CITY OF SEATAC
PLANNING COMMISSION MEETING

Virtual Meeting
November 3, 2020, 5:30 p.m.

Due to the current COVID-19 public health emergency, and social distancing protocols, pursuant to the Governor's and public health officials' orders, this meeting will be conducted virtually. The public may call in to the conference line to listen to the meeting. The number is 206.973.4555. While you will be able to hear the meeting; you will not be able to participate in the meeting through this phone number. Please note that if you are unable to mute your phone, everyone else on the call-in line will be able to hear you, so please refrain from speaking. No one will be able to physically attend this meeting. Public comment opportunities for this meeting are below.

MEETING AGENDA

1) Call to Order/Roll Call

2) Approval of the minutes of October 12 and October 20, 2020 regular meeting - (Exhibits 2a & 2b)

3) Public Comment on items not on the agenda. *Comments on agenda items will be taken after the staff presentation and Commission discussion on each item below. See Public Comment Process below.*

4) Public Hearing: Wireless Communication Facilities Code Update - (Exhibits 4a & 4b)

5) CED Director's Report

6) Planning Commission Comments (including suggestions for next meeting agenda)

7) Adjournment

Public Comment Process: In an effort to adhere to the social distancing protocols, pursuant to the Governor's and public health officials' orders, and in order to keep our residents, Council and staff healthy, the Commission will not hear any in-person public comments during this COVID-19 public health emergency. The Commission is providing remote and written public comment opportunities. All comments shall be respectful in tone and content.

How to Sign Up for Remote Oral Comments: Signing-up for remote oral comments must be done by 3:30p.m. the day of the meeting. Instructions for providing remote oral comments are located at the following link: Council Committee and Citizen Advisory Committee Virtual Meetings.

How to Provide Written Comments: Written public testimony for a public hearing or general comments on non-agenda items may be provided by email or text and must be submitted by

3:30p.m. the day of the meeting. If you wish to submit written testimony or comments, email/text your comments to PCPublicComment@seatacwa.gov. Written testimony for the public hearing will be read verbatim into the record, up to five minutes each. General written comments on non-agenda items will be mentioned by name and subject and then placed in the commission handout packet posted to the website. All public comment/testimony submitted to an email/text address other than the provided address, or after the deadline, will not be included as part of the record.

A quorum of the City Council may be present.
All Commission meetings are open to the public.

The Planning Commission consists of seven members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.

CITY OF SEATAC
PLANNING COMMISSION
Minutes of October 12, 2020 Meeting

Members present: Tej Basra, Leslie Baker, Tony Zuniga Sanchez, Jagtar Saroya, Kyle Becker

Members absent: Tom Dantzler (excused), Andrew Ried-Munro (excused)

Staff present: Gwen Voelpel, *Deputy City Manager*; Evan Maxim, *CED Director*; Jennifer Kester, *Planning Manager*; Kate Kaehny, *Senior Planner*; Anita Woodmass, *Senior Management Analyst*; Mark Johnsen, *Senior Assistant City Attorney*; William Appleton, *Public Works Director*; Lawrence Ellis, *Parks Director*; Barb Mailo, *Administrative Assistant 3;* Erika Rhett, *Consultant to PROS Plan*

1. **Call to Order/Roll Call**
   Chair Basra called the meeting to order at 5:30 p.m.

2. **Approval of minutes of September 15, 2020 regular meeting**
   Moved by Commissioner Baker and seconded by Chair Basra to approve the minutes as written; **passed 5-0.**

3. **Public Comments on items not on the agenda.**
   No Public Comments on items not on the agenda.

4. **Public Hearing 2020 Comprehensive Plan Amendments: Parks, Recreation, and Open Space Plan Update**
   Kate Kaehny, *Senior Planner* (Presenter), began the staff presentation by briefly providing background on the PROS Plan project and highlighted the following:
   - Purpose: provide overview of PROs Plan
   - Why is this issue important?
   - Planning Commission Action Requested – Reviews to date

   Erika Rhett, *Consultant to PROS Plan* (Presenter) then gave an overview of the proposed amendments to the PROS Plan and related policies by explaining the following:
   - Potential Commission Action – Recommendation to adopt proposed Comprehensive Plan Amendment
   - Reviews to Date
   - Project Overview – Project Purpose
   - Crafting the PROS Plan: Community Profile, System Inventory, Recreation Demands and Trends, Access gaps, Level of Service, Community Engagement
   - The Community Wants: Places to play, Gathering places for information community events, Well maintained parks that feel safe, More programming and events, Free or low-cost opportunities to maintain health and wellness, Places to experience nature, Walking access to parks and rec, More trails in and between parks, Spaces and programs that are welcoming to all

- Comprehensive Plan Updates: PROS Element, Land Use Element, Capital Facilities Element, PROS Background Report, Capital Facilities Background Report
    - Prioritization Considerations: Goals, Policies, Added new emphasis to some policies (10.1A, 10.1C, 10.1D, 10.5C, 10.2B, 10.2C)
    - Priorities for System Development

Chair Basra opened floor for questions from the Commissioners:

Commissioner Baker asked about 10.1C - What service did you add?
Commissioner Sanchez asked – What are active facilities?
Chair Basra asked about existing facilities. Cost or allocated funds?

Lawrence Ellis, Director of Parks, Community Programs & Services, commented – examples of active & passive facilities are the Riverton facility (smaller scale), North SeaTac Park facility, added that there are quite a few that blend both active & passive facilities.

Chair Basra opened the public hearing for comment.

Cathy Heiberg (Public hearing comments - 4 minutes 6 secs) identified herself and her family as owners of commercial property in SeaTac. She spoke about the importance of clarifying the difference between Bow Lake (the lake) and Bow Lake Park (the park), in the PROS Plan. She also said she would prefer that any City improvements to the shoreline of Bow Lake be done on the City's property.

Commissioner Baker to Cathy Heiberg – What is your plan, goal for the future? How long are the leases with the hotels?

Earl Gipson (Public hearing comments - 3 minutes 12 secs) commented that he was not fond of the Comprehensive Plan, it takes a lot of staff time to maintain and should be limited to 500 pages. He stated that the PROS Plan was optimistic and unrealistic but that the Planning Commission could go ahead and recommend it, although, in his opinion, it would be sad when it does not work out.

Chair Basra asked if there were any questions
No Questions asked

Jennifer Kester, *Planning Manager* introduced Kate Kaehny to present another slide

Kate Kaehny, *Senior Planner* (Presenter)

- Anticipated next steps
- Potential Commission Action

Commissioner Baker commented that she would like to hear what the committee would like to say.
Commissioner Becker commented the same.

Moved and seconded to approve the PROS Plan amendments. Passed 5-0.

Chair Basra closed public hearing.

5. Road Standards Code Update

Will Appleton, *Public Works Director* (Presenter)

- ROW Development Standards Planning Commission
- Overview – Whys is this issue important? – Alignment with Council goals and priorities, Provides clarity, Establishes/clarifies critical development related requirements. Inform – provide a review of the ROW development standards topic.
- Outreach
- Review – Frontage Improvements, ROW Dedication, Deferral of Improvements, ROW Cross Section
- Frontage Improvements – Key Points, Applicability, Other Changes
- ROW Dedication – Key Points, Applicability, Other Changes
- ROW Cross Section - Deferral of Improvements and ROW Cross Section – Key Points,
- Stakeholder Feedback
- Statistics
- Questions
- Concerns
- T&PW Committee Update: Upon further consideration, the Committee recommended to remove the single family home/ADU requirement for frontage improvements/ROW dedication
- Potential Commission Action: Commission Action Requested, Staff Recommendation, Reviews to Date
- Questions?

Cathy Heiberg – (Public Comments - 3 minutes) made comments and asked questions about the agenda item of Road Standards.
Will Appleton addressed Cathy's questions and Anita Woodmass added-on to Will's comments.
Cathy Heiberg expressed concern that 5 feet bike lane is a lot.
Will Appleton commented that the recommended bike lane width is common and standard.
Commissioner Baker commented that bike lane width is probably to accommodate ADA cyclists.

Will Appleton, *Public Works Director* (Presenter)

- Potential Commission Action

Chair Basra asked committee if they have any questions regarding action.
Commissioner Jagtar motioned to take option #2
Commissioner Leslie seconded
Chair Basra motioned "All in favor"
Response - Unanimous

6. CED Director's Report

Evan Maxim, *CED Director*
Focused on City's Planning Budget, work plan into 2021, and what the Planning Commission interests are in the City. Asked if there were any questions for him.
Chair Basra welcomed the Director, added that he looks forward to getting to know him.

Jenn Kester, *Planning Manager* (Comments)
She explained that there are no other special meetings planned for 2020. The next meeting on October 20th will be a reintroduction of the wireless code update, with a public hearing scheduled on this topic for November 3rd. Future topics for the Planning Commission will include the Housing Action Plan and FEMA Floodplain Regulations.

7. Planning Commission Comments (including suggestions for next meeting agenda)

8. Adjournment

There being no further business, Chair Basra adjourned meeting at 6:55p.m.

CITY OF SEATAC
PLANNING COMMISSION
Minutes of October 20, 2020 Meeting

Members present: Leslie Baker, Tom Dantzler, Tony Zuniga Sanchez, Andrew Ried-Munro, Kyle Becker

Members absent: Tej Basra (excused), Jagtar Saroya

Staff present: Gwen Voelpel, *Deputy City Manager*; Evan Maxim, *CED Director*; Jennifer Kester, *Planning Manager*; Kate Kaehny, *Senior Planner*; Dennis Hartwick, *Senior Planner*; Barb Mailo, *Administrative Assistant 3*

1. **Call to Order/Roll Call**
   Vice Chair Baker called the meeting to order at 5:30 p.m.

   No Minutes to approve at this meeting.

2. **Public Comments on items not on the agenda**
   Earl Gipson declined to make any public comments, indicating that he wanted to listen in on the meeting.

3. **2021 Comprehensive Plan Amendment Docket**
   Kate Kaehny, *Senior Planner* (Presenter), provided an overview of the 2021 Comprehensive Plan Amendment Process, and indicated that the briefing was informational only and that no action was requested. She then briefly discussed the following:

   Background: Regional Comprehensive Plans
   - WA State Growth Management Act (GMA)
   - Regional Growth Plans Inform Local Plans

   SeaTac Comprehensive Plan
   - Volume 1 - Identifies the City's growth & development policies
   - Volume 2 Background Reports
   - Subarea Plans
   - Shoreline Master Program

   SeaTac Comprehensive Plan Map (sometimes known as Future Land Use Map)
   Overview of Adjusted Amendment Process
   - 2021 Process Extended to Fit Within Two-Year Period

   Preliminary and Final Docket Review Criteria
   Current Project Status
   The deadline for applications from the public was September 20, 2020. No proposals were received. Current Project Status: City/staff initiated proposals to date

   1.Required update to Capital Facilities Plan
   2.Routine updates to Comprehensive Plan maps
   3.Creation of one or more economic development policies related to tourism
   4. Establishing land use designation & zoning for highway ROW adjacent to Des Moines Creek Park

Anticipated Next Steps

- Fall 2020 - Preliminary Docket Review
- Winter 2021 - Establishment of Final Docket

Commissioner Baker asked how the Comprehensive Plan amendment process might impact developers in terms of the length of time it might take to do an amendment.
Commissioner Dantzler replied to Leslie Baker's question – indicated that the ability to amend the Comprehensive Plan is not necessarily a concern for development.

Planning Manager Jennifer Kester let the Commission know that the Comprehensive Plan amendment process did not impact properties that were already zoned for the type of project that a developer might want to do, but only in cases where the developer wanted to change the land use designation to allow for a use that is not currently allowed.

4. Wireless Communication Facilities Code Updates: Re-Introduction

Planning Manager, Jenn Kester, reintroduced the Planning Commission to the Wireless Communication Facilities Code update that was last heard by the Planning Commission in September 2019. Ms. Kester explained that the purpose of the code update was to align the wireless code with various Federal Communications Commission (FCC) laws and ruling since 2012. She went over the differences between three types of wireless facilities: macro facilities, small wireless facilities, and eligible facilities request; and, the federal requirements pertaining to each. She then noted how staff was proposing changes to the current code to gain compliance with the FCC. Finally, she stated that no action was requested by the Planning Commission tonight and a public hearing is scheduled for November 3rd.

Commissioner Baker asked the members if they had any questions.
Response – no questions

Moved on to Public Comments

Greggory Busch commented that he was here to answer any questions that anyone might have regarding the Wireless Codes

Commissioner Baker moved on to Director's Report

5. CED Director's Report

Evan Maxim, *CED Director* made a general comment about the role of the PC and the current PC meetings during COVID.

Commissioner Baker commented about the PC meetings the last 6 months. Expressed frustration that she cannot meet all the new people fact to face and that she has not had the opportunity to meet the new people in person. She added that she wished there was a way to get together to meet everyone in person.

CED Director Maxim indicated that the City would engage in a conversation around how the PC conducts business in early 2021, and suggested a brief meeting in-person to improve PC connections.

Commissioner Dantzler is concerned with issues surrounding his age and in-person meetings. He commended everyone for doing a good job.

Commissioner Baker suggested to go around and share about this subject.

Commissioner Ried-Munro commented that he wouldn't mind doing social distancing meeting.

Commissioner Sanchez commented that he is looking forward to it.

CED Director Maxim advised he will discuss with Jennifer Kester and explore how to hold a meeting.

Commissioner Dantzler explained that on November 3rd, he is going for more surgery and that he doesn't mean to miss the meetings.

6. **Planning Commission Comments (including suggestions for next meeting agenda)**
Jennifer Kester, *Planning Manager*
Schedule for next PC meeting – Public Hearing
A look ahead for the rest of the year:
    - Will bring back the Miscellaneous Code amendments
    - Will bring back Housing Action Plan
    - Looking to bring back Short Term Rentals

7. **Adjournment**
Commissioner Baker moved to adjourn meeting
Commissioner Ried-Munro motioned to adjourn
Seconded by Commissioner Becker
Meeting adjourned at 6:44p.m.

Staff Report

File Number(s): CAM18-0006, SEP19-0011

Project Name: Wireless Communication Facilities Code Update

Project Address: Citywide

Project Summary: The City is proposing amendments to Chapter 15.480 SMC, Wireless Communications Facilities, to incorporate small wireless facilities and eligible facilities requests, and to make other amendments necessary to comply with recent Federal Communication Commission (FCC) rulings.

Applicant: City of SeaTac

I. Background

Interim regulations were first adopted by the City Council in January 2019 (Ordinance 19-1001) and have been extended twice, most recently due to the COVID-19 pandemic. The current interim regulations will expire at the end of this year if not extended or superseded with permanent regulations. The interim regulation ordinance requires the Planning Commission to review proposed amendments to the wireless communication code, hold a public hearing, and provide a recommendation to the City Council by the end of November 2020.

A multi-department working group of city staff was formed to develop the proposed regulations as these regulations impact both private property and right-of-way deployment of wireless facilities. This included Legal, Public Works, CED, and City Manager departments. In addition, representatives of the various wireless carriers operating in the City have been consulted and the current proposal incorporates many of their comments.

The basic approach to the proposed amendments is to amend the current code on macro facilities (large towers) and add sections on small wireless facilities (generally located in right-of-way between 25-40 feet tall) and eligible facilities requests (modifications to existing cell sites).

A. Review Timeline

1. Planning Commission review: 09/19/2019
2. Planning Commission review: 10/17/2020
3. Public Hearing and Recommendation: 11/03/2020
4. PED Committee: 11/18/2020
5. Council Action: 11/24/2020

B. SEPA Review

The Applicant served as SEPA Lead Agency for this proposal and issued a Determination of Nonsignificance (DNS) on September 17, 2019 (Exhibit B). The comment period for the SEPA action expired on October 1, 2019. No public comments were received.

C. Washington State Department of Commerce Review

The City submitted a Request for Expedited Review with Notice of Intent to Adopt Amendments to Commerce on September 9, 2019 (Exhibit C). No comments from Commerce were received.

II. Amendments

The proposed changes and additions to the Wireless Communication Facilities Chapter is included in this staff report as Exhibit A. This version has been modified slightly since the October 20, 2020 review to respond to technical and legal comments provided by the wireless service provide representatives. These changes are not substantive to the previously presented design and concealment standards.

III. Staff Recommendation

Staff recommends the Planning Commission hold a public hearing, take testimony, and provide City Council a recommendation to approve or deny the proposed amendments, or approve with specific modifications.

IV. Exhibits

- **A.** Wireless Communication Facilities Chapter with changes and additions
- **B.** SEPA Determination of Nonsignificance
- **C.** Department of Commerce acknowledgement
- **D.** Public hearing notice

Prepared by: Jennifer Kester, Planning Manager
Prepared on: 10/26/2020

Chapter 15.480
WIRELESS COMMUNICATIONS~~S~~ FACILITIES

Sections:

Section I. General

15.480.005 Purpose

~~The purpose of this chapter is to establish local guidelines, standards and procedures for the siting and construction of wireless communications facilities (WCFs), and to address the issues of appearance and safety associated with WCFs. It is intended to provide adequate siting opportunities at appropriate locations within the City to support existing WCF technologies, to encourage new technologies to benefit SeaTac residents, businesses, and institutions, and to permit WCF providers to remain competitive. This chapter has been developed in conjunction with a Wireless Telecommunications Master Plan that forecasts future needs for wireless facilities in SeaTac and analyzes appropriate locations for their placement.~~

~~A wide range of locations and options that minimize the safety hazards and visual impacts sometimes associated with WCFs are provided. The siting of facilities is encouraged on buildings and structures, and in certain rights-of-way as locations for wireless communications infrastructure to establish a precedence of quality concealment products that will minimize the aesthetic impact of related infrastructure. The siting of concealed facilities on existing structures, collocation of WCFs, and visual mitigation measures are encouraged in this chapter in order to preserve neighborhood aesthetics and reduce visual clutter in the community.~~

~~The development standards in this chapter establish siting criteria and address setbacks, landscaping, dimensions, and other site-specific design requirements. Siting criteria for WCFs are necessary to encourage the siting of those facilities in locations most appropriate based on land use compatibility, neighborhood characteristics, and aesthetic considerations.~~

The purpose of this chapter is to regulate the placement, construction and modification of wireless communication facilities, in order to protect the safety and welfare of the public in a manner that does not unreasonably interfere with the development of the competitive wireless communication marketplace in the City. Furthermore, the regulations in this Chapter are intended to:

A. Minimize potential adverse visual, aesthetic, and safety impacts of all wireless communication facilities.
B. Establish objective standards for the placement of wireless communication facilities.
C. Ensure that such standards allow competition and do not unreasonably discriminate among providers of functionally equivalent services or have the effect of prohibiting wireless services.
D. Encourage the design of such wireless communication facilities to be aesthetically and architecturally compatible with the surrounding built and natural environments where feasible.
E. Encourage the collocation or attachment of wireless communication facilities on existing support structures to help minimize the total number and impact of such structures throughout the community.

15.480.010 Authority and Application

~~The provisions of this chapter shall apply to all WCFs and communication facilities as defined in SMC 15.480.020, Definitions, except as specifically exempted in SMC 15.480.015, Exemptions, including, but not limited to:~~

~~A. Existing antenna-supporting structures.~~
~~B. Proposed antenna-supporting structures.~~
~~C. Mitigation for existing antenna-supporting structures.~~
~~D. Attached WCFs.~~
~~E. Collocation on antenna-supporting structures.~~
~~F. Satellite earth stations (satellite dishes) and microwave facilities that are greater than one (1) meter (39.37 inches) in diameter.~~
~~G. Major communication facilities as defined in SMC 15.480.020, Definitions. Location of such facilities shall be allowed only per the use chart in SMC 15.205.040. Such facilities shall additionally comply with all requirements of this chapter.~~

A. Authority. The authority to administrate, review, and interpret the City's deployment standards and procedures in this Chapter rests with the applicable City Department Director or designee as follows:
   1. Macro Wireless Facilities - Director of Community and Economic Development or designee.
   2. Small Wireless Facilities - Director of Public Works or designee.
   3. Eligible Facilities Requests - Director of Community and Economic Development or designee.

