

D# 87 HAM RADIO REVIEW

General Description

The City received a citizen request for clarification of the City's review and permitting processes relative to amateur (AKA ham) radio antennas. The City was asked to evaluate our processes in light of applicable Federal Regulations: Part 97.15, Amateur Radio, Subpart A, General Provisions, which states in part: "Except as otherwise provided herein, a station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur service communications. State and local regulation of a station antenna structure must not preclude amateur service communications. Rather, it must reasonably accommodate such communications and must constitute the minimum practicable regulation to accomplish the state or local authority's legitimate purpose."

The City's Development Regulations are proposed to be amended relative to the applicable height requirements for amateur radio antennas in residential zones and to better ensure consistency with federal regulations. Currently, to site an amateur radio antenna, a customer must obtain both a height variance (application fee: \$1,236) and a conditional use permit (application fee: \$2,060). RMC 4-2-110A and B, Residential Development Standards, are proposed to be changed to allow the height limits for these structures to be established as part of the conditional use permit review process, omitting the requirement for a separate and additional zoning height variance.

The City Attorney's Office has also asked that the section of the City code regulating commercial wireless communication facilities, RMC 4-4-140, be amended to have portions of those rules apply to amateur radio antennas as well. RMC 4-4-140 is the part of the code that regulates television broadcast towers, cell towers, etc. Other associated housekeeping changes are also proposed.

The Zoning Use Table, RMC 4-2-060, presently lists a 'ham radio antenna' as needing a conditional use permit in all residential zones and this proposal would not change this. However, in order to standardize language throughout the code, the term 'ham radio antenna' is being replaced by the term 'amateur radio antenna'.

RMC 4-2-110 A and B, Residential Development Standards, limit the height of structures in residential zones to 30' if attached to a dwelling, or 15' if detached. There is currently no exception for amateur (ham) radio antennas to exceed these height limits. However, there is currently an exemption in the code for other types of "wireless communication facilities", such as cell towers and associated cellular antennas, to exceed the standard zoning height limits if other required approvals (e.g. a conditional use permit and building permit) are obtained. These facilities are not required to obtain a separate height variance if they are able to meet the criteria for approval of a conditional use permit.

If the City intends to allow similar provisions for ham radio antennas to exceed the standard allowable structure heights as part of the conditional use permit process, the code needs to be

changed to permit this. Otherwise, a height variance costing \$1,236 (in addition to the \$2,060 conditional use permit) would be required of each applicant wishing to site a ham radio antenna.

The current Residential Development Standards, RMC 4-2-110, only regulates height of building/structure mounted ("attached") wireless facilities and does not contain height rules for freestanding ("detached") structures. This proposal corrects this omission.

RMC 4-8-120C, Land Use Application Submittal Requirements, must also be amended to clarify which commercial wireless application submittals are not needed for amateur radio applications. Housekeeping-type changes include clarification of which conditional use permit review criteria are to be used for decisions regarding amateur radio antennas as well as clarification of language within the decision criteria section.

Because amateur radio antennas are proposed to be regulated under the existing commercial wireless code section as part of this amendment, changes to RMC 4-11, Definitions, are needed to clarify the difference between the various types of commercial wireless antennas and amateur radio antennas. Additionally, the CED Administrator is charged with decision authority regarding these applications, but the code's current definition of 'Administrator' mentions only the Public Works Administrator. Because the authority for various Title IV decisions shifts to either the CED or PW Administrator depending on the particular code section, this proposal includes a more inclusive definition of 'Administrator'.

Impact Analysis

Effect on rate of growth, development, and conversion of land as envisioned in the Plan

None. This docket would not affect growth, development, or conversion of land. This docket item is procedural.

Effect on the City's capacity to provide adequate public facilities

None.

Effect on the rate of population and employment growth

None.

Whether Plan objectives are being met as specified or remain valid and desirable

The Renton Comprehensive Plan objectives continue to be met through this update.

