Dish. Any satellite dish antenna(s) that has a diameter less than or equal to one meter located in Urban

Recreation, Semirural, Residential zones or Shoreline areas of the City or two meters within any other zone. *[See Satellite Dish Antenna(s).]*

Special Design Areas. Special Design Areas are public rights-of-way, including streets, in the following locations:

1. Cleveland Street between Redmond Way and 164th Avenue NE
2. Leary Way between NE 80th Street and West Lake Sammamish Parkway NE
3. Gilman Street between the Redmond Central Connector and NE 80th Street
4. Bear Creek Parkway and 170th Ave NE from Redmond Way to Redmond Way in Downtown Redmond
5. 152nd Avenue NE between NE 20th and NE 31st streets in the Overlake Neighborhood

Full concealment of all wireless communication facilities within the Special Design Areas is required, including within poles, street furniture, garbage cans, mailboxes and other similar features. In limited circumstances, the City can allow wireless communication facilities in Special Design Areas under the following conditions:

1. They are camouflaged,
2. They are designed, integrated into, and consistent with the design theme of a pole, and
3. That there is no alternate location outside of the Special Design Area that can provide similar service.

Structure. That which is constructed and placed permanently on or under the ground or over the water, or attached to something having a permanent location on or under the ground or over the water, excluding residential fences less than six feet in height; retaining walls, rockeries, patios, and decks less than 30 inches in height; and similar improvements of a minor character. For the purpose of administering the Shoreline Master Program, structure shall have the meaning given in WAC 173-27-030(15). *For the purpose of administering the Wireless Communication Facilities code, structure shall have the meaning given in under 47 CFR 1.6002.*

Structure Mounted Facility - A structure or building that can accommodate a Wireless Communication Facility that is mounted on the *top*/roof or *side*/façade of the structure or building. The term does not encompass a tower *or antenna support structure*, or any equipment associated with a tower *or antenna support*

structure, or a utility pole, light pole, traffic signal pole or miscellaneous pole.

Substantial Change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the Tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site;
5. It would defeat the concealment elements of the eligible support structure; or

6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified above.

Temporary Wireless Communication Facility. Facilities that are composed of antennas and a mast mounted on a truck (also known as a cell on wheels, or "COW"), antennas mounted on sleds or rooftops, or ballast mount temporary poles. These facilities are for a limited period of time, are not deployed in a permanent manner, and do not have a permanent foundation. These facilities are typically used for large-scale events, or to provide wireless coverage in the event an existing permanent WCF is removed to allow for construction activity at the underlying site.

Tower. An Antenna Support Structure.

Traffic Signal Pole. A Utility Pole that supports equipment used for controlling traffic including but not limited to traffic lights, rapid flashing beacons, speed radar, school zones flasher, etc.

Transmission Equipment. Equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Unified Camouflage Design. Concealment of antennas and equipment within a single enclosure.

Utility Pole. A structure designed and used primarily for the support of electrical wires, telephone wires, television cable and may also include lighting. A new utility pole originally constructed for the purpose of providing support for a Wireless Communication Facility (WCF) shall be regulated as a new Antenna Support Structure.

Wireless Communications. Any personal wireless service, which includes, but is not limited to, cellular, Personal Communications Services (PCS), Specialized Mobile Radio (SMR), Enhanced Specialized Mobile Radio (ESMR), and unlicensed spectrum services utilizing devices described in Part 15 of the Federal Communications Commission rules and regulations (e.g., wireless internet services and paging).

Wireless Communication Facility Permit. A permit required to ensure compliance with regulations in RZC 21.56, Wireless Communication Facilities, for large satellite antenna(s), amateur radio towers and other wireless communication facilities.

Wireless Communication Facility (WCF). An unstaffed facility for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, equipment enclosures, and an antenna support structure.