B. Applicability. The placement of any wireless communication facility in any location within the City is subject to the provision of this chapter.

C. Permit Required. Any person who desires to place any wireless communication facility within the boundaries of the City must apply to the City for the appropriate wireless communication facility permit.

D. Lease Required. In addition to the requirement of obtaining the appropriate wireless communication facility permit, if all or a portion of the wireless communication facility will be located upon a City-owned structure, or upon non-right-of-way property, which is either City-owned or City-leased, the applicant shall be required to enter into a lease agreement with the City for the use of the City property.

E. Franchise Required. In addition to the requirement of obtaining the appropriate wireless communication facility permit, if all or a portion of the wireless communication facility will be located within the City's right-of-way, the applicant shall be required to enter into a franchise agreement with the City for the use of the City's right-of-way.

15.480.015 Exemptions

The ~~provisions of this chapter shall~~ requirement to obtain a permit pursuant to this Chapter does not apply to:

A. ~~Maintenance and repair of existing antennas and/or feed lines, provided the model, type, mechanical and electrical specifications, size and number remains the same, and a waiver is submitted and approved prior to the start of such work, or, for emergencies, submitted within forty-eight (48) hours of such work. Inspections of such work shall be allowed if requested by the City. Should such maintenance and repair require a replacement of any existing antenna(s) and/or feed line(s) due to damage of any kind, the affected equipment shall only be replaced with an exact replica of the affected equipment. If this is not feasible, and upgraded equipment is required, such changes may be effected in order to comply with Federally licensed regulations, for no more than ten (10) days.~~ Routine maintenance or repair of wireless communication facilities and related equipment

(excluding structural work or changes in height or dimensions of antennas, support structures or buildings); provided, that compliance with the standards of this code is maintained and a right-of-way use permit is obtained if the wireless communication facility is located in the right-of-way.

B. Satellite earth stations (satellite dishes) that are one (1) meter (39.37 inches) or less in diameter.

C. Television-receiving only antennas.

D. ~~A temporary wireless communications facility, also known as a carrier on wheels (COW), upon the declaration of a state of emergency by Federal, State, or local government, and a written determination of public necessity by the City; for a period not to exceed ninety (90) days; provided, that this period may be extended at the discretion of the Director.~~ Temporary WCF for emergency communication equipment in anticipation of and during a declared public emergency or emergency exercise; or, when required to temporarily relocate facilities where the structure is being replaced or redeveloped, provided the relocation is not in the public right-of-way. Said ~~facility~~ equipment must comply with all Federal and State requirements.

E. ~~Minor communication facilities as defined in SMC 15.480.020. Such facilities shall be regulated in accordance with SMC 15.205.040.~~ Government-operated wireless communication devices for public safety radio systems, Ham radio and business radio systems.

F. Wireless communication facilities which legally existed or for which an application was approved on or prior to the effective date of the ordinance; except, that this exemption does not apply to modifications of such facilities.

15.480.020 Definitions *(Note: All applicable images currently in this section will be retained; to be alphabetized later)*

In addition to the land use definitions in Chapter 15.105 SMC, ~~Definitions,~~ the following definitions apply to this ~~c~~Chapter~~.~~; any term defined in this Section that is also defined in Title 15 of the SeaTac Municipal Code, the definition in this Section shall control. Words not defined herein shall be given the meaning set forth in Title 47 of the United States Code. Words not otherwise defined shall have their common and ordinary meaning.

Abandonment
Intentional discontinuation of electrical service to a wireless communication~~s~~ facility ~~(WCF)~~ for sixty (60) or more days.

Accessory Building
A building used exclusively or primarily to contain and conceal radio or other equipment necessary for the transmission or reception of wireless communication signals.

Ancillary Structures
Any form of development associated with a wireless communication~~s~~ facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets, and enclosures.

Antenna
~~Any apparatus designed for transmitting and/or receiving electromagnetic waves, including, but not limited to telephonic, radio or television communications. Types of elements include, but are not limited to, wireless Internet, omni-directional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM and TV) antennas, and yagi or parabolic (dish) antennas.~~
An apparatus designed for the purpose of emitting radio frequency (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 47 CFR Part 15.

Antenna Array
One (1) or more antennas and their associated mounting hardware, feed lines, or other appurtenances, such as a platform, which share a common attachment device, such as a mounting frame, or mounting support structure.

~~**Antenna Element Combining**~~
~~A change that results in an antenna or an array of antennas providing services for more than one (1) wireless provider for the same or similar type of services.~~

~~**Antenna Element Replacement**~~
~~The changing of a single antenna or of an array antenna unit with another single antenna or array unit with different mechanical or electromagnetic specifications.~~

~~**Antenna-Supporting Structure**~~
~~A ground-based vertical projection composed of metal or other substance with or without foundation that is for the express purpose of accommodating antennas at a desired height above grade.~~

Antenna Equipment
Equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with an antenna, located at the same fixed location as the antenna, and, when collocated on a structure, is mounted or installed at the same time as such antenna.

Certain Rights-of-Way
Nonarterial rights-of-way unless otherwise approved by the Public Works Director. See SMC 15.480.080(F)(4) regarding requirements for placement of macro facilities in rights-of-way.

Collocation
~~The practice of installing and operating multiple and various wireless carriers, service providers, government wireless and/or radio common carrier licensees on the same antenna-supporting structure using different and separate antenna arrays, feed lines and radio frequency generating and/or receiving equipment~~.
(A) Mounting or installing an antenna facility on a pre-existing structure, and/or (B) modifying a

structure for the purpose of mounting or installing an antenna facility on that structure.

~~**Communication Facility, Major**~~
~~A communication facility for transmission of UHF and/or VHF television signals, FM and AM radio signals, and/or signals through FM translators or boosters not related to wireless telecommunications facilities.~~

~~**Communication Facility, Minor**~~
~~A communication facility for the transmission and reception of amateur (ham) radio signals.~~

Director
The applicable City department director authorized by SMC 15.480.010(A).

E-911 Enhanced
A Federally mandated upgrade to a ~~WCF~~ wireless communication facility or handheld device that enables an emergency call center to track the approximate location of a wireless caller dialing 911.

Equipment Compound
An outdoor fenced area occupied by all the equipment associated with a wireless communication~~s~~ facility, including ~~antenna-supporting~~ structure(s), equipment shelters, equipment cabinets or pedestals, feed lines, generators, and ancillary structures, but excluding parking and access ways.

Equipment Enclosure
Any structure including: cabinets, shelters, pedestals, shrouds, and other similar structures used exclusively to contain radio or other equipment necessary for the transmission and/or reception of wireless communication signals.

~~**Existing Structure**~~
~~An existing structure to which wireless telecommunications antenna(s) may be attached. For the purpose of siting wireless telecommunications facilities, existing structures shall include only the following: buildings (other than single-family residential), and water towers.~~

FAA
The Federal Aviation Administration.

FCC or Federal Communications Commission
~~The Federal Communications Commission.~~ The federal administrative agency, or lawful successor, authorized to regulate and oversee telecommunications carriers, services and providers on a national level.

Feed Lines
Cables used as the interconnecting media between the transmission/receiving base station and the antenna.

Flush-Mounted
Any antenna or antenna array attached directly to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush mounting distance is given that distance shall be measured from the outside edge of the support structure or building to the inside edge of the antenna.

Geographic Search Area
An area designated by a ~~wireless~~ service provider or operator for a ~~new base station~~ macro facility, produced in accordance with generally accepted principles of radio frequency wireless engineering.

Height
The height of any wireless communication facility is determined based on the combined measurement of the antenna(s) and structure. ~~For the purposes of measuring the height of any WCF, any antenna(s) mounted on a antenna supporting structure shall be considered part of the antenna-supporting structure and shall be included in measurements to determine overall (i.e., combined) height.~~ ~~For a~~Antenna(s) mounted on an existing structure(s)~~, the height of the antenna(s)~~ shall be measured in addition to the height of the existing structure.~~, but~~ The combined height shall be subject to the height limitations specified in this chapter, and/or ~~of the~~ applicable regulation under the Federal Aviation Administration ~~(FAA) if applicable~~. A mounted nest excluder used to discourage birds from nesting on a wireless communication facility will not be included when calculating the maximum height of any antennas or structures under this chapter.

~~**Intermodulation Distortion**~~
~~The preventable and avoidable results of the mixture of two (2) certain and specific radio frequencies (3rd Order); or more certain or specific radio frequencies (5th Order), that creates at least one (1) other unwanted, undesirable, and interfering radio frequency (3rd Order), or multiple other unwanted, undesirable, and interfering radio frequency signals (5th Order).~~

Lattice Tower
A tapered style of ~~antenna-supporting~~ structure that consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.

~~**Least Visually Obtrusive**~~
~~A wireless communications facility (WCF) that is designed to present a visual profile that is the minimum profile necessary for the facility to properly function.~~

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

Macro Facility
A large wireless communication facility that is not small wireless facility and provides radio frequency coverage or capacity for a service provider network. Generally, macro facility 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 facilities typically

cover large geographic areas with relatively high capacity and may be capable of hosting multiple service providers.

Maintenance and Repair
Repair or routine maintenance of antennas, equipment and/or feed lines, provided the model, type, mechanical and electrical specifications, size and number remains the same~~, and a waiver is completed prior to the start of such work or, for emergencies, within forty-eight (48) hours of such work.~~, and excludes structural work or changes in height or dimensions of support structures or buildings.

Microwave
Electromagnetic waves with a frequency of eight hundred ninety (890) megahertz (~~mhz~~MHz) or greater intended for point-to-point communications.

Mitigation
A modification to replace or remove one (1) or several nonconforming ~~antenna-supporting~~ structure(s) located in close proximity to a proposed new ~~antenna-supporting~~ structure, or to replace or remove one (1) or several nonconforming building-mounted antennas in close proximity of a proposed new building-mounted antennas, in order to encourage compliance with the ordinance, improve aesthetics or functionality of the overall wireless network.

Monopole
A style of freestanding ~~antenna-supporting~~ structure that is composed of a single shaft usually composed of two (2) or more hollow sections that are in turn attached to a foundation. This type of ~~antenna-supporting~~ facility 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.

Overhead Facilities
Utility facilities and telecommunications facilities located above the surface of the ground, including the underground supports and foundations for such facilities.

Pedestrian or Higher Elevation Views
Views from higher physical grade, or buildings into equipment installations that are screened by fencing, including views from residential and commercial building windows and decks.

Personal Wireless Services
Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

Platform
A mounting structure to which one (1) or more antennas, sufficient to serve the needs of one (1) or more wireless ~~telecommunications carriers'~~ service provider's installation(s), are attached, and which is affixed to a ~~antenna-supporting~~ structure.

Public Safety Communications Equipment

All communications equipment utilized by the City for the purpose of operation in the interest of the safety of the citizens of SeaTac and operating within the frequency range of eight hundred six (806) MHz and one thousand (1,000) MHz and future spectrum allocations at the direction of the FCC.

Radio Frequency (RF) Emissions
Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, ~~antenna-supporting~~ structure, building, or other vertical projection.

Satellite Earth Station (Satellite Dish)
A single or group of satellite parabolic (or dish) antennas. These dishes are mounted to a supporting device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration. A satellite earth station may include the associated separate equipment shelters necessary for the transmission or reception of wireless communications signals with satellites. Satellite earth stations of one (1) meter or less are used primarily for the purposes of home entertainment and personal data systems.

Service Provider
Defined consistently with RCW 35.99.010(6). Service provider shall include those infrastructure companies that provide telecommunications services or equipment to enable the deployment of personal wireless services.

Small Wireless Facility

A Small Wireless Facility has the same meaning as defined in 47 CFR 1.6002, or as amended, and such facilities meet the following conditions:

(A) The facilities -
(1) are mounted on structures 50 feet or less in height including their antennas, or
(2) are mounted on structures no more than 10 percent taller than other adjacent structures, or
(3) 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;

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

(C) 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;

(D) The facilities do not require antenna structure registration under 47 CFR Part 17;

(E) The facilities are not located on Tribal lands; and

(F) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards.

Structure
A pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or

comingled with other types of services).

Telecommunications Facilities
The plant, equipment, and property including, but not limited to, antennas, cables, wires, conduits, ducts, pedestals, electronics, and other appurtenances used or to be used to transmit, receive, distribute, provide, or offer wireline or wireless communication service.

~~**Telecommunications Master Plan**~~
~~A plan developed to enforce applicable development standards, State statutes and Federal regulations related to the deployment of wireless telecommunications infrastructure.~~

Telecommunications Service
The transmission of information by wire, radio, optical cable, electromagnetic, or other similar means for hire, sale, or resale to the general public. For the purpose of this subsection, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. For the purpose of this chapter, telecommunications service excludes the over-the-air transmission of broadcast television or broadcast radio signals.

Temporary Wireless ~~Telec~~ Communications Facility (Temporary ~~WTF~~ WCF)
A ~~WTF~~ wireless communication facility which is to be placed and ~~in~~ used for a limited period of time~~, is not deployed in a permanent manner,~~ and does not have a permanent foundation.

Tower
A freestanding structure designed solely or primarily to support an antenna(s) or antenna platform(s).

Traffic Signal Poles
A pole that supports equipment used for controlling traffic, including but not limited to traffic lights, rapid flashing beacons, speed radar, and school zone flashers.

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 Enclosure
A small wireless facility providing 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, traffic signals, or lighting for streets, parking areas, or pedestrian paths.

~~**Wireless Communications**~~
~~Any personal wireless service, which includes, but is not limited to, cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), unlicensed spectrum services utilizing Part 15 devices (i.e., wireless Internet services) and paging.~~

Wireless Communications Facility ~~(WCF)~~
~~Any fixed location 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, telephone lines, and equipment shelters, and may include an antenna-supporting structure.~~
A facility used for personal wireless services.

~~**Wireless Communications**~~ **Macro Facility, Attached**
An antenna or antenna array that is secured to an existing building or structure with any accompanying pole or device ~~which~~ attached~~s~~ ~~it~~ to the building or structure, feed lines, and equipment.~~, which~~ It may be located either on the ~~roof or~~ inside or outside of the existing building or structure. An attached ~~wireless communications~~ macro facility is considered to be an accessory use to the existing principal or structure use on a site.

~~**Wireless Communications**~~ **Macro Facility, Concealed Attached**
An attached ~~wireless communications~~ macro facility, ancillary structure, or ~~WCF~~ macro facility equipment compound ~~that is not readily identifiable as such, and is~~ designed to be obscured and aesthetically compatible with existing and proposed buildings on a site. A concealed attached facility includes, but is not limited to, flush-mounted antenna and feed lines painted to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.

~~**Wireless Communications**~~ **Macro Facility, Concealed Freestanding**
A ~~wireless communications~~ macro facility, ancillary structure, or ~~WCF~~ macro facility equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed uses on a site. A concealed facility may have a secondary function, including, but not limited to, the following: church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with a flag, or tree.

~~**Wireless Communications**~~ **Macro Facility, Nonconcealed Attached**
A nonconcealed attached ~~wireless communications~~ macro facility is one that is readily identifiable, such as a pole with a mounting platform containing panel antennas, attached to a roof and/or rising above the roofline of a building.

~~**Wireless Communications**~~ **Macro Facility, Nonconcealed Freestanding**
A freestanding ~~wireless communications~~ macro facility, ancillary structure, or ~~WCF~~ macro facility equipment compound that is readily identifiable, such as a monopole or lattice tower.

Wireline

Services provided using a physically tangible means of transmission, including without limitation wire or cable, and the apparatus used for such transmission.

Zones, High Intensity
Zones that typically involve commercial or industrial rather than residential uses. Such zones are limited to Community Business (CB and CB-C), Industrial (I), Regional Business Mix (RBX), Office Commercial Medium (O/CM), Aviation Commercial (AVC) and Aviation Operations (AVO).

Zones, Low Intensity
Zones that typically include or are adjacent to residential uses, including the Urban Low (UL), Urban Medium (UM), Urban High (UH), Townhouse (T), Office/Commercial Mixed Use (O/C/MU), Neighborhood Business (NB), Mobile Home Park (MHP), and Park (P) Zones.

15.480.025 General Provisions

A. Wireless communication facilities are not "essential public facilities," as defined in SMC 15.105.050.

B. Wireless communication facilities located outside of the public rights-of-way may be either a primary or secondary use. A different use of an existing structure on the same lot shall not preclude the installation of a wireless communication facility.

C. Macro facilities, as defined in SMC 15.480.020, are regulated by Section II this Chapter.

D. Small wireless facilities, as defined in SMC 15.480.020, are permitted uses in all zones and are regulated by Section III of this Chapter. Any small wireless facilities located within the public right-of-way are permitted pursuant to a valid franchise agreement and a small wireless facility permit.

E. Eligible Facilities Requests, as defined in SMC 15.480.020, are regulated by Section IV of this Chapter.

F. Wireless communication facilities may require additional building, electrical, or other construction permits not regulated by this Chapter.

Section II. Macro Wireless Facilities

15.480.030 Review and Approval Process for Macro Facilities

A. **Preapplication Meeting.** Applicants are encouraged to schedule a pre-application meeting with the City prior to applying for a Macro Facilities permit.

~~A.~~ B. **Permits Required.** ~~Any application submitted pursuant to this chapter shall be evaluated by the Director in accordance with the City's Wireless Telecommunication Master Plan (plan) to confirm consistency with the plan. The City's plan, a copy of which is on file with the City Clerk, was adopted on December 14, 2004, and may be amended and revised by a resolution.~~ As part of the submittal of the appropriate application below, applicants shall submit the items included on the appropriate macro facilities checklist as outlined in SMC 15.480.100.

1. **Building/Electrical Permits.** A building and/or electrical permit is required for all ~~WCFs~~ Macro Facilities.
2. **Minor Conditional Use Permits (Minor CUP).** A Minor Conditional Use Permit is required for the following as outlined in subsections ~~(B) and (C)~~ (C) and (D) of this section: new freestanding concealed ~~antenna support~~ macro facility structures in low intensity zones, provided such facility is allowed per subsection (~~C~~D) of this section.
3. ~~**Major Conditional Use Permits (Major CUP).** A Major Conditional Use Permit is required for the following as listed in subsections (B) and (C) of this section: flush-mounted collocations on existing nonconcealed WCFs.~~
4 3. **Variance.** A variance from the standards regarding height, setbacks, aesthetics (including concealment), equipment enclosures and the dimensions of macro facility freestanding poles specified in this ~~chapter~~ Section II may be granted only pursuant to the criteria set forth in SMC 15.115.010(D). ~~The permit process for any facility applying for a variance from such standards shall be a Major Conditional Use Permit.~~ A variance from the standards regarding ~~setbacks~~, landscaping, and fencing specified in this chapter may be granted, subject to the criteria and process set forth in SMC 15.115.010(B).
~~5~~ 4. **Other Permits.** In addition to the permits listed above and in the table in subsection (~~B~~C) of this section, other permits may be required, including but not limited to grading and right-of-way permits. Additionally, any provider locating within the City right-of-way will be required to have a valid franchise agreement on file with the City. Facilities locating on City property will require a lease agreement.
~~6~~ 5. **Independent Review.** The City may~~, at the applicant's expense,~~ have an independent radio frequency engineer or other qualified consultant review all materials submitted ~~for review by~~ to the City. ~~WCF~~ Macro facility review by the independent radio frequency engineer is subject to the following:
    a. The reasonable cost for independent review ~~shall be paid by~~ is at the expense of the applicant.
    b. The reviewer may request from the applicant ~~additional~~ information in addition to that listed in the submittal requirements if~~, in~~ the reviewer~~'s opinion,~~ finds that such information is necessary for ~~the~~ a complete review of the application.

c. ~~Based on the results of the independent review, t~~ The approving authority may require changes to the applicant's application or submittals based on the results of the independent review.

d. The independent review may address any or all of the following:
   i. The accuracy and completeness of the application and accompanying documentation.
   ii. The applicability of analysis techniques and methodologies.
   iii. The validity of conclusions reached.
   iv. Whether the proposed ~~WCF~~ macro facility complies with the applicable approval criteria set forth in this chapter and any other applicable City codes.
   v. Whether the proposed ~~WCF~~ macro facility complies with applicable State and Federal guidelines.
   vi. Other items deemed by the City to be relevant to determining whether a proposed macro ~~wireless communications~~ facility complies with the provisions of this chapter and any other applicable City codes.