Effect on general land values or housing costs

None foreseen because amateur radio antennas are presently permissible via the conditional use permit process and these amendments will not change that. Antennas will continue to be reviewed under a conditional use permit. The City will continue to retain the ability to deny, approve, condition, or limit these antennas through the permitting process. The change is that the City would not require an additional variance application, if these changes are adopted.

Whether capital improvements or expenditures are being made or completed as expected
No impacts foreseen.

Consistency with GMA, the Plan, and Countywide Planning Policies

Changes are not inconsistent with the GMA, the Comprehensive Plan, and Countywide Planning Policies.

Effect on critical areas and natural resource lands

None.

Effect on other considerations

None.

Staff Recommendation

Staff recommends amending the procedural requirements of the Renton Municipal Code Title IV to reflect the City's intent to more clearly comply with applicable federal regulations while still allowing neighboring property owners the ability to participate in a the permit review process and retaining the City's ability to place conditions on antenna approvals.

Implementation Requirements

Amend Title IV as shown on Attachment A.

Attachment A

Amend Section O, Utilities, of RMC 4-2-060, Zoning Use Table, to delete the row entitled “Ham Radio Antenna” and relocate it under Section P, Wireless Communication Facilities, of RMC 4-2-060, Zoning Use Table, to be inserted right before “Lattice Towers and Support Structures” and retitled “*Amateur* Radio Antenna”. (Table with corrections on next page).

Amend portion of RMC 4-2-110A relating to height (of building/structure-mounted antennas) to read as follows:

4-2-110A BUILDING STANDARDS	
Maximum Building Height, except for uses having a “Public Suffix” (P) designation and public water system facilities^{8,9}	
RC, R-1, R-4, R-8 and R-10	30 ft.
R-14	Residential and Civic Uses: 30 ft. Commercial Uses: 20 ft.
RM	“U” suffix: 50 ft. “T” suffix: 35 ft. “F” suffix: 35 ft. ²⁰
Maximum Height for Wireless Communication Facilities <u>(Including Amateur Radio Antennas)</u>	
RC, R-1, R-4, R-8, R-10, and R-14, <u>and RM</u>	See RMC 4-4-140G , Standards for Specific Types of Wireless Facilities

Amend portion of RMC 4-2-110B relating to height (for detached antennas) to read as follows:

4-2-110B HEIGHT	
Maximum Building Height except for uses having a “Public Suffix” (P) designation^{8,9}	
RC	Accessory building – 15 ft.
R-1, R-4 and R-8	Accessory building – 15 ft. Accessory dwelling units – 30 ft. Animal husbandry or agricultural related structures – 30 ft.
R-10 and R-14	Accessory building – 15 ft. Accessory dwelling unit – 30 ft.
RM	25 ft., except in the RM-U District where the maximum height shall be determined through the site plan review process.
Maximum Height for Wireless Communication Facilities (Including Amateur Radio Antennas)	
<u>RC, R-1, R-4, R-8, R-10, and R-14, and RM</u>	<u>See RMC 4-4-140G, Standards for Specific Types of Wireless Facilities</u>

Amend RMC 4-4-140, WIRELESS COMMUNICATION FACILITIES, to read as follows:

RMC 4-4-140 WIRELESS COMMUNICATION FACILITIES:

A. PURPOSE:

The purpose of this Section is to establish general guidelines for the siting of all wireless communications facilities, including towers and antennas.

B. GOALS FOR COMMERCIAL WIRELESS FACILITIES:

The goals of this Section are to:

1. Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the community;
2. Encourage strongly the joint use of new and existing tower sites;
3. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
4. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas; and
5. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.

C. EXEMPTION GOALS FOR AMATEUR RADIO, RECEIVE ONLY ANTENNAS:

This Section shall not govern any tower, or installation of any antenna, that is under seventy (70) feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas. The goals of this section are to ensure the interests of neighboring property owners are considered while reasonably accommodating amateur radio communications so as to comply with applicable Federal law. These regulations are not intended to preclude amateur radio communications.

