

# Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

## Minor Telecommunications

Updated March 1, 2016

This Tip provides you with an overview of the Seattle Department of Construction and Inspection's (SDCI) minor communication utility permit framework. It includes general information about the types of land use permits, the time and approximate costs associated with them, and the processes involved in these permits.

SDCI issues two different types of permits for minor communication utilities.

1. An Administrative Conditional Use Permit is needed if your proposed minor communication utility exceeds the height limit of the zones where it is proposed.
2. A "collocation" permit, as described under the FCC 6409 rule, is needed when you are proposing a minor communication utility where one already exists.

If you are proposing a minor communication utility on a Seattle City Light (SCL) pole in the right-of-way, you need an approval recommendation to the Superintendent of SCL. The decision to approve or deny our recommendation is made by the Superintendent of SCL.

### Administrative Conditional Use Permit

An Administrative Conditional Use permit is a "Type II" discretionary decision made by SDCI. An Administrative Conditional Use permit is one of many components of a Master Use Permit (MUP), and is required when the proposed height of a minor communication utility exceeds the height limit of the zone where the utility is proposed. You can appeal our decision on an Administrative Conditional Use Permit to the City's Hearing Examiner. We issue administrative conditional use permits according to the procedures for Master Use Permits and Council Land Use Actions as described in chapter 23.76 of the Land Use Code.

### Criteria

You can apply for and obtain a conditional use permit for a minor communication utility in single-family, multi-family, Neighborhood-Commercial and Commercial zones, provided your proposed use meets specific criteria outlined in the Land Use Code. Read Land Use Code Section 23.57 and Director's Rule 19-2013, and respond to each criterion in your application as it applies to the zoning of your site. Please design all required documentation for your application package to show how your proposed use meets the criteria.

### Application for Collocation Under FCC 6409

The FCC's 6409(a) rules permit modifications of "small cells" and underlying support structures, as well as cell towers. To be eligible for a Sec. 6409(a) modification, your facility must have been "approved" at least once by SDCI. You may generally modify any "approved" wireless equipment as long as it honors safety codes, preserves "stealth," and extends less than 10 feet up and/or 6 feet out.

Your modification may not increase the building or tower by more than 10 percent, or by the height of one additional antenna array, whichever is greater. The additional antenna must be separated by no more than 20 feet from the nearest existing antenna. For additional information on the criteria download our Application for Eligible Telecommunications Facilities form from our Forms website, [www.seattle.gov/sdci/permits/forms/](http://www.seattle.gov/sdci/permits/forms/).

### How long does the process take?

Our estimated review time frame on each application type depends on the complexity of your project or how controversial it is. Generally, we estimate our review time line from 5 to 7 months for a minor communication utilities. The entire review process depends on several factors, only one of which is SDCI review. The quality of your plans and associated documentation, your response time to correction letters and requests for further information, and public interest are additional factors that affect the time to review your land use proposal.

[www.seattle.gov/sdci](http://www.seattle.gov/sdci)



## How much does it cost?

The costs associated with a Master Use Permit (Administrative Conditional Use Permit) vary with the type of approval and the complexity of your project. You can find the fees and payment policies for SDCI's permit application reviews in the current Fee Subtitle posted at [www.seattle.gov/sdci/codes/codes-we-enforce-\(a-z\)/fees](http://www.seattle.gov/sdci/codes/codes-we-enforce-(a-z)/fees). Our fees are based on the actual hourly cost of reviewing the applications; including time associated with public meetings, responding to phone calls, emails, letters and appeals. You will pay a minimum fee to cover processing and review activities. However, you may accrue additional hourly costs if our review time exceeds the time included in the minimum fee collected with your application.

## When can I apply for my building permit?

We will issue any and all associated land use permit approvals before we approve and issue a related construction permit.

Many of our minor communication utility decisions include conditions that must be satisfied at various stages of the permit process (for example; prior to MUP issuance, prior to building permit application, prior to building permit issuance, prior to construction, and during construction). It is important that you review the MUP decision or recommendation to assure that you meet the conditions required at the various permit stages. This is an important aspect in keeping your permit and construction processes moving forward smoothly without unnecessary delays.

## How do I apply?

You should begin researching the land use code as early as possible to determine if your proposal will require a land use discretionary approval, and to identify applicable regulations. More detailed information about the land use permit process, application requirements, and forms are available on SDCI's website at [www.seattle.gov/sdci/permits/permits-we-issue-\(a-z\)/land-use/%c2%a0master-use-permit--overview-of-mup](http://www.seattle.gov/sdci/permits/permits-we-issue-(a-z)/land-use/%c2%a0master-use-permit--overview-of-mup).

Most minor communication utility projects need to be pre-reviewed by several City departments including SDCI, SCL, and Department of Neighborhoods.

We recommend that you schedule a Land use coaching and/or paid zoning coaching conference with a SDCI land use planner in the early stages of researching applicable codes.

You need to make an online land use intake appointment through your Project Portal for all types of minor communication utility proposals to get the necessary land use decisions and/or recommendation to Seattle City Light. You need to submit your plan's associated documentation, such as forms and technical reports, and pay any outstanding fees before your application is complete.

We will review your minor communication utility application as part of your permit application for the proposed development in the right-of-way. In addition to the normal plan documentation that is required for an addition, alteration, or new minor communication utility facility, you must include the following documentation with your project application:

1. Full set of zoning drawings (plot plan, elevations of each building facade, floor plans of affected floors, roof plan for rooftop work, details antennas with screening), with completed SDCI cover sheets.
2. Seattle City Light referral letter. SCL will attach a site map that identifies the facility location and number with an arrow. The facility/pole number should match the number in Geocortex. (In Geocortex click on utility and SCL pole, click on the SCL number and on attributes for matching SCL facility number).
3. FCC Statement of Compliance.
4. Non Ionizing Emission Report (NIER) (if required by your FCC compliance letter).
5. Copy of Radio Frequency engineer letter regarding wireless facilities and choice of location, i.e., Radio Frequency Engineer Site Analysis.
6. Copy of your noise report.
7. Photo simulations of the proposed project, showing at least two views.
8. Written narrative on how the proposal responds and addresses each criteria that is applicable to the zone where the proposed utility is located.
9. Owners Signature on Financial responsibility form.

## Access to Information

Links to electronic versions of SDCI **Tips, Director's Rules**, and the **Seattle Municipal Code** are at [www.seattle.gov/sdci](http://www.seattle.gov/sdci). Paper copies are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.