~~B~~C. The following table summarizes the types of ~~WCFs~~ macro facilities that are permitted in each zone subject to the siting hierarchy in SMC 15.480.040 and the type of permits required:

	Concealed Attached ~~WCF~~ Macro Facility	**~~Concealed~~ Collocation on Existing ~~Concealed~~ Freestanding ~~WCF~~ Macro Facility**	**New Concealed Freestanding ~~WCF~~ Macro Facility**	**Mitigation of Existing ~~WCF~~ Macro Facility**	**~~Flush-Mounted Collocation on an Existing Nonconcealed WCF~~[4]**	**~~Antenna Element Replacement or Combining~~[2]**
Low Intensity Zones[3][1]						
UL	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~
UM	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~1~~	~~Building/Electrical~~

	Concealed Attached ~~WCF~~ Macro Facility	**~~Concealed~~ Collocation on Existing ~~Concealed~~ Freestanding ~~WCF~~ Macro Facility**	**New Concealed Freestanding ~~WCF~~ Macro Facility**	**Mitigation of Existing ~~WCF~~ Macro Facility**	**~~Flush-Mounted Collocation on an Existing Nonconcealed WCF~~[1]**	**~~Antenna Element Replacement or Combining~~[2]**
UH	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~1~~	~~Building/Electrical~~
MHP	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~1~~	~~Building/Electrical~~
T	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~1~~	~~Building/Electrical~~
P	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~1~~	~~Building/Electrical~~
O/C/MU	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~1~~	~~Building/Electrical~~
NB	Building/Electrical	Building/Electrical	Minor CUP and Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~
High Intensity Zones						
I	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~

	Concealed Attached ~~WCF~~ Macro Facility	~~Concealed~~ Collocation on Existing ~~Concealed~~ Freestanding ~~WCF~~ Macro Facility	New Concealed Freestanding ~~WCF~~ Macro Facility	Mitigation of Existing ~~WCF~~ Macro Facility	~~Flush-Mounted Collocation on an Existing Nonconcealed WCF~~[4]	~~Antenna Element Replacement or Combining~~[2]
RBX	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~
CB	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~
CB-C	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~
O/CM	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	~~Major CUP and Building/Electrical~~	~~Building/Electrical~~

~~1. The City is not aware of any existing WCFs in these zoning districts; however, if one does exist, then it shall be subject to the same regulations as the UL zone.~~
~~2. Provided there is no increase in the number of feed lines, and/or the size of number of antennas, or in the aesthetic impact of the replacement. See SMC 15.480.090(C) for specifics.~~
~~3~~1. See subsection (~~C~~ D) of this section for restrictions on residentially zoned property that is vacant or contains a residential use.

~~C~~D. In residential zones, new concealed freestanding ~~antenna-supporting~~ macro facility structures shall only be permitted on lots whose principal use is not single-family residential, including, but not limited to: schools, churches, water towers, fire stations, parks, and other public property. The following table summarizes the types of ~~WCF~~ macro facility and ~~WCF~~ macro facility equipment that can be located on residentially zoned properties containing various uses:

Use within a Residential Zone	Concealed Attached ~~WCF~~ Macro Facility	Concealed Freestanding ~~WCF~~ Macro Facility	Equipment Enclosure
Single-Family Residence	No	No	Conditional*

Use within a Residential Zone	Concealed Attached ~~WCF~~ Macro Facility	Concealed Freestanding ~~WCF~~ Macro Facility	Equipment Enclosure
Multi-Family Residences	Yes	No	Yes
Vacant	No	Conditional**	Conditional**
Water tower, church, school, park, or other nonresidential use	Yes	Conditional	Yes/Conditional***

* For concealed equipment associated with a ~~WCF~~ macro facility in a right-of-way, where no other option for placement of the equipment is feasible or appropriate, the minor CUP process may consider whether an equipment enclosure is compatible with the existing and adjacent uses and the character of the area based on concealed equipment design, proximity to other residential uses, and existence of mature landscaping and/or topography. If approved, equipment shall be limited to one (1) three hundred sixty (360) foot enclosure on a single-family lot.
** On vacant residential property, the minor CUP process may consider whether the concealed facility's design, proximity to other residential uses, and existence of mature landscaping and/or topography would allow for a freestanding ~~WCF~~ macro facility that is compatible with adjacent uses and the character of the area.
*** Based on the process for the ~~WCF~~ macro facility.

15.480.040 Siting Hierarchy

A. Siting of a ~~WCF~~ macro facility shall be in accordance with the following order of ranking preference ~~siting alternatives hierarchy~~, with the exception of mitigation of an existing nonconcealed ~~WCF~~ macro facility, which shall be in accordance with subsection (C) of this section:

1. A Concealed Attached ~~WCF~~ Macro Facility.

~~2. In Certain Rights-of-Way.~~

~~a. Concealed collocation on an existing concealed freestanding WCF;~~

~~b. Concealed freestanding WCF.~~

2. Collocation.

3. ~~Collocation or~~ Concealed Freestanding Macro Facility.

~~a. Concealed collocation on an existing concealed freestanding WCF;~~

~~b. Concealed freestanding WCF;~~

~~c. Flush-mounted collocation on an existing nonconcealed WCF.~~

4. Concealed Freestanding Macro Facility In Certain Rights-of-Way.

B. ~~The order of ranking preference, from highest to lowest, shall be subsections (A)(1), (A)(2)(a), (A)(2)(b), (A)(3)(a), (A)(3)(b), and (A)(3)(c) of this section, except for mitigation of an existing nonconcealed WCF which is described in subsection (C) of this section.~~ ~~Where~~ If a lower ranking alternative is proposed, the applicant must file ~~relevant~~ information as ~~indicated~~ provided in SMC 15.480.100(A)(3)(f) and (g). ~~including,~~ Information may include, but is not limited to, an affidavit by a radio frequency engineer or other qualified representative demonstrating that despite diligent efforts to adhere to the established hierarchy within the geographic search area, higher ranking options are not technically feasible or justified given the location of the proposed wireless communication~~s~~ facility.

~~Where a freestanding WCF~~ macro facility ~~is permitted, then the order of ranking preference for the freestanding WCF shall be (A)(2)(a), (A)(2)(b), (A)(3)(a), (A)(3)(b), and (A)(3)(c). Where a lower ranking alternative is proposed, the applicant must file relevant information as indicated in SMC 15.480.100(A)(3)(f) and subsection (C)(2) of this section, and demonstrate higher ranked options are not technically feasible, or justified given the location of the proposed wireless communications facility, and the existing land uses of the subject and surrounding properties within three hundred (300) feet of the subject property.~~

C. An exception to the hierarchy shall occur in those cases where mitigation of an existing nonconcealed ~~WCF~~ macro facility would occur. Mitigation (replacement of an existing nonconcealed facility with a concealed facility in full compliance with the current code) is encouraged by the City to reduce the visual impact of existing nonconcealed facilities and is subject to the following benefits:

1. Expedited permit review;
2. Waiver of all planning, building and electrical permit fees except for independent review fees, if applicable;
3. Height bonus per SMC 15.480.070.

15.480.050 Attached ~~WCFs~~ Concealed Macro Facilities– Specific Development Standards

~~A. **Attached Concealed WCF.**~~

~~1.~~ A. **Height.** The height of attached concealed ~~WCFs~~ macro facility shall not exceed twenty (20) feet above the existing building or water tower. The additional height shall not exceed applicable FAA limitations.

~~2.~~ B. **Antenna Aesthetics.** If the antenna is attaching onto the wall, rooftop or other side of an existing building or structure, ~~then~~ the antenna shall be flush-mounted, encased, and designed to match the principal structure or building on which it is affixing. The antenna shall not extend more than fifteen (15) inches from the side of the building to which it is affixing, measured from the outside of the building wall to the inside or backing of the antenna.

If the antenna cannot be flush mounted to the existing building or water tower, then a faux parapet, elevator shaft, chimney or other similar architectural feature may be designed and constructed for the purposes of attaching and/or concealing the antenna to the existing structure or building. Faux designs shall match and blend with the color, texture and architectural features of the existing structure or building.

~~3.~~ C. **Feed Lines.** Feed lines shall not be seen from pedestrian or higher elevation views. Feed lines shall be contained within a principal building or encased and the encasement painted to blend and match the design, color, and texture of the facade, roof, wall or structure to which they are affixing. Feed lines may be painted rather than encased and painted if the Director determines that the visual impact is lessened through this method. Unless they are located inside an enclosed compound, feedlines between the base of a tower or building and the ground equipment shall be located underground.

15.480.060 Collocated ~~WCFs~~ Macro Facilities – Specific Development Standards, if not an Eligible Facilities Request.

A. **Collocation on an Existing Concealed Freestanding ~~WCF~~ Macro Facility.**

1. **Height.** The height of ~~WCFs~~ macro facilities collocating on existing concealed ~~antenna-supporting~~ structures shall not exceed a maximum height of sixty (60) feet in a low intensity zone and eighty (80) feet in a high intensity zone; and shall not exceed applicable FAA height limitations.
2. **Antenna Aesthetics.** Antenna shall match the overall design of the approved concealed freestanding ~~WCF~~ macro facility.
3. **Equipment Enclosures.** ~~Shall be installed according to the master site plan for the equipment compound and~~ Equipment enclosures are subject to the development standards of SMC 15.480.090.
4. **Feed Lines.** ~~Shall~~ Feed lines shall be installed inside the concealed ~~antenna supporting~~ structure and shall not be visible.
5. **Intensity.** The number of concealed antenna arrays on a concealed freestanding ~~WCF~~ macro facility shall not be limited; provided, that the increased number of antenna and/or equipment enclosures meet the following criteria:
    a. The increased number of antennas and/or equipment enclosures does not lessen the ability of the site to meet the requirements for concealment and screening;
    b. The site is sized and located so that the increased number of antennas and/or equipment enclosures does not negatively impact adjacent properties in any of the following manners:
        i. Removal of existing mature landscaping necessary to screen the site;
        ii. Exceeding the site's capacity to combine and coordinate equipment compounds in an orderly manner; or
        iii. Creating a number of accessory buildings, or size of accessory building, on a site, either of which would be unusual and visually intrusive to the character of a neighborhood or area.

B. **Collocation on an Existing Nonconcealed Freestanding ~~WCF~~ Macro Facility.**

~~1. **Existing Capacity.** Collocation on an existing nonconcealed freestanding WCF shall only be allowed where:~~
~~a. A higher-ranked installation is not technically feasible;~~
~~b. The facility was built with the structural capacity for the additional facility and no structural upgrades will be required for such collocation.~~

~~2.~~ 1. **Height.** Antennas shall not exceed the height of the ~~antenna supporting~~ structure on which it is affixing.
~~3.~~ 2. **Antenna Aesthetics.** New antenna installations shall be flush-mounted onto existing ~~WCFs~~ macro facility.
~~4.~~ 3. **Setbacks.** Equipment enclosures and all ancillary equipment are required to meet the setbacks of the underlying zoning district.
~~5.~~ 4. **Landscaping.** Landscaping shall be brought into compliance with the standards described in SMC 15.480.090(G).
~~6.~~ 5. **Feed Lines.** Feed lines s~~S~~hall be concealed to the greatest extent ~~possible~~ feasible.
~~7.~~ 6. **Intensity.**
    a. **In High Intensity Zones.** The maximum number of platforms shall be four (4).

b. **In Low Intensity Zones.** The maximum number of platforms shall be two (2), except where the Director determines that a lower number is needed to protect the character of the existing neighborhood.

15.480.070 Macro Facility Mitigation – Specific Development Standards

~~A. **Development Standards.**~~

~~1.~~ A. **Height.** The height for a ~~WCF~~ macro facility approved for mitigation may exceed the height of the tallest freestanding ~~WCF~~ macro facility that is being mitigated by a maximum of twenty (20) feet and may exceed the height of the tallest attached ~~WCF~~ macro facility that is being mitigated by a maximum of ten (10) feet.

~~2.~~ B. **Aesthetics.** Mitigated facilities shall meet all code requirements for the type of facility being mitigated.

~~3.~~ C. **Equipment Compounds.** The existing equipment compound shall be brought into compliance with standards described in SMC 15.480.090(B).

~~4.~~ D. **Equipment Enclosures.** All existing equipment shelters shall be brought into compliance with standards described in SMC 15.480.090(A) and (B).

~~5.~~ E. **Screening.** Landscaping and fencing shall be brought into compliance with the standards of SMC 15.480.090(F) and (G).

~~6.~~ F. **Feed Lines.** Feed lines s~~S~~hall be installed inside the concealed ~~antenna supporting~~ structure and shall not be visible.

~~7.~~ G. **Incentives.** Mitigation is subject to the incentives listed in SMC 15.480.040.

15.480.080 New Concealed Freestanding ~~WCFs~~ Macro Facilities – Specific Development Standards

A. **Height.**

1. **Low Intensity Zones.** The maximum height shall be sixty (60) feet, including foundations, but excluding lightning rods or lighting as required by the FAA.
2. **High Intensity Zones.** The maximum height shall be eighty (80) feet, including foundations, but excluding lightning rods or lighting as required by the FAA.

B. **Aesthetics.** Any new freestanding ~~antenna-supporting structure~~ macro facility must be a concealed freestanding ~~antenna-supporting structure~~ macro facility as defined in SMC 15.480.020 and shall be configured, located and designed to complement or match adjacent structures and landscapes with specific design considerations such as architectural designs, height, scale, color, and texture. The concealment design shall minimize visual impact through quality of materials and close resemblance to: (1) adjacent landscaping, (2) a feature that is commonly associated with the primary use of the property, or (3) a pedestrian amenity appropriate to the area, such as a light pole, clock tower, fountain or water feature. Up to three (3) design concepts may be required to be submitted for consideration, with the final design being determined by the Director based on positive visual impact and appropriateness to the context of the site.

C. **Setback.**

1. Equipment enclosures and all ancillary equipment is required to meet the setbacks of the underlying zoning district.

2. Within the Urban Center, new support structures shall be located as far to the rear of the site as the setbacks will allow, to preserve as much of the site as possible for future development.
3. On properties fronting Angle Lake, or containing other amenities, new support structures shall be located to preserve open space, views, and future site development potential.
4. Setback departures may be allowed by the Director for pedestrian amenities whose placement closer to the property line provides a public benefit.

D. **Feed Lines.** Feed lines s~~S~~hall be installed inside the concealed ~~antenna supporting~~ structure and shall not be visible.

E. **Intensity.** The number of antennas on a new concealed freestanding ~~WCF~~ macro facility shall not be limited; provided, that the following criteria ~~shall be~~ are met:
1. The increased number of antennas and/or equipment enclosures does not lessen the ability of the site to meet the requirements for concealment and screening;
2. The site is sized and located so that the increased number of antennas and/or equipment enclosures does not negatively impact adjacent properties in any of the following manners:
   a. Removal of existing mature landscaping necessary to screen the site;
   b. Exceeding the site's capacity to combine and coordinate equipment compounds in an orderly manner;
   c. Creating a number of accessory buildings or a size of accessory building on a site, either of which would be unusual and visually intrusive to the character of a neighborhood or area.

F. **In Rights-of-Way.**
1. ~~**Antenna Supporting Structure.** Only c~~Concealed, freestanding ~~WCFs~~ macro facilities ~~will be~~ are permitted in ~~designated~~ rights-of-way ~~per subsection (F)(4)(d) of this section~~ only if technically infeasible outside of the right-of-way. No utility wires may be attached to outside of the ~~concealed freestanding WCF~~structure.
2. **Height.** The maximum height of concealed, freestanding macro facilities in rights-of-way is the minimum necessary for technical feasibility provided, the height does not interfere with the use of the right-of-way for utility and transportation purposes.
   ~~a. **Rights-of-Way in Low Intensity Zones.** No antenna-supporting structure, including the wireless antenna, shall exceed a height of forty-five (45) feet measured from the base of the pole.~~
   ~~b. **Rights-of-Way in High Intensity Zones.** No antenna-supporting structure, including the wireless antenna, shall exceed a height of fifty-five (55) feet measured from the base of the pole.~~
   ~~c. If a right-of-way is abutted by both high and low intensity zones, the right-of-way shall be considered to be in a low intensity zone.~~
3. **Dimensions.** Concealed freestanding ~~WCFs~~ macro facilities in rights-of-way must be tapered and shall measure no more than twenty-six (26) inches in diameter at the base and shall taper to no more than eighteen (18) inches diameter at the top of the pole.
4. **Intensity and Location.**

a. The number of ~~WCFs~~ antennas located on a freestanding ~~antenna-supporting structure~~ macro facility in the right-of-way shall be limited to two (2), unless it can be shown that the criteria in subsection (~~D~~E) of this section are met.

b. Where ~~possible~~feasible, freestanding ~~antenna-supporting structures~~ macro facilities in the right-of-way shall be located at property line extensions rather than in front of a residential or retail commercial structure.

c. Freestanding ~~antenna-supporting structures~~ macro facilities in the right-of-way shall be separated by a minimum of one hundred (100) feet and sited so that no more than one (1) such structure is located adjacent to any one (1) single-family property.

d. Freestanding ~~antenna-supporting structures~~ macro facilities shall only be located in right-of-way areas approved by the Public Works Department based on case-by-case review of a site in relation to existing and proposed utilities, road width, and safety considerations. Generally, a freestanding ~~antenna-supporting structures~~ macro facility shall not be allowed on an arterial street where utilities have been placed underground or are anticipated to be placed underground.

G. **Pedestrian Amenity.** Freestanding ~~antenna-supporting structures~~ macro facilities that incorporate a pedestrian amenity appropriate to the area, such as bus shelter, street furniture, pedestrian street lighting, clock tower, fountain or water feature are encouraged. Design for such ~~WTF~~ macro facility in a right-of-way must meet the approval of the Director and the Director of Public Works. ~~WTF~~ Such macro facilities with pedestrian amenities shall be subject to the following benefits:

1. Expedited review; and,
2. Refund of planning and building permit fees upon design approval, except for independent review fees, if applicable.

15.480.090 General Development Standards for All ~~WCFs~~ Macro Facilities

All ~~WCFs~~ Macro Facilities shall be subject to the following:

A. **Equipment Enclosures.**

1. Each service provider shall be limited to an equipment enclosure installation not to exceed three hundred sixty (360) square feet in area at each ~~WCF~~ macro facility site.
2. All new equipment enclosures shall be part of ~~a master site design for the~~ an equipment compound as provided for in subsection B of this section.
   a. The design shall coordinate the placement of the equipment enclosures so that enclosures are contiguous or otherwise organized to minimize aesthetic impacts to the property.
   b. If a site is being designed for multiple known providers, one (1) accessory building with multiple compartments to serve the total number of collocation tenants and their designated equipment or equipment enclosures may be required by the City.
3. Equipment enclosures shall be concealed from pedestrian or higher elevation views through one (1) of the following methods. The approved method shall offer

the most appropriate concealment of the equipment or equipment enclosure for the site as determined by the Director.

a. For attached ~~WCFs~~ macro facilities:
   i. Located within the principal building on the site; or,
   ii. Located behind a wall, parapet, louvers or other concealment materials meeting the intent of concealing the equipment or equipment enclosure on the rooftop or ground from pedestrian and higher elevation views.

b. For freestanding ~~antenna-supporting structures~~ macro facilities:
   i. Located underground or below grade, with the access to the site concealed in one (1) of the following manners:
      (A) The access is no more than eighteen (18) inches above grade; or
      (B) The access is concealed by landscaping, grade, placement out of view, or by treatment as a pedestrian amenity~~.~~;or,
   ii. Enclosed within an accessory building compatible with the architectural features of the principal building or structure, such as building materials, roof pitch, and siding color and texture. This option shall be required in low intensity zones, unless another option contained in this section is approved as an alternative by the Director if the equipment is not visible from pedestrian or high-elevation views. The accessory building may have a secondary function ancillary to the principal building or structure of the concealed ~~WCF~~ macro facility that it serves~~.~~;or,
   iii. Surrounded by an opaque fence constructed of cedar or other high-quality fencing material meeting the criteria of subsection (F) of this section as approved by the Director.