D. ADMINISTERING AND ENFORCING AUTHORITY:

The Community and Economic Development Administrator or designee is responsible for the general administration and coordination of this Section. (Ord. 5450, 3-2-2009)

E. COMPLIANCE WITH TELECOMMUNICATIONS ACT OF 1996 REQUIRED FOR COMMERCIAL APPLICANTS:

The Federal Telecommunications Act of 1996 requires the City to comply with the following conditions:

1. The City zoning requirements may not unreasonably discriminate among wireless telecommunication providers that compete against one another.
2. The City zoning requirements may not prohibit or have the effect of prohibiting the provision of wireless telecommunications service.
3. The City must act within a reasonable period of time on requests for permission to place or construct wireless telecommunications facilities.
4. A decision by the City denying a request for permission to install or construct wireless telecommunications facilities must be in writing and must be based on evidence in a written record.
5. If a wireless telecommunications facility meets technical emissions standards set by the FCC, it is presumed safe. The City may not deny a request to construct a facility on grounds that its radio frequency emissions would be harmful to the environment or the health of residents if those emissions meet FCC standards.

F. STANDARDS AND REQUIREMENTS FOR ALL TYPES OF WIRELESS COMMUNICATIONS FACILITIES:

1. Equipment Shelters or Cabinets:

a. Location: Accessory equipment facilities used to house wireless communication equipment and associated cabling should be located within buildings or placed underground when possible. However, in those cases where it can be demonstrated by the applicant to the **Administrator** ~~reviewing official~~ that the equipment cannot be located in buildings or underground, equipment shelters or cabinets shall be screened and/or landscaped to the satisfaction of the reviewing official.

b. Landscaping and Screening: Landscaping, for accessory equipment located on private property, shall include a minimum fifteen foot (15') sight obscuring landscape buffer around the accessory equipment facility. Accessory equipment facilities located on the roof of any building need not be landscaped but shall be enclosed so as to be shielded from view. Accessory equipment located on public right-of-way shall be screened and/or landscaped as determined by the **Administrator** ~~reviewing official~~ through the conditional use permit process. Accessory equipment facilities may not be enclosed with exposed metal surfaces.

c. Size: The applicant must provide documentation to the **Administrator** ~~reviewing official~~ that the size of any accessory equipment is the minimum possible necessary to meet the provider's service needs.

2. Visual Impact: Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and the zone district to the extent consistent with the function of the communications equipment. Wireless communication towers **and amateur radio antennas** shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.

3. Maximum Noise Levels: No equipment shall be operated so as to produce noise in levels above forty-five (45) dB as measured from the nearest property line on which the attached wireless communication facility is located. Operation of a back-up power generator in the event of power failure or the testing of a back-up generator between eight o'clock (8:00) a.m. and nine o'clock (9:00) p.m. are exempt from this standard. No testing of back-up generators shall occur between the hours of nine o'clock (9:00) p.m. and eight o'clock (8:00) a.m.

4. Fencing: Security fencing, if used, shall be painted or coated with nonreflective color. Fencing shall comply with the requirements listed in RMC [4-4-040](#), Fences and Hedges.

5. Lighting: Towers **or antennas** shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. Security lighting for the equipment shelters or cabinets and other on-the-ground ancillary equipment is ~~also~~ permitted, as long as it is appropriately down shielded to keep light within the boundaries of the site.

6. Advertising Prohibited: No lettering, symbols, images, or trademarks large enough to be legible to occupants of vehicular traffic on any adjacent roadway shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by FCC regulations regarding tower registration or other applicable law. Antenna arrays may be located on previously approved signs or billboards without alteration of the existing advertising or sign.

7. Building Standards: Wireless communication support structures shall be constructed so as to meet or exceed the most recent Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision **F-G** Standard entitled: "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures" (or equivalent), as it may be updated or amended. Prior to issuance of a building permit the Building Official shall be provided with an engineer's certification that the support structure's design meets or exceeds those standards.

8. Radio Frequency Standards: The applicant shall ensure that the **wireless communication facility** (WCF) will not cause localized interference with the reception of area television or radio

broadcasts. If on review the City finds that the WCF interferes with such reception, and if such interference is not remedied within thirty (30) days, the City may revoke or modify this a building and/or conditional use permit.

9. Special Requirements for Equipment Shelters/Cabinets within the Public Right-of-Way: All equipment and cabinets within a public right-of-way are subject to the approval to the Development Services Division and shall be as small and unobtrusive as is practicable. (Ord. 5241, 11-27-2006)

G. STANDARDS FOR SPECIFIC TYPES OF WIRELESS FACILITIES: Except for Amateur Radio Antennas which will have height and other applicable standards determined through the Conditional Use Permit process, the following standards apply:

For definitions of specific types of wireless communication facilities, see RMC [4-11-230](#). Development standards for specific types of wireless communication facilities shall be as follows:

**STANDARDS FOR SPECIFIC TYPES OF WIRELESS COMMUNICATION FACILITIES
In addition to individual zone requirements unless otherwise specified below**

	MICRO FACILITY	MINI FACILITY	MACRO FACILITY	MONOPOLE I	MONOPOLE II	LATTICE TOWERS
Location on Buildings	A Micro Facility shall be located on existing buildings, poles or other existing support structures. A Micro Facility may locate on buildings and structures; provided, that the interior wall	A Mini Facility may be located on buildings and structures provided that the immediate interior wall or ceiling adjacent to the facility is not a designated residential space.	A Macro Facility may be located on buildings and structures provided that the immediate interior wall or ceiling to the facility is not a designated residential space.	NA	NA	NA

	or ceiling immediately adjacent to the facility is not designated residential space.					
Maximum Height and Area	<p>All wireless communication facilities and attached wireless communication facilities must comply with the Airport zoning regulations, as listed in RMC 4-3-020.</p> <p>Micro Facilities shall comply with the height limitation specified for all zones except as follows: Micro Facilities may exceed the height limitation by</p>	<p>All wireless communication facilities and attached wireless communication facilities must comply with the Airport zoning regulations, as listed in RMC 4-3-020.</p> <p>Mini Facilities shall comply with the height limitation specified for all zones except as follows: Mini Facilities may exceed the height limitation by</p>	<p>All wireless communication facilities and attached wireless communication facilities must comply with the Airport zoning regulations, as listed in RMC 4-3-020.</p> <p>Macro Facilities shall comply with the height limitation specified for all zones except as follows: Macro Facilities may exceed the height limitation by</p>	<p>All wireless communication facilities and attached wireless communication facilities must comply with the Airport zoning regulations, as listed in RMC 4-3-020.</p> <p>Monopole I Facility Maximum Height: Less than 60 feet for all zones. Macro Facilities are the largest attached communication facilities allowed on</p>	<p>All wireless communication facilities and attached wireless communication facilities must comply with the Airport zoning regulations, as listed in RMC 4-3-020.</p> <p>Monopole II Facility Maximum Height: 35 feet higher than the regular permitted maximum height for the applicable zoning district, or 150 feet, whichever is less.</p>	<p>All wireless communication facilities and attached wireless communication facilities must comply with the Airport zoning regulations, as listed in RMC 4-3-020.</p> <p>Lattice Tower Facility Maximum Height: 35 feet higher than the regular permitted maximum height for the applicable zoning district, or 150 feet, whichever is less.</p>

	<p>6 feet, or in the case of existing structures the antennas may extend 6 feet above the existing structure.</p> <p>Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure.</p>	<p>10 feet, or in the case of existing structures the antennas may extend 10 feet above the existing structure.</p>	<p>16 feet, or in the case of existing structures the antennas may extend 16 feet above the existing structures.</p>	<p>a Monopole I Facility.</p>		
<p>Maximum Height and Area (Continued)</p>	<p>See above.</p>	<p>Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming</p>	<p>Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming</p>	<p>Antennas equal to or less than 4 inches in diameter may be a component of a Monopole I Facility.</p>	<p>Macro Facilities are the largest permitted attached wireless communication facilities allowed on a Monopole II facility.</p> <p>Antenna/Structure Height:</p>	<p>Macro Facilities are the largest permitted attached wireless communication facilities allowed on a Lattice Tower.</p> <p>Antenna/Structure Height: Antennas that</p>