4. **In Rights-of-Way.** When a ~~WCF~~ macro facility is located in the right-of-way, equipment enclosures shall be located underground, below grade or on adjacent property, per the standards of subsection (A)(3) of this section, unless an exemption is granted as described below. The approved method shall offer the best concealment of the equipment enclosure for the site as determined by the Director.

   The Director and the Director of Public Works may approve an above-ground equipment enclosure if the total installation comprises less than six (6) cubic feet and if the installation is more appropriate than an underground facility due to existing vegetation, the location of existing infrastructure, construction impacts, or other similar factors. In all cases, an above-ground equipment enclosure shall be mounted to the ground, not mounted or attached to a pedestal, and the cumulative size of all equipment shall not exceed six (6) cubic feet.

B. **Equipment Compound.**

1. All compounds shall be screened from pedestrian or higher elevation view, as determined by the Director, by utilizing a matching design of opaque screening, such as cedar or other approved high quality fencing material per subsection (F) of this section, through topography, through planting of new landscaping, and/or

through retention of existing mature landscaping. All fencing shall be located inside of any required landscaping.

2. The ~~WCF~~ macro facility equipment compound shall not be used for the storage of any excess equipment or hazardous waste (i.e., discarded batteries), nor be used as habitable space. No outdoor storage yards shall be allowed in a ~~WCF~~ macro facility equipment compound.

C. **Addition or Upgrade of Equipment on a Legal Nonconforming Site, if not an Eligible Facilities Request.**

1. **Freestanding ~~WCF~~ Macro Facility.**

a. **Existing Antennas and/or Feed Lines.** Upgrades of existing antennas and feed lines on a legal nonconforming freestanding ~~WCF~~ macro facility ~~shall be~~ are allowed, ~~provided~~ as long as the number, approximate size, and visual impact of antennas and feed lines are not increased. Addition or expansion of equipment cabinets or enclosures shall be allowed only if the ~~carrier's~~ service provider's existing and proposed equipment enclosure/compound meets the standards for screening in this code.

b. **New Antennas and/or Feed Lines.** Addition of new antennas and feed lines on a legal nonconforming freestanding ~~WCF~~ macro facility ~~shall be~~ are allowed on existing platforms as follows:

i. **Permitted.** Antennas vested under a valid permit ~~shall be~~ are allowed to be installed per that permit's approval and conditions.

ii. **Interim Permit with Agreement for Future Upgrade.** Antennas that exceed the number on the existing platform, but do not exceed the capacity of the existing platform, shall be allowed to be added on an interim basis, ~~providing~~ provided that:

(A) An agreement is signed by the provider to upgrade the freestanding facility to a concealed facility meeting the full requirements of this code within three (3) years;

(B) The size of the antennas and feed lines are comparable to those on the existing platform.

Where an agreement has been signed to upgrade to a concealed facility within three (3) years, equipment may be upgraded and/or added within a compound without the requirement for new landscaping. Opaque fencing may be required.

2. **Attached ~~WCF~~ Macro Facility.**

a. **Within the Urban Center – Existing or New Antennas and/or Feed Lines.** Upgrades to antennas and feed lines for existing nonconcealed antennas within the Urban Center shall be required to meet the full standards of this code. Addition or expansion of equipment cabinets or enclosures shall be allowed, only if the ~~carrier's~~ service provider's new and existing equipment meet the standards for screening in this code.

b. **Outside the Urban Center – Existing Antennas and/or Feedlines.** Upgrades of existing nonconcealed antennas outside the Urban

Center shall be allowed, ~~provided~~ as long as the number, approximate size, and visual impact of antennas and feed lines are not increased. Addition or expansion of equipment cabinets or enclosures ~~shall be~~ are allowed only if the ~~carrier's~~ service provider's existing and proposed equipment enclosure/compound meets the standards for screening in this code.

c. **Outside the Urban Center – New Antennas and/or Feedlines.** Addition of new antennas on nonconcealed arrays outside the Urban Center shall be subject to the standards of subsection (C)(1)(b) of this section.

3. **Addition of Generators to Sites.** Addition of generators to existing legal nonconforming sites shall be allowed within a compound; provided, that all equipment screening and landscaping standards contained in this chapter are met.

4. **Addition of E-911 Enhancement Equipment to Site.** Addition of E-911 enhancement equipment shall be allowed on legal nonconforming sites providing that attachments on support structures or addition to ground equipment shall meet all City ~~WCF~~ standards for concealment and screening.

D. **Signage.** The only signage that is permitted upon a~~n antenna-supporting~~ structure, equipment enclosure, shelter, or fence (if applicable) shall be required safety signage ~~informational~~, and for the purpose of identifying the ~~antenna-supporting~~ structure, such as antenna structure registration (ASR) number, as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable). A twenty-four (24) hour emergency contact name and number is required to be posted on the site. If more than two hundred twenty (220) voltage is necessary for the operation of the facility and is present in a ground grid or in the tower additional signage is required as follows:

1.~~, s~~ Signs located every twenty (20) feet and attached to the fence or wall;

2. Signs shall display in large, bold, high contrast letters (minimum height of each letter: four (4) inches) the following: "HIGH VOLTAGE – DANGER." ~~WCFs and WCF equipment compounds shall be constructed and maintained in conformance with all applicable building code requirements.~~

E. **Setbacks.**

1. **Low Intensity Zones.** ~~For new antenna-supporting structures, the~~ The required setbacks for new structures shall be measured from the base of the ~~antenna-supporting~~ structure or from the edge of the equipment shelter or compound, whichever is closer to the property line. The setbacks shall be a minimum of twenty (20) feet on all sides.

2. **High Intensity Zones. .** ~~For new antenna-supporting structures, the~~ The required setbacks for new structures shall be measured from the base of the ~~antenna-supporting~~ structure or from the edge of the equipment shelter or compound, whichever is closer to the property line. The minimum setbacks shall be as follows:

   a. Front: Ten (10) feet;
   b. Side: Five (5) feet;
   c. Rear: Five (5) feet.

   The setbacks shall be a minimum of twenty (20) feet on the sides adjacent to low intensity zones.

~~For new WCFs located on existing buildings, the WCF~~ New macro facilities located on existing buildings shall be allowed to project into the setback~~; provided, that such projection does not exceed~~ a maximum of twelve (12) inches.

F. **Fencing.** Fences are not required, unless utilized for required screening of an equipment enclosure or compound. ~~Where~~ If required, fences shall meet the following criteria:

1. Materials shall be weather-resistant.
2. Materials and design shall be appropriate to and compatible with the character of the site.
3. Unless otherwise specified, fencing shall be a maximum of six (6) feet in height, or one (1) foot taller than the proposed equipment enclosure, whichever is greater. In no case shall the fence be taller than eight (8) feet.
4. Barbed, or other types of security wire are prohibited.
5. All fencing shall be located inside of any required landscaping.

The Director may specify the size, type and materials to be used for the fencing to ensure compatibility with the surrounding neighborhood.

G. **Landscaping.**

1. **Low Intensity Zones.** For freestanding ~~WCFs~~ macro facilities and ground-based equipment, landscaping shall be Type I, ten (10) feet, on all sides. In all cases, the landscaping shall be located on the outside of any fence ~~that is used~~. Irrigation shall be required per SMC 15.445.140.
~~Landscaping standards may be modified at the discretion of the Director, in cases where the need for landscaping is eliminated by adequate natural screening, existing landscape buffers, topography, the placement of the WCF among buildings, or other suitable screening as determined by the Director.~~
2. **High Intensity ~~Landscaping~~ Zones.** For freestanding ~~WCFs~~ macro facilities and ground-based equipment, the street frontage landscaping shall be Type II, ten (10) feet, and side and rear landscaping shall be Type II, five (5) feet. Where adjacent to low intensity zones, new support structures shall provide ten (10) feet of Type II landscaping on that side(s). In all cases, the landscaping shall be located on the outside of any fence that is used. Irrigation shall be required per SMC 15.445.140.
3. At the discretion of the Director, these ~~L~~ landscaping standards may be modified ~~at the discretion of the Director,~~ in cases where ~~the need for landscaping is eliminated by adequate~~ natural screening, existing landscape buffers, topography, or the placement of the ~~WCF~~ macro facility among buildings~~, or other~~ provides suitable screening ~~as determined by the Director~~.

H. **Lighting.**

1. Only lighting required by FAA regulations, as supported by the "determination of no hazard" document issued by the same agency, is allowed on support structures or antennas. Where lighting is required by FAA regulations, the light source shall be hooded or directed to shield adjacent properties, except where prohibited by FAA regulations. Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable by the FAA. Dual lighting standards are required and strobe light standards are prohibited unless required by the FAA.
2. Any security lighting for on-ground facilities and equipment shall be user-operated or motion-activated only.

I. **Noise.** ~~WCFs~~ Macro facilities shall meet all existing noise standards as per SMC 15.460.020. ~~In addition, noise levels shall not exceed ambient noise levels when measured at the property boundaries except in designated emergencies or for emergency generator testing.~~ Generator testing is allowed only between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday.

J. **Parking.** Parking for one (1) maintenance vehicle shall be provided on site or allowed for in the site lease unless on-street parking is available adjacent to the site.

K. **Public Safety**. Any applicant for facilities under this section shall certify that such proposed facility shall comply with all applicable Federal regulations regarding radio frequency interference (RFI) ~~protection, including but not limited to Federal regulations regarding adjacent channel receiver (blanket) overload and intermodulation distortion.~~ as specified in SMC 15.480.100(A)(~~3~~2)(h).

L. **Maintenance.** All required landscaping shall be maintained as per SMC 15.445.150. In addition, painted or otherwise coated surfaces and concealment treatments shall be continually maintained or the structure shall be subject to removal at the expense of the responsible party.

M. **Abandonment.** Any ~~WCF~~ macro facility that is abandoned shall be reported ~~immediately~~ within thirty (30) days of abandonment to the Director by the service provider. The service provider shall include documentation of the date that use of the ~~WCF~~ macro facility was discontinued. The service provider shall remove the abandoned ~~WCF~~ macro facility and restore the aboveground site features to their preexisting condition within six (6) months of the abandonment, unless another service provider commits to using the site/facility as specified below. If the abandoned ~~WCF~~ macro facility is not removed and the site restored within the specified time frame, the City may conduct the removal and/or restoration at the service provider's expense. If there are two (2) or more users of a single ~~WCF~~ macro facility, then this provision shall not become effective until all users cease using the ~~WCF~~ macro facility. If another service provider has committed to continue the use of the abandoned ~~WCF~~ macro facility, the abandoned ~~WCF~~ macro facility does not need to be removed; provided, that:

1. A letter of intent to operate the abandoned facility is submitted to the City by the new service provider; and
2. The ~~WCF~~ macro facility is put into service, or an application for a ~~WCF~~ macro facility has been submitted within three (3) months of the letter of intent, and is actively being pursued.

15.480.100 Submittal Requirements for All ~~WCFs~~ Macro Facilities

A. **General.** This section shall apply to all ~~WCFs~~ Macro Facilities. ~~except, antenna element replacements and combining. Antenna element replacements and combining submittal requirements are located in subsection (D) of this section.~~ A separate application is required for each macro facility.

~~Prior to application submittal, an applicant must attend a preapplication meeting before the City's Development Review Committee.~~

~~1. With each application, the applicant shall provide an inventory of its existing antenna-supporting structures that are within the jurisdiction of the City and/or within one-quarter (1/4) mile of the border thereof, including specific information~~

~~about the location, height, design, and performance specifications of each tower or monopole. The Department shall maintain a file containing this information, which will be available for review by applicants.~~

~~2~~ 1. ~~Each~~ The application shall illustrate and describe the final schematic design of the ~~WCF~~ macro facility installation ~~as it will be~~ when fully deployed~~, even if the construction or installation will occur in phases~~.

~~3~~ 2. ~~Each WCF~~ An application for an attached, collocation, mitigated or freestanding ~~WCF~~ macro facility shall include the following:

a. Proposed maximum height of the proposed ~~WCF~~ macro facility, including individual measurement of the base, the ~~antenna supporting~~ structure and lightning rod.

b. ~~A written statement detailing the antenna mounting elevations and power levels of the proposed antenna and all the mounting elevations and power levels of any other facilities on the subject property.~~ A sworn affidavit signed by an RF Engineer with knowledge of the proposed project affirming that the macro facility will be compliant with all FCC and other governmental regulations in connection with human exposure to radio frequency emissions for every frequency at which the small wireless facility will operate.

c. Photo-simulated post construction renderings of the proposed ~~antenna-supporting~~ structure, equipment enclosures, and ancillary structures from at least two locations ~~to be determined during the preapplication meeting~~ (but shall, at a minimum, include ~~renderings~~ simulations from the vantage point of any adjacent roadways and occupied or proposed nonresidential or residential structures), proposed exterior paint and stain samples for any items to be painted or stained, exterior building material and roof samples ~~(all mounted on color board no larger than eleven (11) inches by seventeen (17) inches)~~. ~~If requested, materials detailing the locations of existing wireless communications facilities to which the proposed antenna will be a hand-off candidate; including latitude, longitude, and power levels of the proposed and existing antenna.~~

d. A map showing the designated geographic search area and a statement that the included search area map is, in fact, the same as used to identify the proposed site.

e. A radio frequency propagation plot indicating the existing and proposed signal coverage of existing and proposed wireless communication~~s~~ sites, coverage prediction, and design radius, or a statement by a qualified representative that the facility is designed to provide additional network capacity.

f. A written certification from the applicant's radio frequency (RF) engineer that the proposed facility's coverage or capacity potential cannot be achieved by a higher ranked alternative, if any. This certification shall not be required in cases where the City and the applicant mutually agree that higher ranked alternatives are not feasible.

g. Any other documentation, evidence, or materials necessary to demonstrate compliance with the applicable approval criteria set forth in this chapter as the applicant deems necessary.

h. Interference with Public Safety Communications. Each owner and applicant for a ~~WCF~~ macro facility shall agree in a written statement to the following:

i. Comply with good engineering practices as defined by the FCC in its rules and regulations.

ii. Comply with FCC regulations regarding susceptibility to radio frequency interference, frequency coordination requirements, general technical standards for power, antenna, bandwidth limitations, frequency stability, transmitter measurements, operating requirements, and any and all other Federal statutory and regulatory requirements relating to radio frequency interference (RFI).

~~iii. In the case of an application for collocation of facilities or the placement of a new WCF macro facility on a building or water tower containing an existing WCF macro facility, the applicant, together with the owner of the subject site, shall provide a composite analysis of all users of the site to determine that the applicant's proposed facilities will not cause radio frequency interference with the City's public safety communications equipment and will implement appropriate technical measures, as described in subsection (A)(3)(h)(iv)(A) of this section, to attempt to prevent such interference.~~

~~iv~~iii. Whenever the City has encountered radio frequency interference with the City's public safety communication~~s~~ equipment, and the City reasonably believes that such interference has been or is being caused by one (1) or more ~~WCFs~~ macro facilities, the following steps shall be taken:

(A) The City shall provide notification to all ~~WCFs~~ macro facilities operating in the City of possible interference with the public safety communication~~s~~ equipment, and upon such notifications, the owners of facilities operating in the 800MHz frequency band shall reasonably cooperate with the City and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set for in the joint wireless industry-public safety "Best Practices Guide," released by the FCC in February 2001, including the good engineering practices, as may be amended or revised by the FCC from time to time.

~~(B) If any WCF owner fails to cooperate with the City in complying with the owner's obligations under this subsection or if the FCC makes a determination of radio frequency interference with the City's public safety communications equipment, the owner who failed to~~

~~cooperate and/or the owner of the WCF which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the City for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the City to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the "Best Practices Guide" within twenty-four (24) hours of City's notification.~~

~~i.~~h. ~~Prior to issuance of a building permit, proof of FAA compliance with Subpart C of the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace.~~

~~j.~~i All applications for ~~WCFs~~ macro facilities shall comply with all applicable FAA and ~~Federal Communication Commission (~~FCC~~)~~ regulations.

B. **Attached ~~WCFs~~ Macro Facilities and Collocations.** In addition to SMC 15.480.090 the following is also required:

1. Certification furnished by a registered professional engineer licensed in the State of Washington that the ~~WCF or~~ macro facility structure has sufficient structural integrity in accordance with the latest published EIA/TIA codes and windspeed criteria for the district in which it is to be located to support the proposed antenna and feed lines in addition to all other equipment located or mounted on the structure.
2. A signed statement (including the ~~signature's~~ signer's qualifications) shall be included by a party representing the ~~antenna-supporting~~ structure's owner or owner's agent certifying that the radio frequency emissions of the proposal comply with FCC standards for such emissions, both individually and cumulatively and with any other facilities located on or immediately adjacent to the proposed facility.

C. **Freestanding ~~WCFs~~ Macro Facilities~~,~~ and Mitigation of ~~WCFs~~ Macro Facilities.** In addition to SMC 15.480.090 the following is also required:

1. A signed statement from the ~~antenna-supporting~~ structure owner agreeing to allow the collocation of other wireless equipment on the proposed ~~antenna-supporting~~ structure, if the structure is designed for collocation.
2. If an attached structure or collocation is higher on the hierarchy than a proposed freestanding structure proposed for the ~~WCF~~ macro facility, a copy of the following notice, with any and all responses or a statement that no responses were received, must be mailed by the applicant to all other ~~wireless~~ service providers licensed to provide service within the City of SeaTac, and to the property owners of all existing structures exceeding forty (40) feet in height within one thousand (1,000) feet of the proposed site:

   Pursuant to the requirements of the City of SeaTac Municipal Code 15.480.100(C)(2), _____ (~~wireless~~ service provider) is hereby providing you with notice of our intent to apply to the City of SeaTac to construct a wireless communication~~s~~ facility support structure at

_____ (address). The proposed support structure will be approximately ___ feet in height for the purpose of providing (type of service) service.

Please inform us whether you have any existing structures or wireless communication facility support structures in the vicinity of our proposed facility that may be available for our use. Please provide this information to us within ten (10) working days from the date of this letter. If we receive no response from you within that time, we shall assume that you do not wish to pursue a ~~wireless communications~~ macro facility at this site.