		structure.	structure.		Antennas that extend above the Monopole II wireless communications support structure shall not be calculated as part of the height of the wireless communications support structure.	extend above the Lattice Tower wireless communications support structure shall not be calculated as part of the height of the wireless communications support structure.
Maximum Antenna Projection Above Support Structure, Monopole, Tower or Building	6 feet.	10 feet.	16 feet.	16 feet.	16 feet.	16 feet.
Color	Shall be same color as the building, pole or support structure on which it is proposed to be located.	Shall be same color as the building, pole or support structure on which it is proposed to be located.	Shall be same color as the building, pole or support structure on which it is proposed to be located.	NA	NA	NA

Landscaping and Screening	NA	NA	NA	<p>See subsection F of this Section, Standards.</p> <p>A minimum landscaping area of 15 feet shall be required surrounding the facility, or equivalent screening as approved by the Reviewing Official.</p> <p>Landscaping shall include trees, shrubs and ground cover. The required landscaped areas shall include an automated irrigation system.</p>	<p>See subsection F of this Section, Standards.</p> <p>A minimum landscaping area of 15 feet shall be required surrounding the facility, or equivalent screening as approved by the Reviewing Official.</p> <p>Landscaping shall include trees, shrubs and ground cover. The required landscaped areas shall include an automated irrigation system.</p>	<p>See subsection F of this Section, Standards.</p> <p>A minimum landscaping area of 15 feet shall be required surrounding the facility, or equivalent screening as approved by the Reviewing Official.</p> <p>Landscaping shall include trees, shrubs and ground cover. The required landscaped areas shall include an automated irrigation system.</p>
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(Ord. 5241, 11-27-2006)

H. AIRPORT RESTRICTIONS – NOTICE TO FAA:

A Notice of Proposed Construction shall be submitted to the FAA a minimum of thirty (30) days prior to the issuance of any building permit for any wireless communication support structure or attached wireless communication facilities.

I. OBSOLESCENCE AND REMOVAL:

Any wireless communications facility or attached wireless communications facility that is no longer needed and its use is discontinued shall be reported immediately by service provider to the Administrator. Discontinued facilities shall be decommissioned and removed by the facility owner within six (6) months of the date it ceases to be operational or if the facility falls into disrepair, and the site restored to its pre-existing condition. The Administrator may approve an extension of an additional six (6) months if good cause is demonstrated by the facility owner.

J. COLLOCATION REQUIRED:

1. Evaluation of Existing Commercial Support Structures: No new wireless communications support structure shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that an existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

- a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
- b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
- c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

2. Cooperation of Commercial Applicants in Collocation Efforts: A permittee shall cooperate with other WCF providers in collocating additional antennas on support structures and/or on existing buildings provided said proposed collocators have received a building permit for such use at said site from the City. A permittee shall exercise good faith in collocating with other providers and sharing the permitted site, provided such shared use does not give rise to a substantial technical level of impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of collocation. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the City may require a third-party technical study at the expense of either or both the applicant and permittee.

3. Reasonable Efforts: All applicants shall demonstrate reasonable efforts in developing a collocation alternative for their proposal.

K. PERMIT LIMITATIONS:

1. Maintenance Required: The applicant shall maintain the WCF to standards that may be imposed by the City at the time of the granting of a permit. Such maintenance shall include, but shall not be limited to, maintenance of the paint, structural integrity and landscaping. If the applicant fails to maintain the facility, the City may undertake the maintenance at the expense of the applicant or terminate the permit, at its sole option.

2. Compliance with Federal Standards for Radio Frequency Emissions Required for Commercial Applicants: The applicant shall comply with Federal (FCC) standards for radio frequency emissions. Within sixty (60) days after the issuance of its building permit, the applicant shall submit a project implementation report which provides cumulative field measurements of radio frequency emissions of all antennas installed at the subject site and compares the results with established Federal standards. Said report shall be subject to review and approval of the Administrator for consistency with Federal standards. If on review, the City finds that the WCF does not meet Federal standards, the City may revoke or modify this permit.