3. A copy of the mailing labels, or a list of the names and addresses of the recipients of the notice described above.
4. A report and supporting technical data demonstrating that all antenna attachments and collocations ~~as identified in the Master Plan inventory~~, including all potentially usable ~~antenna-supporting~~ structures, and other elevated structures within the proposed service area~~, and alternative antenna configurations~~ have been examined, and found not to be acceptable, and the reasons such ~~antenna-supporting~~ structures, and other elevated structure are not acceptable. Costs of concealment technology that exceed facility development costs shall not be presumed to render the concealment technology unsuitable. The report shall consist of one (1) or more of the following applicable findings, with supporting documentation:
   a. No existing wireless communication~~s~~ facilities located within the geographic search area meet the applicant's engineering requirements, and why.
   b. Existing wireless communication~~s~~ facilities are not of sufficient height to meet the applicant's engineering requirements, and cannot be increased in height.
   c. Existing wireless communication~~s~~ facilities do not have sufficient structural integrity to support the applicant's proposed wireless communications facilities and related equipment, and the existing facility cannot be sufficiently improved.
   d. Other limiting factors that render existing wireless communication~~s~~ facilities unsuitable.
   e. Technical data included in the report shall include certification by a registered professional engineer licensed in the State of Washington, or other qualified professional, ~~which~~ whose qualifications shall be included, regarding the technical need for the macro facility, ~~service gaps~~ coverage, ~~or~~ service expansions, introduction of new services,or other service objectives, that are addressed by the proposed ~~WCF~~ macro facility, and to the extent applicable, accompanying maps and calculations demonstrating the need of the proposed ~~WCF~~ macro facility.
5. The applicant shall provide simulated photographic evidence of the proposed ~~WCF's~~ macro facility's appearance from any and all residential ~~areas~~zones within one thousand ~~five hundred~~ (~~1,500~~ 1,000) feet ~~and vantage points, as chosen by the~~

~~Director~~, including the facility types the applicant has considered and the impact on adjacent properties including:

a. Overall height;
b. Configuration;
c. Physical location;
d. Mass and scale;
e. Materials and color;
f. Illumination.

The applicant shall provide a statement describing potential visual and aesthetic impacts of the proposed ~~WCF~~ macro facility on all adjacent residential zoning districts.

6. Certification furnished by a registered professional engineer licensed in the State of Washington that the ~~WCF~~ macro facility has sufficient structural integrity to accommodate the required and proposed number of collocations.
7. Identification of the intended service providers of the ~~WCF~~ macro facility.

~~D. **Antenna Element Replacements or Combining.** Any applicant seeking to replace any existing antenna elements on a WCF, shall, prior to making such modifications, submit the following:~~

~~1. A written statement from the applicant setting forth the reasons for the modification.~~
~~2. A description of the proposed modifications to the WCF, including modifications to antenna element design, type and number, as well as any additional feed lines from the base of the WCF to such antenna elements.~~
~~3. A signed statement (including the signature's qualifications) shall be included by a party representing the antenna-supporting structure's owner or owner's agent certifying that the radio frequency emissions of the proposal comply with FCC standards for such emissions, both individually and cumulatively and with any other facilities located on or immediately adjacent to the proposed facility.~~
~~4. A stamped or sealed structural analysis of the existing WCF prepared by a registered professional engineer licensed by the State of Washington indicating that the existing antenna-supporting structure as well as all existing and proposed appurtenances meet Washington Building Code requirements (including windloading) for the antenna-supporting structure.~~

Section III. Small Wireless Facilities *(New sections to current code)*

15.480.110 Applications for Small Wireless Facilities

A. **Applicability and Authority**. Any application for a small wireless facility either inside or outside of the right-of-way of the City shall comply with the application requirements for a small wireless facility permit prescribed in this Chapter. Small wireless facility permits are issued by the Public Works Director or designee.

B. **Consolidated Permits.** All permits, leases, and franchises necessary for the deployment of the same small wireless facilities shall be consolidated for review. Applicants are allowed to apply for franchises or leases independently of an application for a small wireless facility permit.

C. **Consultation Meeting.** Prior to a submittal of an applications, a consultation meeting mutually agreed upon by the City and the applicant is encouraged but not required.

D. **Application Types.** Deployment of small wireless facilities may require multiple approvals as outlined below. All necessary approvals shall be obtained prior to deployment of any small wireless facility.

1. **Franchise.** If any portion of the applicant's facilities are to be located in the right-of-way, an application and approval of a franchise is required. A franchise for the use of the City's right-of-way is a contract which requires approval by the City Council. An applicant with a franchise for the deployment of small wireless facilities in the City may proceed to directly apply for a small wireless facility permit and related approvals. An applicant at its option may utilize phased development.

2. **Small Wireless Facility Permit.**

   a. A small wireless facility permit is a consolidated permit that grants authority to construct small wireless facilities inside and outside the public right-of-way to allow the applicant, in most situations, to avoid the need to seek duplicative approvals by both the Public Works and the Community and Economic Development departments.

   b. If the applicant requires a new franchise to utilize the right-of-way, the franchise approval may be consolidated with the small wireless facility permit review if requested by the applicant.

   c. As an exercise of police powers pursuant to RCW 35.99.040(2), the small wireless facility permit is not a right-of-way use permit, but instead a consolidated public works and land use permit and the issuance of a small wireless facility permit shall be governed by the time limits established by federal law for small wireless facilities.

   d. As part of any application for a small wireless facility, the applicant shall submit the items as outlined in subsection E of this section and any items included in the City's small wireless facility permit checklist.

   f. An applicant can batch multiple small wireless facility sites in one application, and are encouraged to do so for sites within a contiguous service area.

   e. Prior to the issuance of a small wireless facility permit, the applicant shall pay a permit fee as set forth in the City's Fee Schedule adopted by Resolution

3. **Associated Permit(s).** An applicant shall include with the submission of a small wireless facility permit all associated permits required for deployment, including but not limited to, applications or checklists required under the Critical Areas SMC 15.700, SEPA SMC 16A.23, and the 2019 Shoreline Master Program.
4. **Leases.** An applicant who desires to attach a small wireless facility on any utility pole owned by the City shall include an application for a lease as a component of its application. The Director is authorized to approve leases in the form approved for general use by the City Council for any utility pole or light pole in the right-of-way. Leases for the use of other public property, structures or facilities shall be submitted to the City Council for approval.

E. **Application Requirements for Small Wireless Facility Permits.** The following information shall be provided by all applicants for a small wireless facility permit:

1. The application shall provide specific survey quality locational information including GPS coordinates of all proposed small wireless facilities and specify where the small wireless facilities will utilize existing, replacement or new poles, towers, existing buildings and/or other structures. Ground-mounted equipment, conduit, junction boxes, backhaul (whether by fiber or microwave), and power connections necessary for and intended for use in the deployment shall also be specified regardless of whether the additional facilities are to be constructed by the applicant or leased from a third party. Detailed schematics and visual renderings of the small wireless facilities, including engineering and design features, shall be provided by the applicant. The application shall have sufficient detail to identify:
    a. The location of overhead and underground public utilities, telecommunication, cable, water, adjacent lighting, sewer drainage and other lines and equipment within fifty (50) feet of the proposed project area, which the project area shall include the location of the backhaul source and power source. Further, the applicant shall include all existing and proposed improvements related to the proposed location, including but not limited to poles, driveways, ADA ramps, equipment cabinets, street trees and structures within fifty (50) feet of the proposed project area.
    b. The specific trees, structures, improvements, facilities, lines and equipment, and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate and a landscape plan for protecting, trimming, removing, replacing, and restoring any trees or areas to be disturbed during construction.
    c. The construction drawings shall also include the applicant's plan for backhaul and power service, all conduits, cables, wires, handholes, junctions, meters, disconnect switches and any other ancillary equipment or construction necessary to construct the small wireless facility, to the extent to which the applicant is responsible for installing such backhaul and power service, conduits, cables, and related improvements. Where another party is responsible for installing such backhaul and power service, conduits, cables, and related improvements, applicant's construction drawings will include such utilities to the extent known at the

time of application, but at a minimum applicant must indicate how it expects to obtain power and backhaul service to the small wireless facility.

d. If the site location includes a replacement light pole, a photometric analysis of the roadway and sidewalk the existing light and replacement light.

e. Compliance with the aesthetic requirements of this Chapter.

2. The applicant must show written approval from the owner of any pole or structure for the installation of its small wireless facilities on such pole or structure. Such written approval shall include approval of the specific pole, engineering, and design features. Submission of the lease agreement between the owner and the applicant is not required. For City-owned poles or structures, the applicant must obtain a lease from the City prior to or concurrent with the small wireless permit application and must submit as part of the application the information required in the lease for the City to evaluate the usage of a specific pole.

3. Any application for a small wireless facility located in the right-of-way adjacent to a parcel zoned for residential use shall demonstrate that it has considered the following:

a. Whether a small wireless facility is currently installed on an existing pole in front of the same residential parcel. If a small wireless facility exists, then the applicant must demonstrate that no technically feasible alternative location exists which is not in front of the same residential parcel.

b. Whether the proposed small wireless facility can be screened from residential view by choosing a pole location that is not directly in front of a window or views.

4. For an application for a small wireless facility located on private property, the applicant shall provide documentation establishing the lease or easement right and permission of the property owner to locate the small wireless facility on the private property.

5. Any application for a small wireless permit which contains an element which is not exempt from SEPA review shall simultaneously apply under Chapter 43.21C RCW and Chapter 16A.23 SMC. Further, any application proposing small wireless facilities in the Shoreline jurisdiction (pursuant to the 2019 Shoreline Master Program) or in Critical Areas (pursuant to Chapter 15.700 SMC) must indicate that the application is exempt or comply with the review processes in such codes.

6. The applicant shall submit a declaration signed by an RF Engineer with knowledge of the proposed project affirming that the small wireless facilities will be compliant with all FCC ~~and other governmental~~ regulations in connection with human exposure to ~~radio frequency~~ RF emissions for every frequency at which the small wireless facility will operate. If facilities which generate RF radiation necessary to the small wireless facility are to be provided by a third party, then the small wireless permit shall be conditioned on an RF Certification showing the cumulative impact of the RF emissions on the entire installation. The applicant may provide one emissions report for the entire small wireless deployment if the applicant is using the same small wireless facility configuration for all installations within that batch or may submit one emissions report for each

subgroup installation identified in the batch.

7. The applicant shall provide proof of FCC and other regulatory approvals required to provide the service(s) or utilize the technologies sought to be installed.
8. A professional engineer licensed by the State of Washington shall seal that both construction plans and final construction of the small wireless facilities and structure or pole and foundation are designed to reasonably withstand wind and seismic loads as required by applicable codes. If this structural review is conducted by another agency, copies of structural approval shall be provided to the City.
9. A site-specific traffic control plan.
10. Proof of a valid SeaTac business license.
11. Recognizing that small wireless facility technology is rapidly evolving, the Director is authorized to adopt and publish standards and application requirements, pertaining to information the Director, in his/her discretion, deems appropriate to effectively evaluate the application based on technical, engineering and aesthetic considerations.

15.480.120 Review Process and Criteria

A. **General.** The Director shall determine compliance with the following provisions prior to approving a small wireless permit:
   1. All small wireless facilities shall meet all applicable Design and Concealment Standards under SMC 15.480.150.
   3. The height and vertical clearance of the small wireless facilities will not pose a hazard to other users of the right-of-way.
   4. Small wireless facilities may not encroach on private property or property outside of the right-of-way without the property owner's express written consent.

B. **Right-of-Way.** Small wireless facilities inside the right-of-way shall also comply with the requirements of Chapter 11.10 SMC, Right-of-Way Use Code, to the extent they do not conflict with the requirements of this Chapter. Any application for a small wireless facility located in the right-of-way adjacent to a parcel zoned for residential use shall demonstrate that it has considered the following:
   1. Whether a small wireless facility is currently installed on an existing pole in front of the same residential parcel. If a small wireless facility exists, then the applicant must demonstrate that no technically feasible alternative location exists which is not in front of the same residential parcel.
   2. Whether the proposed small wireless facility can be screened from residential view by choosing a pole location that is not directly in front of a window or views.

B. **Eligible Facilities Requests.** The design approved in a small wireless facility permit shall be considered concealment elements and such facilities may only be expanded upon an Eligible Facilities Request described in Section IV of this Chapter when the modification does not defeat the concealment elements of the small wireless facility.

C. **Review of Facilities.** Review of the site locations proposed by the applicant shall be governed by the provisions of 47 USC 253 and 47 USC 332 and other applicable statutes, regulations. Applicants for franchises and the small wireless facility permits shall be treated in a competitively neutral and non-discriminatory manner with other service

providers. Small wireless facility permit review under this Chapter shall neither prohibit nor have the effect of prohibiting the ability of an applicant to provide telecommunications services.

D. **Withdrawal.** Any applicant may withdraw in writing an application submitted, provided the withdrawal is signed by all persons who signed the original application or their successors in interest. The application shall be deemed null and void upon the City's receipt of the withdrawal. If such withdrawal occurs prior to the Director's decision, then reimbursement of fees submitted in association with said application shall be prorated to withhold the amount of City costs incurred in processing the application prior to time of withdrawal. If such withdrawal is not accomplished prior to the Director's decision, there shall be no refund of all or any portion of such fee.

E. **Supplemental Information.** Failure of an applicant to provide complete information by way of supplemental information as requested by the Director within ninety (90) days of notice shall be deemed a denial of that application, unless an extension period has been approved by the Director.

F. **Optional Alternative Design Process.** An applicant may present an alternative design that deviates from the standards prescribed in SMC 15.480.150, provided, that the applicant agrees in writing that the alternative design review period is excluded from the allotted time required to review the application, and:

1. The alternative design meets the aesthetic concealment objectives of the design standards (SMC 15.480.150(B)) and achieves a similar or better aesthetic concealment outcome than strictly following the prescriptive design standards (SMC 15.480.150);
2. Deviations from the prescriptive design standards shall be the minimum necessary to support the function of a small wireless facility;
3. As part of this optional review process, the City may consider the cumulative visual effects of small wireless facilities within the rights-of-way when assessing proposed designs so as to not adversely affect the visual character of the City;
4. No alternative design shall result in a deployment that exceeds the size limitations for a small wireless facility as defined in 47 CFR 1.6002.
5. Approved alternative designs may be used as an alternative to meeting the design standards of SMC 15.480.150 for any future small wireless facility application.

15.480.130 Standard Permit Conditions

A. The applicant of any permit shall comply with all of the requirements within the small wireless permit.

B. Post-Construction As-Builts. Upon request, the grantee shall provide the City with as-builts of the small wireless facilities, within thirty (30) days after construction of the small wireless facility, demonstrating compliance with the permit and site photographs.

C. Permit Time Limit. Construction of the small wireless facility must be completed within six (6) months after the approval date by the City. The grantee may request a single extension for a period no longer than six months, if the applicant provides an explanation as to why the small wireless facility cannot be constructed within the original 6-month period. The small wireless facilities permit shall expire and be null and void if not construction is not completed within twelve (12) months of approval.

D. Site Safety and Maintenance. The grantee must maintain the small wireless facilities in

safe and working condition. The grantee shall be responsible for the removal of any graffiti or other vandalism and shall keep the site neat and orderly, including but not limited to following any maintenance or modifications on the site.

E. Operational Activity. The grantee shall commence operation of the small wireless facility no later than six months after installation. The applicant may request one extension for an additional six-month period if the applicant can show that such operational activity is delayed due to inability to connect to electrical or backhaul facilities. The small wireless facility shall be removed if not operational within 12 months of installation.

15.480.140 Modification to Small Wireless Facilities

A. If a grantee desires to make a modification to an existing small wireless facility, including but not limited to expanding or changing the antenna type, increasing the equipment enclosure, placing additional pole-mounted or ground-mounted equipment, or modifying the concealment elements, the applicant shall apply for a small wireless facility permit.

B. A small wireless facility permit shall not be required for routine maintenance and repair of a small wireless facility within the rights-of-way, or the replacement of an antenna or equipment of similar size, weight, and height, provided that such replacement does not defeat the concealment elements used in the original deployment of the small wireless facility, does not impact the structural integrity of the pole, and does not require pole replacement.

C. A small wireless facility permit shall not be required for replacing equipment within the equipment enclosure or reconfiguration of backhaul or power to the small wireless facility. Right-of-way use permits may be required for such routine maintenance, repair or replacement consistent with SMC Chapter 11.10.

15.480.150 Design and Concealment Standards for Small Wireless Facilities

A. The standards in this section are intended to be used solely for the purpose of concealment and siting. Nothing herein shall be interpreted or applied in a manner which dictates the use of a particular technology. When strict application of these requirements would unreasonably impair the function of the technology chosen by the applicant or otherwise have the effect of prohibiting service, alternative forms of concealment or deployment may be permitted which provide similar or greater protections from negative visual impacts to the streetscape.

B. **Intent.** These design and concealment standards are intended to meet the following objectives:

1. Small wireless facilities should be at a location with the least visible impact to the general public;
2. Design of small wireless facilities should be aesthetically and architecturally compatible with the surrounding built and natural environments;
3. Small wireless facilities should not interrupt the design of decorative light pole designs or architectural features;
4. Visual clutter and obtrusiveness of small wireless facilities should be minimized on individual poles;
5. The use of exterior cables and wires should be limited to the extent feasible; and,

6. Antennas, equipment enclosures, and ancillary equipment, conduit and cable, should not dominate the structure or pole upon which they are attached.

C. **Optional Alternative Design.** Applicants may elect to use the optional alternative design process in SMC 15.480.120(F) for alternative concealment designs.

D. **General Requirements.**

1. Except for locations in the right-of-way or private access easements, small wireless facilities are not permitted on any property containing a residential use in the residential zones.
2. Ground-mounted equipment in the rights-of-way is prohibited, unless such facilities are placed underground or the applicant can demonstrate that pole mounted or undergrounded equipment is technically infeasible. If ground-mounted equipment is necessary, then the applicant shall submit a concealment element plan. Generators located in the rights-of-way are prohibited.
3. No equipment shall be operated so as to produce noise in violation of Chapter 173-60 WAC and SMC 8.05.360.
4. Small wireless facilities are not permitted on traffic signal poles unless denial of the siting could be a prohibition or effective prohibition of the applicant's ability to provide telecommunications service in violation of 47 USC §§ 253 and 332.
5. Replacement poles and new poles shall comply with the Americans with Disabilities Act (ADA), City construction and sidewalk clearance standards, City ordinance, and state and federal laws and regulations in order to provide a clear and safe passage within the rights-of-way. Further, the location of any replacement or new pole must:
   a. Be physically possible;
   b. Comply with applicable traffic warrants;
   c. Not interfere with utility or safety fixtures (e.g., fire hydrants, traffic control devices); and,
   d. Not adversely affect the public welfare, health or safety.
6. Replacement poles shall be located as near as feasible to the existing pole and the abandoned pole shall be removed.
7. No signage, message or identification other than the manufacturer's identification, identification required by governing law or required safety signage is allowed to be portrayed on any antenna or equipment enclosure. Any permitted signage shall be located on the equipment enclosures and be of the minimum amount feasible to achieve the intended purpose; provided that, signs are permitted as concealment element techniques where appropriate.
8. Antennas and related equipment shall not be illuminated except for security reasons, as required by a federal or state authority, or as part of an approved concealment element plan.
9. Side arm mounts for antennas or equipment must be the minimum extension necessary and for wooden poles may be no more than twelve (12) inches off the pole and for non-wooden poles no more than six (6) inches off the pole.
10. Small wireless facilities are not permitted on bollards or pedestrian path lighting.
11. The use of a pole for the siting of a small wireless facility shall be considered secondary to the primary function of the pole. If the primary function of a pole serving as the host site for a small wireless facility becomes unnecessary, the pole

shall not be retained for the sole purpose of accommodating the small wireless facility and the small wireless facility and all associated equipment shall be removed.

E. **Non-wooden poles.** Small wireless facilities attached to non-wooden light poles shall conform to the following design criteria:

1. Upon adoption of a City standard small wireless facility pole design(s) within the Road Standards, an applicant shall first consider using or modifying the standard pole design to accommodate its small wireless facility without substantially changing the outward visual and aesthetic character of the design. The applicant, upon a showing that use or modification of the standard pole design is either technically or physically infeasible, or that the modified pole design will not comply with the City's ADA, sidewalk clearance requirements and/or would violate electrical or other safety standards, may deviate from the adopted standard pole design and use the design standards as further described in this subsection E.
2. The applicant shall minimize to the extent feasible the antenna and equipment space and shall use the smallest amount of enclosure technically necessary to fit the proposed equipment and antennas to be constructed as part of the application. The antennas and equipment shall be located using the following methods:
    a. Concealed Completely within the Pole or Pole Base. Antennas and the associated equipment enclosures (including disconnect switches and other appurtenant devices) shall be fully concealed within the pole, unless such concealment is otherwise technically infeasible, or is incompatible with the pole design. If within the pole base, the base shall meet the ADA requirements and not impact the pedestrian access route.
    b. Located on a Pole. If located on a pole, antennas and the associated equipment enclosures (including disconnect switches and other appurtenant devices) must be camouflaged to appear as an integral part of the pole.
        i. The antenna(s) shall be mounted as close to the surface of the pole as technically feasible or six (6) inches, whichever is less, and only if such distance is necessary for antenna tilt and technical need. Each antenna may not exceed three cubic feet in volume.
        ii. The equipment shall be mounted as close to the surface of the pole as technically feasible or six (6) six inches, whichever is less. The equipment must be placed in the smallest enclosure feasible for the technical need of the small wireless facility. The equipment enclosure and all other wireless equipment associated with the utility pole, including wireless equipment associated with the antenna (including conduit) and any pre-existing associated equipment on the pole, may not exceed 28 cubic feet. Multiple equipment enclosures may be acceptable if designed to more closely integrate with the pole design and do not cumulatively exceed 28 cubic feet. The applicant is encouraged to place the equipment enclosure behind any banners or road signs that may be on the pole; provided, that such location does not interfere with the

operation of the banners or signs, or the operation of the small wireless facility.

iii. A unified antenna and equipment enclosure shall be mounted as close to the surface of the pole as technically feasible, or no more than twelve (12) inches off the pole if necessary for antenna tilt and technical need. The unified equipment enclosure shall be the smallest size technically necessary, but shall not exceed the dimensional requirements of subsection (E)(2)(b)(ii) of this section.

iv. To the extent technically feasible, the equipment enclosures shall be placed so as to appear as an integrated part of the pole or behind banners or signs; provided, that such location does not interfere with the operation of the banners or signs, or the operation of the small wireless facility.

v. The applicant may propose a side-mounted canister antenna, so long as the inside edge of the antenna is no more than six inches from the surface of the pole.

c. Underground in a Utility Vault. If located underground, the access lid to the equipment enclosure shall be located outside the footprint of any pedestrian curb ramp and shall have a nonskid surface meeting ADA requirements if located within an existing pedestrian access route.

3. The furthest point of any equipment enclosure may not extend more than 28 inches from the face of the pole. Any equipment or antenna enclosures must meet WSDOT height clearance requirements. Applicants are encouraged to place the equipment enclosure as close to the antennas as physically and technically feasible, unless such placement would cause a greater aesthetic impact.
4. All conduit, cables, wires and fiber must be routed internally in the pole.
5. Full concealment of all conduit, cables, wires and fiber is required within mounting brackets, shrouds, canisters or sleeves if attaching to exterior antennas or equipment.
6. An antenna on top of an existing pole may not extend more than six feet above the height of the existing pole and the diameter may not exceed 16 inches, measured at the top of the pole, unless the applicant can demonstrate that more space is technically necessary. The antennas shall be integrated into the pole design so that it appears as a continuation of the original pole, including colored or painted to match the pole, and shall be shrouded, screened, or otherwise, to blend with the pole, if technically feasible. 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.
7. Any replacement pole shall substantially conform to the design of the pole it is replacing or the neighboring pole design standards utilized within the contiguous right-of-way.
8. The height of any replacement pole may not extend more than 6 feet above the height of the existing pole or the minimum additional height necessary, whichever is greater; provided, that the height of the replacement pole cannot be extended further by additional antenna height.

9. The replacement pole shall comply with the City's setback and sidewalk clearance requirements and shall, to the extent technically feasible, the diameter of the replacement pole shall not be more than a 25 percent increase of the existing non-wooden pole measured at the base of the pole, unless additional diameter is needed in order to conceal equipment within the base of the pole, and shall comply with the requirements in subsection (E)(4) of this section.

F. **Wooden poles.** Small wireless facilities located on wooden poles shall conform to the following design criteria:

1. The wooden pole at the proposed location may be replaced with a taller pole for the purpose of accommodating a small wireless facility; provided, that the replacement pole shall not exceed a height that is a maximum of ten (10) feet taller than the existing pole, unless a further height increase is required and confirmed in writing by the pole owner and that such height extension is the minimum extension technically feasible to provide sufficient separation and/or clearance from electrical and wireline facilities.
2. A pole extender may be used instead of replacing an existing pole but may not increase the height of the existing pole by more than ten (10) feet, unless a further height increase is required and confirmed in writing by the pole owner and that such height increase is the minimum extension technically feasible to provide sufficient separation and/or clearance from electrical and wireline facilities. A "pole extender" as used herein is an object affixed between the pole and the antenna for the purpose of increasing the height of the antenna above the pole. The pole extender shall be painted to approximately match the color of the pole and shall substantially match the diameter of the pole measured at the top of the pole.
3. Replacement wooden poles must either match the approximate color and materials of the replaced pole or shall be the standard new wooden pole used by the pole owner in the City.
4. Antennas, equipment enclosures, and all ancillary equipment, boxes and conduit shall be colored or painted to match the approximate color of the surface of the wooden pole on which they are attached.
5. Antennas shall not be mounted more than twelve (12) inches from the surface of the wooden pole.
6. Multiple antennas are permitted on a wooden pole provided that each antenna enclosure shall not be more than three (3) cubic feet in volume.
7. A canister antenna may be mounted on top of an existing or replacement wooden pole, provided that the pole with the canister may not exceed the height requirements described in subsection (F)(1) above. A canister antenna mounted on the top of a wooden pole shall not exceed sixteen (16) inches in diameter, measured at the top of the pole, and shall be colored or painted to match the pole. The canister antenna must be placed to look as if it is an extension of the pole. In the alternative, the applicant may propose a side mounted canister antenna, so long as the inside edge of the antenna is no more than twelve (12) inches from the surface of the wooden pole. All cables shall be concealed either within the canister antenna or within a sleeve between the antenna and the wooden pole.
8. The furthest point of any antenna or equipment enclosure may not extend more

than twenty-eight (28) inches from the face of the pole. Any equipment or antenna enclosures must meet WSDOT height clearance requirements.

9. An omni-directional antenna may be mounted on the top of an existing wooden pole, provided such antenna is no more than four (4) feet in height and is mounted directly on the top of a pole or attached to a sleeve made to look like the exterior of the pole as close to the top of the pole as technically feasible. All cables shall be concealed within the sleeve between the bottom of the antenna and the mounting bracket.
10. All antenna equipment, including but not limited to ancillary equipment, radios, cables, associated shrouding, microwaves, and conduit which are mounted on wooden poles shall not be mounted more than six (6) inches from the surface of the pole, unless a further distance is technically required and is confirmed in writing by the pole owner.
11. Antenna equipment for small wireless facilities must be attached to the wooden pole, unless otherwise permitted to be ground-mounted pursuant to subsection (D) of the Section. The equipment must be placed in the smallest enclosure technically feasible for the intended purpose. The equipment enclosure and all other wireless equipment associated with the utility pole, including wireless equipment associated with the antenna and any pre-existing associated equipment on the pole, may not exceed twenty-eight (28) cubic feet. Multiple equipment enclosures may be acceptable if designed to more closely integrate with the pole design and does not cumulatively exceed twenty-eight (28) cubic feet. The applicant is encouraged to place the equipment enclosure behind any banners or road signs that may be on the pole, provided that such location does not interfere with the operation of the banners or signs.
12. An applicant who desires to enclose both its antennas and equipment within one unified enclosure may do so, provided that such enclosure is the minimum size necessary for its intended purpose and the enclosure and all other wireless equipment associated with the pole, including wireless equipment associated with the antenna and any pre-exiting associated equipment on the pole does not exceed twenty-eight (28) cubic feet. The unified enclosure may not be placed more than twelve (12) inches from the surface of the pole, unless a further distance is required and confirmed in writing by the pole owner. To the extent feasible, the unified enclosure shall be placed so as to appear as an integrated part of the pole or behind banners or signs, provided that such location does not interfere with the operation of the banners or signs.
13. The replacement pole shall comply with the City's setback and sidewalk clearance requirements and the diameter of the replacement pole shall either be the pole owner's standard pole diameter or not be more than a 25% increase of the existing utility pole measured at the base of the pole.
14. All cables and wires shall be routed through conduit along the outside of the pole. The outside conduit shall be colored or painted to match the pole. The number of conduit shall be minimized to the number technically necessary to accommodate the small wireless.

G. **Existing Buildings.** Small wireless facilities attached to existing buildings, shall conform to the following design criteria:

1. Small wireless facilities may be mounted to the sides of a building if the antennas do not interrupt the building's architectural theme.
2. New architectural features such as columns, pilasters, corbels, or other ornamentation that conceal antennas may be used if they complement the architecture of the existing building.
3. Small wireless facilities shall utilize the smallest mounting brackets necessary in order to provide the smallest offset from the building.
4. Skirts or shrouds shall be utilized on the sides and bottoms of antennas in order to conceal mounting hardware, create a cleaner appearance, and minimize the visual impact of the antennas.
5. Exposed cabling/wiring is prohibited.
6. Small wireless facilities shall be colored, painted, and textured to match the adjacent building surfaces, to the extent technically feasible.

H. **Strand Mounted.** Small wireless facilities mounted on cables strung between existing utility poles shall conform to the following standards:

1. Each strand-mounted facility shall not exceed three cubic feet in volume, unless the applicant can demonstrate, to the satisfaction of the director, that the three cubic feet maximum is technically infeasible;
2. Only one strand-mounted facility is permitted per cable between any two existing poles;
3. The strand-mounted devices shall be placed as close as feasible to the nearest utility pole, and no more than five feet from the pole unless a greater distance is technically necessary or is required by the pole owner for safety clearance;
4. No strand-mounted device shall be located in or above the portion of the roadway open to vehicular traffic;
5. Ground-mounted equipment to accommodate a strand mounted facility is not permitted except when placed in pre-existing equipment cabinets;
6. Pole-mounted equipment shall comply with the requirements of subsections (E) and (F) of this section;
7. Strand-mounted devices must be installed without excess exterior cabling or wires (other than the original strand); and
8. Strand-mounted facilities are prohibited on non-wooden poles, unless the existing pole has pre-existing communication wirelines.

15.480.160 New Poles in the Rights-of-Way for Small Wireless Facilities

A. New poles, as compared to replacement poles, within the rights-of-way require a small wireless permit and are only permitted if the applicant can establish that:

1. The proposed small wireless facility cannot be located on an existing utility pole or light pole, electrical transmission tower or on a site outside of the public rights-of-way such as a public park, public property, building, transmission tower or in or on a non-residential use in a residential zone whether by roof or panel-mount or separate structure;
2. The proposed small wireless facility complies with the applicable requirements of SMC 15.480.150(D);
3. The proposed small wireless facility receives approval for a concealment element design, as described in subsection (C) of this section;

4. The proposed small wireless facility also complies with the City's 2019 Shoreline Master Program and SEPA, Chapter 16A.23 SMC, if applicable;
5. No new poles shall be located in a critical area or associated buffer required by the City's Critical Areas Ordinance (Chapter 15.700 SMC), except when determined to be exempt pursuant to said ordinance; and
6. To the extent feasible, new poles shall provide secondary benefits to the public, such as but not limited to lighting and wayfinding signs.

B. If the proposed small wireless facility is for placement on a pedestrian light pole within the rights-of-way of a residential zone, the applicant must establish that placement of the small wireless facility on an existing or replacement pole located on an arterial or collector street is technically infeasible. Upon such demonstration by the applicant, the applicant is encouraged to place the small wireless facility at a corner and shall utilize a concealment element design as described in subsection (C) of this section.

C. The concealment element design shall include the design of the screening, fencing or other concealment technology for a tower, pole, or equipment structure, and all related transmission equipment or facilities associated with the proposed small wireless facility, including but not limited to backhaul and power connections.

1. The concealment element design shall seek to minimize the visual obtrusiveness of the small wireless facility. The proposed pole or structure shall have similar designs to existing neighboring poles in the rights-of-way, including similar height to the extent technically feasible. Any concealment element design for a small wireless facility on a decorative pole shall attempt to mimic the design of such pole and integrate the small wireless facility into the design of the decorative pole. Other concealment methods include, but are not limited to, integrating the installation with architectural features or building design components, utilization of coverings or concealment devices of similar material, color, and texture - or the appearance thereof - as the surface against which the installation will be seen or on which it will be installed, landscape design, or other camouflage strategies appropriate for the type of installation. To the extent technically feasible, applicants are required to utilize designs in which all conduit and wirelines are installed internally in the structure. Further, applicant designs should, to the extent technically feasible, comply with the generally applicable design standards adopted pursuant to SMC 15.480.150.
2. If the Director has already approved a concealment element design either for the applicant or another small wireless facility along the same public right-of-way or for the same pole type, then the applicant shall utilize a substantially similar concealment element design, unless it can show that such concealment element design is not physically or technically feasible, or that such deployment would undermine the generally applicable design standards.

D. Even if an alternative location is established pursuant to Subsection (A)(1), the Director may determine that a new pole in the right-of-way is in fact a superior alternative based on the impact to the City, the concealment element design, the City's Comprehensive Plan and the added benefits to the community.

E. These design standards are intended to be used solely for the purpose of concealment and siting. Nothing herein shall be interpreted or applied in a manner which dictates the use of a particular technology. When strict application of these requirements would

unreasonably impair the function of the technology chosen by the applicant or otherwise have the effect of prohibiting service, alternative forms of concealment or deployment may be permitted which provide similar or greater protections of the streetscape.

15.480.170 Appeals – Small Wireless Facilities

The Director's final decisions on a small wireless facilities permit may be appealed. The process and forum for the appeal will depend on the nature of the decision being challenged.

Section IV. Eligible Facilities Request *(New sections to current code)*

15.480.180 Definitions

The following additional definitions shall only apply to eligible facilities requests as described in this Section. Should any term defined in this Section also be defined elsewhere in Title 15 of the SeaTac Municipal Code, the definition in this Section shall apply.

Base Station

A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein nor any equipment associated with a tower. Base Station includes, without limitation:

A. Equipment associated with wireless communications services as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

B. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small wireless networks).

C. Any structure other than a tower that, at the time the relevant application is filed (with jurisdiction) under this section, supports or houses equipment described in subsection (A) and (B) above that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.

D. The term does not include any structure that, at the time the Eligible Facilities Request application is filed with the City, does not support or house equipment described in subsection (A) and (B) above.

Collocation

The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

Director

The Director of the Community and Economic Development or designee.

Eligible Facilities Request

Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

A. Collocation of new transmission equipment;

B. Removal of transmission equipment; or

C. Replacement of transmission equipment.

Eligible Support Structure

Any tower or base station as defined in this section, provided that it is existing at the time the

relevant application is filed with the City.

Existing
A constructed tower or base station is existing if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

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

A. 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 (20) feet as measured from the top of the existing antenna to the bottom of the new antenna, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten (10) feet, whichever is greater;

B. 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 (20) 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 (6) feet;

C. 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 (4) cabinets per installation 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;

D. It entails any excavation or deployment outside the current site;

E. It would defeat the concealment elements of the eligible support structure such that the proposed modification would cause a reasonable person to view the structure's intended stealth design as no longer effective after the modification; or

F. 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.

Tower
Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and

public safety services, as well as unlicensed wireless services and fixes wireless services such as microwave backhaul and the associated site.

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.

15.480.190 Application
The City shall prepare and make publicly available an application form used to consider whether an application is an Eligible Facilities Request. The application may not require the applicant to demonstrate a need or business case for the proposed modification. The applicant may apply concurrently for a building permit and/or any other permit required for the proposal.

15.480.200 Initial Review of an Eligible Facilities Request
Upon receipt of an application for an Eligible Facilities Request, the Director shall first review such application to determine whether the application qualifies as an Eligible Facilities Request as set forth in SMC 15.480.180.

15.480.210 Timeframe for Review
Within sixty (60) days of the date on which an applicant submits an Eligible Facilities Request application, the Director shall approve the application unless, (a) the Director determines that the application is not covered by this section or (b) the application is incomplete and the Director provides written notice of incompleteness to the applicant within thirty (30) days of receipt of the application.

15.480.220 Tolling of the timeframe for review
Tolling of the Time Frame for Review. The time frame provided in the Section is pursuant to Federal Communication Code under 47 USC Section 1455 (a) or "Section 6409"; 47CFR Section 1.6100.

The sixty (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 determines that the application is incomplete. The timeframe for review of an Eligible Facilities Request is not tolled by a moratorium on the review of applications.

A. To toll the timeframe for incompleteness, the City shall provide written notice to the applicant within thirty (30) days of receipt of the application, clearly and specifically delineating all missing documents or information required in the application.
B. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the City's notice of incompleteness.
C. Following a supplemental submission, the City will notify the applicant within ten (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 sub-section. Second or subsequent notice of incompleteness may not specify missing documents or information that was not delineated in the original notice of incompleteness.

15.480.230 Determination that the application is not an Eligible Facilities Request

If the City determines that the applicant's request does not qualify as an Eligible Facilities Request, the City shall deny the application.

15.480.240 Failure to Act

In the event the City fails to approve or deny a request for 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 Director in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

Miscellaneous Changes in other chapters:

15.105.130 "M" Definitions
Moved from wireless communication chapter to definitions chapter

Major Communication Facility
A communication facility for transmission of UHF and/or VHF television signals, FM and AM radio signals, and/or signals through FM translators or boosters not related to wireless communication facilities.

15.115.010 Variance
* * *

D. A variance from the standards for ~~WCF~~ macro facilities regarding height, setbacks, aesthetics (including concealment), equipment enclosures and the dimensions of freestanding poles specified in Chapter 15.480 SMC, Wireless Communication~~s~~ Facilities, may be granted by the Hearing Examiner only in situations where all of the following criteria are met. These criteria shall apply in lieu of those specified in subsection (B) of this section.
   1. The specified standard would have the effect of ~~precluding~~ prohibiting the provision of ~~commercial~~ wireless ~~communication~~ service;
   2. The variance is necessary to protect a property right possessed by others;
   3. The variance will not harm the public welfare of adjacent properties;
   4. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
   5. The variance is the minimum necessary to grant relief to the applicant;
   6. Any request for a variance from the standards regarding height, aesthetics, equipment enclosures and dimensions of freestanding poles specified in Chapter 15.480 SMC, Wireless Communication~~s~~ Facilities, shall include a written report that specifies:
      a. The necessity of the site to provide the ~~communication coverage required by the applicant~~ wireless service; and
      b. The necessity of the requested variance as the minimum necessary to meet the service provider's technical need ~~provide the communication coverage required by the applicant~~; and
      c. An assessment of all ~~possible~~ feasible alternatives that could meet the service provider's ~~system coverage requirements~~ technical need. The alternatives assessment shall include collocations and alternative sites~~, alternative antenna types, and any other mechanism that could make the variance unnecessary in terms of meeting the service provider's system coverage needs~~.

15.115.020 Conditional Use Permit (CUP)
* * *

E. A minor conditional use permit may be granted by the Director only in the following situations:

1. The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.
2. To allow the expansion of an existing, legal conditional use which has previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:
   a. No greater than twenty percent (20%) of the gross floor area of the existing conditional use; and
   b. Exempt from environmental review under the State Environmental Policy Act (SEPA).
3. To allow location of a new concealed freestanding ~~WCF~~ macro facility in a low intensity zone, subject to the requirements set forth in Chapter 15.480 SMC, Wireless Communications~~s~~ Facilities.
4. To allow uses in school facilities or City facilities within the residential zones and Park zone. See criteria in Chapter 15.470 SMC, Subsidiary Uses.

Hereby repeal the Communication Facility row from the Utilities section of SMC 15.300.055, City Center Overlay District Use Chart

Hereby repeal the Communication Facility row from the Utilities section of SMC 15.205.040, Use Chart

Hereby repeal the Communication Facility row from the Utilities section of SMC 15.305.055, South 154th Street Station Area Overlay District Use Chart

Hereby repeal the Communication Facility row from the Utilities section of SMC 15.310.055, Angle Lake Station Area Overlay District Use Chart

15.400.330(E). ~~WCF~~ Wireless Communication Antennas. Wireless telecommunications~~s~~ antennas mounted on the sides of existing buildings, up to a maximum of twenty-four (24) inches.

CITY OF SEATAC
SEPA NOTICE

DETERMINATION OF NONSIGNIFICANCE
FILE SEP19-0011; CAM18-0006

DESCRIPTION OF PROPOSAL: Wireless Communication Facilities Code update. This non-project proposal includes proposed amendments related to wireless communication facilities. Adding regulations for small wireless facilities, eligible facilities requests, and other amendments necessary to comply with recent FCC rulings.

PROPONENT: City of SeaTac, Community and Economic Development
LOCATION: Entire City
LEAD AGENCY: City of SeaTac

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed Environmental Checklist and other information on file with the lead agency.

COMMENT PERIOD:
This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for **14 days** from the date of issuance. Comments must be submitted by **5:00 P.M. on October 1, 2019.** Detailed information is available to the public upon request. CONTACT: Jennifer Kester at 206-973-4842/jkester@seatacwa.gov.

APPEAL PERIOD:
Any person wishing to appeal this determination may file such an appeal to the SeaTac City Clerk within **ten (10)** days from the end of the comment period. All appeals of the above determination must be filed by **5:00 P.M. October 11, 2019. THERE IS A FEE TO APPEAL THIS DETERMINATION (SEE CITY OF SEATAC FEE SCHEDULE).**

RESPONSIBLE OFFICIAL: Steve Pilcher, Community and Economic Development Director
4800 S. 188th Street
SeaTac, Washington 98188
(206) 973-4750

Steve Pilcher, Director
Department of Community & Economic Development

9/17/19
Date

DATE ISSUED/PUBLISHED IN THE SEATTLE TIMES: **SEPTEMBER 17, 2019**

ENVIRONMENTAL (SEPA) CHECKLIST

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

Date Checklist Prepared: 9/17/19 **Parcel No.** N/A

A. BACKGROUND

1. **Name of proposed project:** Wireless Communication Facilities Code Update (File No.: CAM18-0006/SEP19-0011)

2. **Applicant:**
   Name: City of SeaTac
   Mailing Address: 4800 South 188th Street
   SeaTac, WA 98188
   Phone: 206-973-4750 Fax:
   Alt. Phone: 206-973-4842 Email: jkester@seatacwa.gov
   Status: (Owner, Lessee, Agent, Etc.)

3. **Designated Contact Person:** (The person who will receive and disseminate all correspondence from the City)
   Name: Jennifer Kester, Planning Manager
   Mailing Address: 4800 South 188th Street
   SeaTac, WA 98188
   Phone: 206-973-4750 Fax:
   Alt. Phone: 206-973-4842 Email: jkester@seatacwa.gov

4. **Agency requesting checklist:** City of SeaTac

5. **Proposed timing or schedule (including phasing):** Public Hearing: October 15, 2019
   Proposed Council Action: December 10, 2019

6. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:**

   None.

7. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

None

8. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? Explain:**

None at this time.

9. **List any government approvals or permits that will be needed for your proposal.**

- Pursuant to RCW 36.70A.106, the Washington State Department of Commerce conducts review of the proposed code amendments. The amendments were submitted for consideration for expedited review on September 9, 2019.
- Ordinance adoption by City Council on December 10, 2019

10. **Give a brief, complete description of your proposal, including the proposed uses and the size, with square footage, of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.**

This non-project proposal includes proposed amendments related to wireless communication facilities. Adding regulations for small wireless facilities, eligible facilities requests, and other amendments necessary to comply with recent FCC rulings.

11. **Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, and section, township, and range. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

Proposed amendments apply city-wide.

B. ENVIRONMENTAL ELEMENTS

1. Earth:

a) **General description of the site (article one): Flat, rolling, hilly steep slopes, mountainous, other** _____

The City occupies a plateau that is generally flat, sloping gently down from north to south. Section 1.b below describes sloped areas.

b) **What is the steepest slope on the site (approximate percent slope?)**

There are slopes exceeding 40% in the east and southeast portions of the City. Along 28th Avenue S, where the land is rolling the slopes are approximately 15%.

c) **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long -term commercial significance and whether the proposal results in removing any of these soils.**

The soil in the City is predominantly Alderwood gravelly sandy loam (Ag), Arents-Alderwood, Indianola loam fine sandy, Kitsap soils, Everett gravelly sandy loam, Norma sandy loam.

d) **Are there surface indications or history of unstable soils in the immediate vicinity? Describe:**

There are areas of landslide hazard on the City's eastern edge sloping down to the Green River Valley.

e) **Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill:**

This is a non-project action. No filling or grading is proposed.

f) **Could erosion occur as a result of clearing, construction, or use? Generally describe:**

No. This is a non-project action.

g) **About what percent of the site will be covered with impervious surfaces after project construction (e.g. asphalt and buildings)?**

This is a non-project action. No construction is proposed.

h) **Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

This is a non-project action and therefore would not directly result in erosion or other impacts to earth.

2. Air:

a) **What types of emissions to the air would result from the proposal (i.e. dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? Generally describe and give approximate quantities if known:**

This is a non-project action. No emissions would result.

b) **Are there any off-site sources of emissions or odor that may affect your proposal? Generally describe:**

This is a non-project action.

c) **Proposed measures to reduce or control emissions or other impacts to the air:**

This is a non-project action and therefore would not directly result in emissions or other impacts to the air.

3. Water:

a) **Surface**

1) **Is there any surface water body on or in the immediate vicinity of the site (including year round and seasonal streams, saltwater, lakes, ponds, or wetlands)? Describe type and provide names. If appropriate, state what stream or river it flows into.**

There are three lakes in SeaTac: Angle Lake, Bow Lake and Tub Lake. Angle Lake and Bow Lake are located in the Urban Center east of International Boulevard. Tub Lake is located in the southwest corner of an undeveloped area of North SeaTac Park. Angle Lake is the only water body of sufficient size to be considered as a "water of the state" and therefore subject to the Shoreline Management Act. Major streams include Des Moines Creek and Walker Creek.

2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters. Please describe and attach available plans.**

This is a non-project action. No work is proposed.

3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

This is a non-project action. No fill or dredging is proposed.

4) **Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

This is a non-project action. No withdrawals or diversions of surface water are proposed.

5) **Does the proposal lie within a 100-year floodplain? Note location on the site plan.**

Only one small area of the City lies within a flood plain; that of Miller Creek on the City's west edge. This non-project action will not affect this area.

6) **Does the proposal involve any discharges of waste materials to surface waters? Describe the type of waste and anticipated volume of discharge.**

This is a non-project action. No discharges of waste materials are proposed.

b) **Ground Water**

1) **Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

This is a non-project action. No ground water will be withdrawn.

2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial containing the following chemicals; toxic or non-toxic, agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

This is a non-project action. No waste material will be discharged.

Water Runoff (including storm water)

1) **Describe the source of runoff (including storm water) and method of collection and disposal. (include quantities). Where will this water flow? Will this water flow into other waters? Describe**

This is a non-project action. No changes to surface water flows will result.

2) **Could waste materials enter ground or surface waters? Generally describe.**

No. This is a non-project action.

3) **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

This is a non-project action. No changes to drainage patterns will result.

4) **Proposed measures to reduce or control surface, ground, and runoff impacts, if any.**

This is a non-project action and therefore would not directly result in surface water runoff impacts. Surface water impacts are regulated by the King County Surface Water Design Manual, regulations under the SeaTac Shoreline Master Program and provisions of SMC Title 12, Public Utilities. The City is also subject to NPDES Phase 2 permit requirements.

4. Plants:

a) **Check the types of vegetation found on the site:**
This non-project action is not site-specific. Most plants found in the Central Puget Sound basin are likely found in SeaTac, including trees, shrubs, grasses, and wet soil plants.

- ☐ **Deciduous tree: ☐ Alder ☐Maple ☐ Aspen ☐ Other_____ N/A _____**
- ☐ **Evergreen tree: ☐ Fir ☐ Cedar ☐ Pine ☐ Other_____ N/A____**
- ☐ **Shrubs N/A**
- ☐ **Grass N/A**
- ☐ **Pasture N/A**
- ☐ **Crop or grain N/A**
- ☐ **Wet soil plants: ☐Water Lily ☐ Eelgrass ☐ Milfoil ☐ Other__ N/A_____**
- ☐ **Other types of vegetation:____ N/A_____**

b) **What kind and amount of vegetation will be removed or altered?**

This is a non-project action. No vegetation will be removed or altered.

c) **List threatened or endangered species known to be on or near the site.**

No threatened or endangered species known to be resident in the city.

d) **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site.**

This is a non-project action and therefore would not directly result in impacts to plants.

e) **List all noxious weeds and invasive species known to be on or near the site.**

This non-project action is not site-specific. Most plants found in the Central Puget Sound basin are likely found in SeaTac, including invasive species.

5. Animals:

a) **Check any birds and animals which have been observed on or near the site or are known to be on or near the site:**
This non-project action is not site-specific. Most animals found in the Central Puget Sound basin are likely found in SeaTac.

☐ **Birds: ☐Hawk ☐Heron ☐Eagle ☐Songbirds ☐Other___ N/A**

☐ **Mammals: ☐Deer ☐Bear ☐Elk ☐Beaver ☐Other___ N/A**

☐ **Fish: ☐Bass ☐Salmon ☐Trout ☐Herring ☐Shellfish ☐Other__ N/A**

b) **List any threatened or endangered species known to be on or near the site:**

This non-project action is not site-specific.

c) **Is the site part of a migration route? Explain:**

This non-project action is not site-specific.

d) **Proposed measures to preserve or enhance wildlife:**

This is a non-project action and therefore would not directly result in impacts to wildlife.

e) **List any invasive animal species known to be on or near the site.**

This non-project action is not site-specific and therefore would not directly result in impacts to threatened or endangered animal species. Impacts to wildlife habitat are addressed through application of provisions of section 15.700.370 of the SeaTac Municipal Code.

6. Energy and Natural Resources:

a) **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

This is a non-project action.

b) **Would your project affect the potential use of solar energy by adjacent properties? Generally describe:**

This non-project action is not site-specific. No properties are adjacent.

c) **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:**

This is a non-project action, therefore no measures are proposed.

7. Environmental Health:

a) **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? Describe:**

This is a non-project action. There are no environmental health hazards associated with this proposal.

1) **Describe any known or possible contamination at the site from present or past uses**

This non-project action is not site-specific.

2) **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity**

This non-project action is not site-specific.

3) **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project**

This is a non-project action.

4) **Describe special emergency services that might be required**

This is a non-project action and therefore would not directly result in the need for additional services.

5) **Proposed measures to reduce or control environmental health hazards, if any:**

No specific measures are proposed.

b) **Noise:**

1) **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

This non-project action is not site-specific. There is traffic noise and other noise typical of an urbanized area. There is also commercial aircraft noise in certain parts of the City.

2) **What types and levels of noise would be created by or associated with the project on a short time or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

This is a non-project action and therefore would not directly generate noise.

3) **Proposed measures to reduce or control noise impacts:**

No specific measures are proposed. New development is subject to Chapter 13.240 of the SeaTac Municipal Code, Sound Transmission Code.

8. Land and Shoreline Use:

a) **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe**

This non-project action is not site-specific. SeaTac contains commercial, industrial and residential uses typical of a Central Puget Sound basin suburban community, in addition to the Seattle-Tacoma International Airport. There are no significant changes to land use proposed.

Site N/A
North N/A
South N/A
East N/A
West N/A

b) **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

This non-project action is not site-specific. Some areas of SeaTac were used for agriculture in the past.

c) **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

Not applicable. The City is urban and surrounded by urban uses.

d) **Describe any structures on the site:**

This non-project action is not site-specific.

e) **Will any structures be demolished?**

This non-project action is not site-specific.

g) **What is the current zoning classification of the site?**

This non-project action is not site-specific.

h) **What is the current Comprehensive Plan designation of the site?**

This non-project action is not site-specific.

i) **If applicable, what is the current Shoreline Master Program designation of the site?**

This non-project action is not site-specific. The SeaTac Shoreline Master Program applies only to one water body in the city, Angle Lake. The proposal does not change any aspect of the Shoreline Master Program.

j) **Has any part of the site been classified as an "environmentally sensitive" area? Specify:**

This non-project action is not site-specific. Chapter 15.700 of the SeaTac Municipal Code regulates development potentially impacting sensitive areas, which include wetlands, streams, aquifer recharge areas, fish and wildlife habitat conservation areas, steep slopes, erosion and landslide hazard areas.

k) **Approximately how many people would reside or work in the completed project?**

This is a non-project action and therefore would not directly result in new residents.

l) **Approximately how many people would the completed project displace?**

This is a non-project action. No people would be displaced.

m) **Proposed measures to avoid or reduce displacement impacts:**

This is a non-project action and would not create displacements.

n) **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

This is a non-project action that would not impact existing land uses and plans..

9. Housing:

a) **Approximately how many units would be provided? Indicate whether high, middle, or low-income housing.**

This is a non-project action and would not directly result in new housing units.

b) **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

This is a non-project action and therefore would not directly result in housing units being eliminated.

c) **Proposed measures to reduce or control housing impacts.**

This is a non-project action and therefore would not impact housing.

10. Aesthetics:

a) **What is the tallest height of any proposed structure(s), not including antennas; what is/are the principal exterior building material(s) proposed?**

This is a non-project action. No structures are proposed.

b) **What views in the immediate vicinity would be altered or obstructed?**

This is a non-project action. No views will be affected.

c) **Proposed measures to reduce or control aesthetic impacts:**

This is a non-project action. Aesthetics will not be impacted.

11. Light and Glare:

a) **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

This is a non-project action. No light or glare will be produced.

b) **Could light or glare from the finished project be a safety hazard or interfere with views?**

This is a non-project action.

c) **What existing off-site sources of light or glare may affect your proposal?**

This non-project action is not site-specific.

d) **Proposed measure to reduce or control light and glare impacts, if any:**

This is a non-project action.

12. Recreation:

a) **Would the proposed project displace any existing recreational uses? Describe:**

This is a non-project action. No existing uses will be displaced.

b) **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant:**

This is a non-project action. Recreation will not be impacted.

c) **What designated and informal recreational opportunities are in the immediate vicinity?**

This non-project action is not site-specific. All of the City's parks are identified on City maps.

13. Historic and Cultural Preservation:

a) **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe**

This non-project action is not site-specific.

b) **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources**

This non-project action is not site-specific.

c) **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

N/A

d) **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required**

N/A

14. Transportation:

a) **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site Plans.**

This non-project action is not site specific, but is applicable to all areas within the jurisdictional boundary of the City of SeaTac. The freeways serving the City include I-5, SR 518, and SR 509. Principal arterial streets include International Boulevard (SR 99), S. 188th Street, S. 200th Street, and 28th/24th Avenue S. Minor arterial streets include S.128th Street, S.154th Street, S. 170th Street, S.176th Street, S.208th Street, Military Road, Des Moines Memorial Drive, and 51st Avenue S.

b) **Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

This non-project action is not site specific, but is applicable all areas within the jurisdictional boundary of the City of SeaTac. The City is served by public transit including Sound Transit's Link light rail and bus service provided by King County Metro and Sound Transit.

c) **How many parking spaces would the completed project have? How many would the project eliminate?**

This is a non-project action and therefore will not directly affect changes in the number of parking spaces city-wide.

d) **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? Generally describe (indicate whether public or private):**

This is a non-project action and does not directly include any streets or improvements.

e) **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? Generally describe:**

This is a non-project action and therefore no direct use of water, rail, or air transportation will result.

f) **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

This is a non-project action and therefore would not directly result in additional trips.

g) **Proposed measures to reduce or control transportation impacts:**

This is a non-project action and will not directly result in transportation impacts.

h) **Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:**

This is a non-project action and therefore will not directly affect the movement of agricultural and forest products.

15. Public Services:

a) **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? Generally describe:**

This is a non-project action and therefore would not directly result in impacts to public services.

b) **Proposed measures to reduce or control direct impacts on public services:**

This is a non-project action, therefore there are no measures proposed to reduce or control impacts on public services.

16. Utilities

a) **Check utilities currently available at the site:**
☐**Electricity** ☐**Natural Gas** ☐**Water** ☐**Refuse Service** ☐**Telephone**
☐**Sanitary Sewer** ☐**Septic System** ☐**Other**_____

This non-project action is not site-specific. These utility services are available to properties throughout SeaTac.

b) **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:**

This is a non-project action and therefore would not directly result in impacts to utilities. Except for the Stormwater Utility, the City does not directly provide any utility services.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge, I understand that the lead agency is relying on them to make its decision.

Signature 9/17/19 **Date Submitted**

Jennifer Kester — Planning Manager, City of SeaTac Department of Community and Economic Development

Printed Name **Position and Agency/Organization**

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do Not Use This Sheet For Project Actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent of the proposal, or how the types of activities likely to result from the proposal would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

---

1. How would the proposal be likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or production of noise?

The proposed amendments, in and of themselves, are not likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or production of noise.

Proposed measures to avoid or reduce such increases are:

The potential for subsequent projects to produce the noted effects that are not addressed through the application of existing federal, state or local laws will be addressed through appropriate environmental review as needed.

Surface Water: Impacts to surface waters from pollutants carried by stormwater are mitigated through the implementation of the current King County Surface Water Design Manual (Section 12.10.010, SeaTac Municipal Code) and compliance with the City's Western Washington Phase II Municipal Stormwater Permit (Permit # WAR 04-55410).

Air: Production of air emissions is regulated under Sections 15.460.060, 15.460.070, 15.460.080, and 15.460.100 SMC.

Noise: Production of noise is regulated by Section 15.460.020 SMC.

Toxic or Hazardous Substances: The storage or release of toxic or hazardous substances is regulated by the International Fire Code (WAC 51-54A, adopted by reference in Section 13.150.010, SeaTac Municipal Code), and through the application of existing federal, state or other local laws. Potential impacts not addressed under these regulations will be addressed through appropriate environmental review as needed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal amends the regulations for the siting and design of wireless communication facilities. While the siting of a facility may result in impacts to plants, animals, fish, or marine life at a site-level, none of the city's regulations for critical areas or shoreline are being modified. Any new wireless facility in such area would need to meet all applicable requirements for protections.

Proposed measures to avoid or reduce such increases are:

Impacts not addressed by these regulations will be addressed through appropriate environmental review as needed.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments, in and of themselves, would not be likely to deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None are presently proposed.

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designed (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplain, or prime farmlands?**

No amendments to regulations for environmentally sensitive areas are proposed.

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. None are presently proposed.

6. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

Wireless communication facilities are currently allowed in the city and the proposed amendment do not change where they are allowed.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Shoreline use is addressed by the City's Shoreline Master Program, and Shoreline Management Code, SMC Title 18 and no changes are proposed to shoreline regulations.

Impacts related to future site development proposals will be mitigated through application of the City's development regulations, and subject to appropriate environmental review, as needed.

7. **How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposed amendments, in and of themselves, would not be likely to increase demands on transportation or public services and utilities. However, subsequent projects may have these effects.

Proposed measures to reduce or respond to such demand(s) are:

None are presently proposed. Impacts related to specific developments at the project level will be mitigated subject to appropriate environmental review, as needed.

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed action will not conflict with local, state or federal laws or requirements for the protection of the environment.

STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • *PO Box 42525* • *Olympia, Washington 98504-2525* • *(360) 725-4000*
www.commerce.wa.gov

09/09/2019

Ms. Jennifer Kester
Planning Manager
City of SeaTac
4800 S 188th Street
SeaTac, WA 98188-8605

Sent Via Electronic Mail

Re: City of SeaTac--2019-S-635--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Ms. Kester:

Thank you for sending the Washington State Department of Commerce (Commerce) the Request for Expedited Review / Notice of Intent to Adopt Amendment as required under RCW 36.70A.106. We received your submittal with the following description.

Proposed development regulation amendments related to wireless communication facilities. Adding regulations for small wireless facilities and eligible facilities requests and other amendments necessary to comply with recent FCC rulings. Interim regulations adopted in January by Ordinance 19-1001.

We received your submittal on 09/09/2019 and processed it with the Submittal ID 2019-S-635. Please keep this letter as documentation that you have met this procedural requirement. Your 60 -day notice period ends on 11/08/2019.

You requested expedited review under RCW 36.70A.106(3)(b). We have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Gary Idleburg, (360) 725-3045.

Sincerely,

Review Team
Growth Management Services

City of SeaTac
Community and Economic Development

PUBLIC HEARING NOTICE

Pursuant to SMC 16A.13.010, notice is hereby given that the SeaTac Planning Commission will hold a virtual public hearing on November 3, 2020 at 5:30 pm. This hearing will be to receive public comment on the following actions:

FILE NUMBER: CAM18-0006

PROJECT NAME: Wireless Communication Facilities Code Update

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: This proposal includes amendments related to wireless communication facilities, adding regulations for small wireless facilities, eligible facilities requests, and other amendments necessary to comply with recent FCC rulings.

APPLICANT: City of SeaTac

STAFF CONTACT: Jenn Kester, Planning Manager; Department of Community and Economic Development; 4800 South 188th Street, SeaTac, WA 98188; jkester@seatacwa.gov; 206-973-4842

SEPA THRESHOLD DETERMINATION: The City of SeaTac, acting as SEPA Lead Agency, issued a Determination of Nonsignificance (DNS) on September 17, 2019.

PUBLIC HEARING DATE/TIME: November 3, 2020 at 5:30 pm

VIRTUAL MEETING: Due to the current COVID-19 public health emergency, and social distancing protocols, pursuant to the Governor's and public health officials' orders, this meeting will be conducted virtually. The public may call in to the conference line to listen to the meeting at 206.973.4555. While you will be able to hear the meeting, you will not be able to participate in the meeting. Please note that if you are unable to mute your phone, everyone else on the call-in line will be able to hear you. No one will be able to physically attend this meeting.

PUBLIC HEARING COMMENTS: The Planning Commission is providing remote oral and written public testimony opportunities.

How to Sign Up for Remote Oral Comments: Signing-up for remote oral comments must be done by 3:30p.m. the day of the meeting. Instructions for providing remote oral comments are located at the following link: Council Committee and Citizen Advisory Committee Virtual Meetings.

How to Provide Written Comments: Written public testimony for a public hearing may be provided by email or text and must be submitted by 3:30p.m. the day of the public hearing. If you wish to submit written testimony, email/text your comments to PCPublicComment@seatacwa.gov. Written testimony for the public hearing will be read verbatim into the record, up to five minutes each. Public comment/testimony submitted to an email/text address other than the provided address, or after the deadline, will not be included as part of the record.

DATE ISSUED: October 20, 2020

Wireless Communication Facilities Code

Public Hearing – November 3, 2020

WIRELESS COMMUNICATION FACILITIES CODE OVERVIEW

PURPOSE:

- Consistency with FCC Rulings
- Permanent Regulations for Small Wireless Facilities and Eligible Facilities Requests

WHY IS THIS ISSUE IMPORTANT?

1. Current code created in 2004 to address macro tower siting and design.
2. Federal Law in 2012 and FCC Ruling in 2020 for Eligible Facilities Requests and FCC Ruling in 2018 for Small Wireless Facilities (Small Cell).
3. One-Year Interim Regulations adopted in January 2019.
4. Two extensions of Interim Regulations end in 2020.
5. Planning Commission recommendation required by end of November 2020.

POTENTIAL COMMISSION ACTION

ACTION REQUESTED:

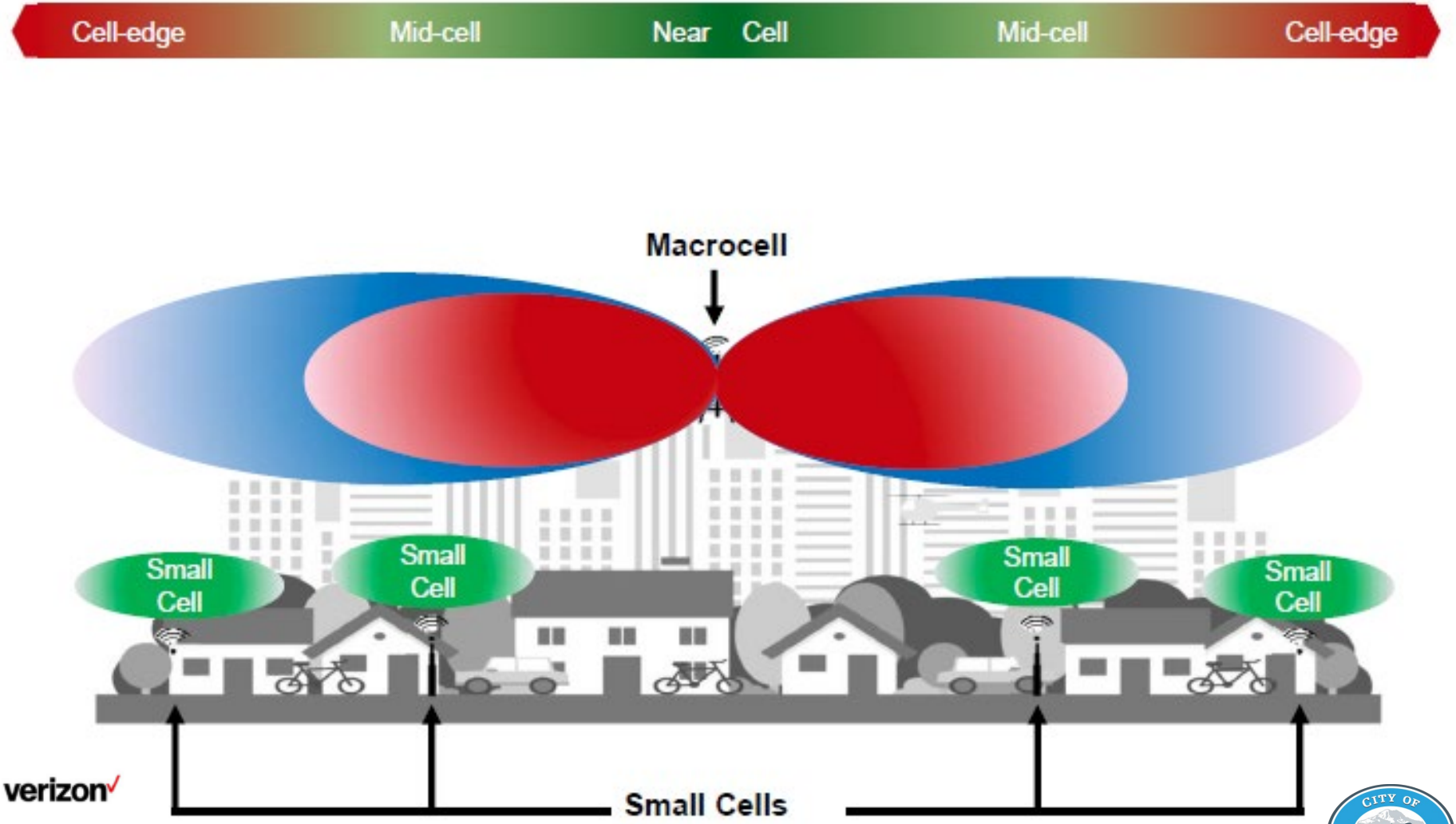
Make recommendation to City Council on proposed code amendments. Recommendation Options:

- Approve
- Deny
- Approve with modifications

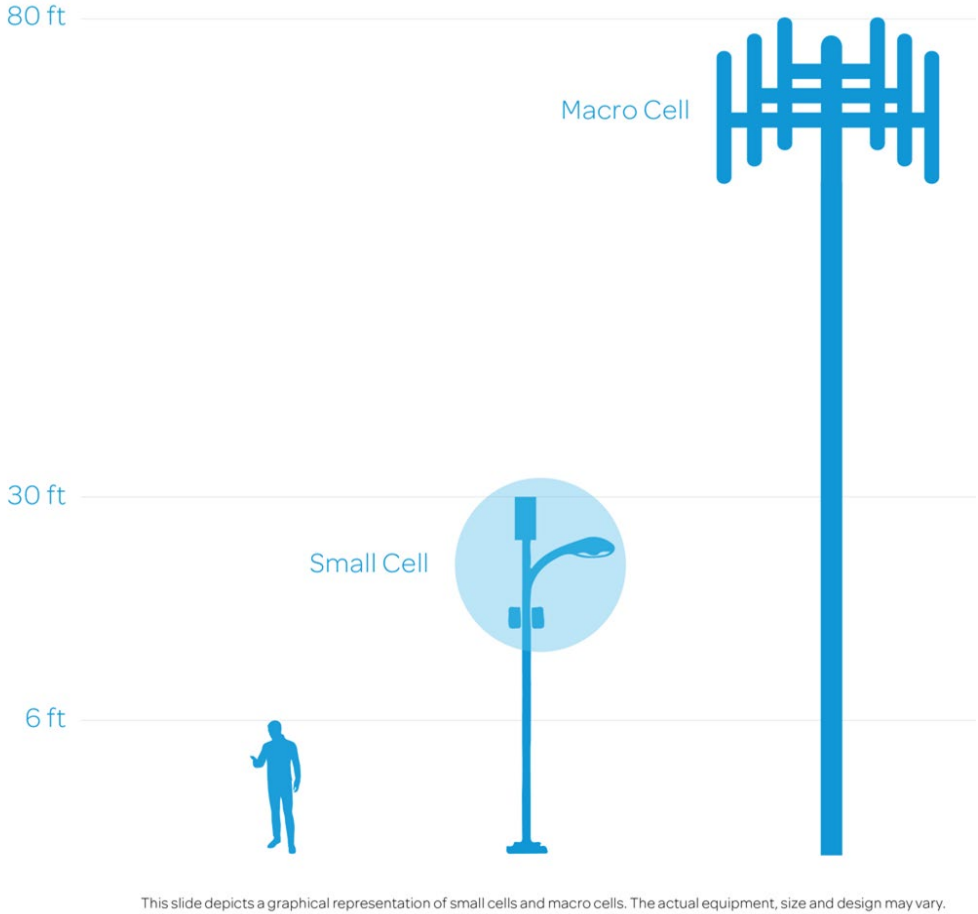
REVIEWS TO DATE

- City Council: 1/8/2019, 2/26/2019, 12/10/2019, 5/26/2020 (All interim regulations)
- Planning Commission: 9/17/2019, 10/20/2020

WHAT ARE WIRELESS COMMUNICATION FACILITIES?



SMALL WIRELESS FACILITIES (SMALL CELL)



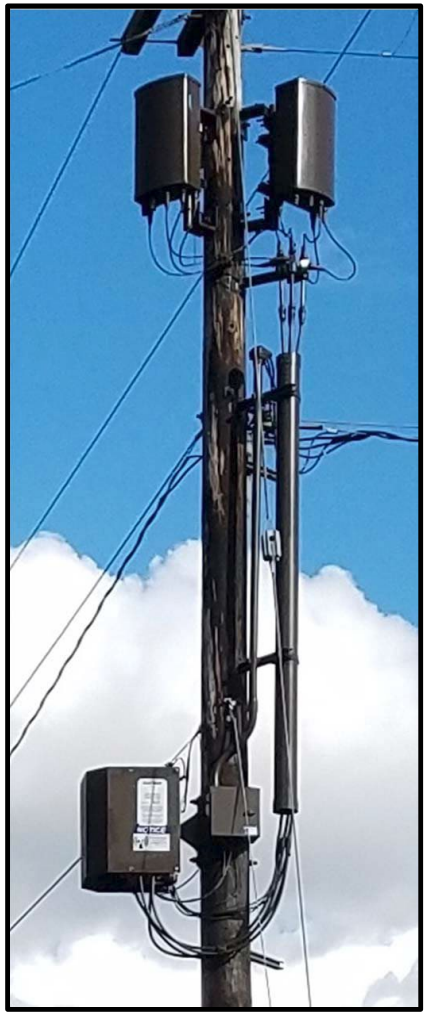
This slide depicts a graphical representation of small cells and macro cells. The actual equipment, size and design may vary.

Source: AT&T

- 9/26/18: Federal Communication Commission (FCC) issued rules on small wireless facilities, went into effect 1/14/19.
- Three current small wireless franchise agreements with Verizon, Mobilitie, and AT&T.

Compliance with Federal Regulations

SMALL WIRELESS FACILITIES (SMALL CELL)



Source: Verizon

IMPACT OF 2018 FCC RULING

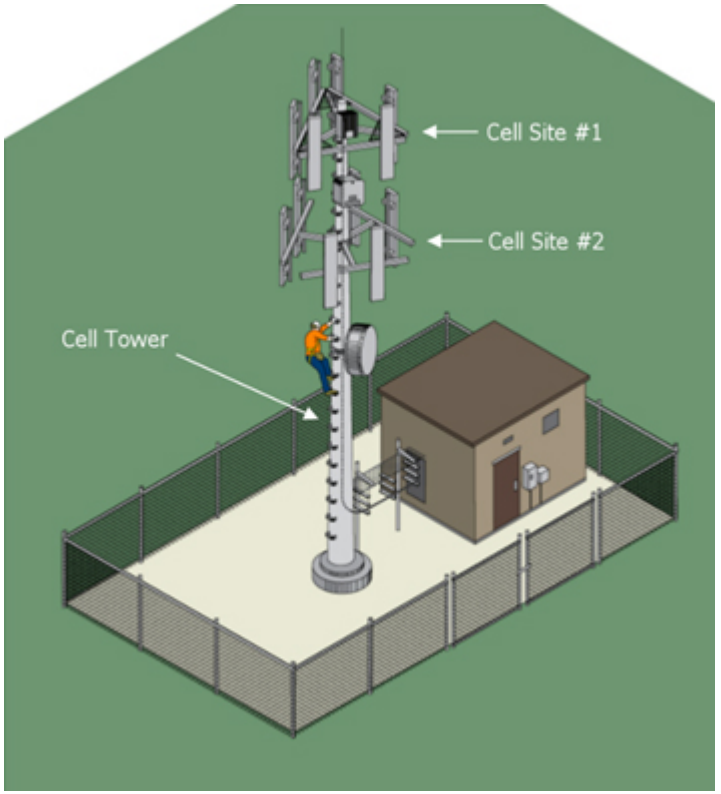
- Must be allowed in the Right-of-Way.
- Shortens time to process franchise agreements and right-of-way use permits.
- Limits application fees.
- Only reasonable costs directly related to maintaining the ROW and the small cell facility may be charged.
- Limits design requirements to those that are reasonable and technically feasible, and must be published in advance. (2020 9th Circuit Ruling)

ELIGIBLE FACILITIES REQUESTS

What Are Eligible Facilities Requests?

Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- Collocation of new transmission equipment;
- Removal of transmission equipment; or
- Replacement of transmission equipment.



REVIEW SCHEDULE

DEPARTMENT OF COMMERCE – September 9, 2019

SEPA – DNS issued September 17, 2019

WIRELESS CARRIERS – Drafts sent September 2019, February and October 2020. Two virtual meetings. Comments received and many incorporated.

PLANNING COMMISSION

- Introduction: September 17, 2019
- Re-Introduction: October 20, 2020
- Public Hearing and Recommendation: November 3, 2020

PLANNING AND ECONOMIC COMMITTEE – November 18, 2020

CITY COUNCIL

- Adoption by December 8, 2020

SUMMARY OF AMENDMENTS

OVERALL APPROACH

- Retain, but amend, Chapter 14.580 Wireless Communication Facilities which currently focuses on Macro Facilities
- Add Sections specific to Small Wireless Facilities and Eligible Facilities Requests
- Update definitions and general provisions to allow for three types of facilities, consistent with federal rulings and case law:
    1. Macro Facilities
    2. Small Wireless Facilities
    3. Eligible Facilities Requests

SUMMARY OF AMENDMENTS

MACRO WIRELESS FACILITIES

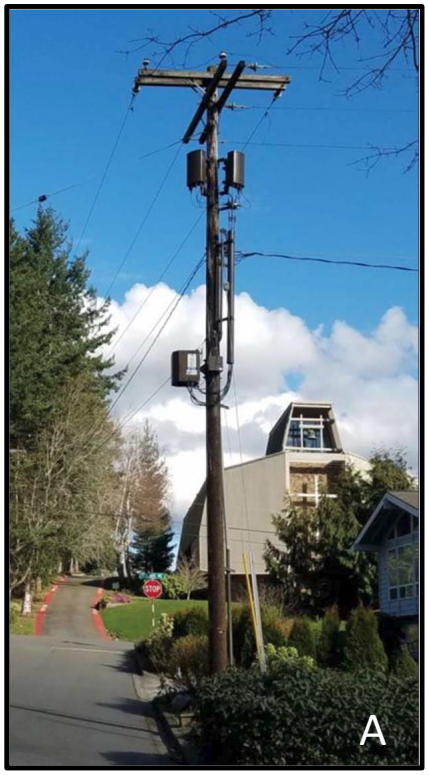
- Term “Wireless Communication Facility (WCF)” changes to “Macro Facility”
- Application materials and review processes updated to be consistent with FCC rulings and relevant case law.
- Permit process is streamlined.

SUMMARY OF AMENDMENTS

SMALL WIRELESS FACILITIES

- Based on Model Code used by other WA cities.
- Can be located on private property or public right-of-way.
- Creates a Small Wireless Facilities permit which combines zoning, right-of-way, and construction permitting processes.
- Requires Franchise Agreement if within right-of-way and lease Agreement if located on City-owned poles.
- Design and Concealment Standards to mitigate aesthetic impacts.
- Provides Optional Alternative Design Process for innovative designs.

SMALL WIRELESS FACILITIES



EXAMPLES

A. Wooden Power Pole
B. Light Standard
C. Strand Mount
D. Stand-alone Pole

Source: Verizon

SUMMARY OF AMENDMENTS

ELIGIBLE FACILITIES REQUESTS

- Stand-alone section to address “eligible facilities requests” authorized by Federal Law in 2012 and a FCC Ruling in June 2020.
- Requires local government approval of modifications/upgrades to existing facilities when the request is not a “substantial change”.
- Specific definitions, permitting, and regulations for those modifications that qualify as an “Eligible Facilities Request”
- City currently uses submittal checklist to identify and process such requests, but code has not been updated.

SUMMARY OF AMENDMENTS

GENERAL PROVISIONS

- Generalized Purpose Statement and replaced Authority and Application sections to recognize all wireless communication facility types.
- Updated Exemptions and Definitions for consistency with rulings and integrate interim ordinance definitions.
- Added General Provisions section for overall regulation.

SUMMARY OF AMENDMENTS

REFERENCE CORRECTIONS

- "WCF" to "Macro Facilities" terminology change in Variance and Conditional Use Permit procedures
- Updated Wireless Variance Criteria for consistency with FCC and case law.
- Removal of "Communication Facility" from Use Charts as term is no longer used.

POTENTIAL COMMISSION ACTION

1. CLARIFYING QUESTIONS?

2. HOLD PUBLIC HEARING

3. ACTION REQUESTED, AFTER HEARING:

Make recommendation to City Council on proposed code amendments.
Recommendation Options:

- "Move to Approve the Proposed Amendments"
- "Move to Deny the Proposed Amendments"
- "Move to Approve with the Proposed Amendments with the following modifications ____"

FUTURE REVIEWS:

PLANNING AND ECONOMIC COMMITTEE – November 18, 2020

CITY COUNCIL – November 24, 2020 (Adoption no later than December 8, 2020)