3. Notice to City of Change of Operation of Facility: ~~Change of Ownership:~~ The applicant shall notify the Department of all changes in ~~ownership or~~ operation of the facility within sixty (60) days of the change. (Ord. 4666, 6-2-1997, Amd. Ord. 4689, 11-24-1997)

L. ALTERNATES, MODIFICATIONS, VARIANCES:

See RMC [4-9-250](#).

M. APPEALS:

See RMC [4-8-110](#). (Ord. 4722, 5-11-1998; Amd. Ord. 4963, 5-13-2002)

RMC 4-8-120C, Submittal Requirements for Land Use Applications, is to be amended to delete in their entirety the four columns entitled “Conditional Approval Permit for a Nonconforming Structure”, “Conditional Use Permit for a Nonconforming Use”, “Rebuild Approval Permit for a Nonconforming Structure” and “Rebuild Approval Permit for a Nonconforming Use”. These permit types no longer exist so submittal instructions are no longer needed.

The table is further amended to add a superscript number 10 to the existing numeral 5 in the “Conditional Use Permit (Administrative)” column for the “Applicant Agreement Statement” item. The table is further amended to add a superscript number 4 to the existing numeral 5 in the “Conditional Use Permit (Administrative)” column for the “Inventory of Existing Sites” item. The table is further amended to add a superscript number 4 to the existing numeral 5 in the “Conditional Use Permit (Administrative)” column for the “Lease Agreement, Draft” item. The table is further amended to omit the superscript number 4 from the existing numeral 5 in the “Conditional Use Permit (Hearing Examiner)” column for the “Photo Simulations” item.

(Table with proposed changes on next 5 pages)

Amend Table 4-8-120C Legend (notes relating to submittal requirements) to read as follows:

Table 4-8-120C Legend:

1. This information is required only for those home occupations that will have customer visits, more than six (6) business deliveries per week, or external indication of commercial activity.
2. Level of detail limited to scope listed in RMC 4-9-210A.
3. Level of detail required may be reduced by Administrator.
4. ~~Not required for amateur radio antennas. For conditional use permit applications for wireless communication facilities, the applicant shall submit a preliminary sketch (five (5) copies) for preliminary staff review prior to submittal of the conditional use permit application. The staff shall review this map within fourteen (14) working days and inform applicant of any preliminary concerns and recommendations for revisions at a scheduled preapplication meeting. The staff shall also indicate where photosimulations will be required for the application submittal, and may choose to waive submittal requirements for the conditional use permit when deemed appropriate. This shall not preclude the staff from making further recommendations at the application stage.~~
5. Only required for projects requiring a public hearing.
6. Only required for residential projects requesting modification to special development standards in a Centers Residential Demonstration District, RMC 4-3-120B3, or for any development subject to special development standards requiring upper story setbacks in the Center Office Residential (COR) Zone, RMC 4-2-120B.
7. Only required for projects requiring review in the Urban Center Design Overlay District.
8. A standard stream or lake study is required for any application proposal. A supplemental stream or lake study is also required if an unclassified stream is involved, or if there are proposed alterations of the water body or buffer, as identified in the standard stream or lake study. If substantial impacts to the existing vegetation within the buffer required by RMC 4-3-090D7a, Shoreline Bulk Standards, or as modified under RMC [4-3-090F1](#), Vegetation Conservation, are identified in the standard stream or lake study, a supplemental stream or lake study may be required by the Administrator of the Department of Community and Economic Development or designee. A stream or lake mitigation plan will be required prior to final approval for any plans or permits that result in mitigation identified in the supplemental stream or lake study.

9. The only submittal requirements required for Tier I Temporary Use Permit are Master Application, Site Plan, and King County Health Department Approval.

10. Only that portion of the agreement relating to removal of upon discontinuation of use is required for amateur radio antennas.

Amend Sections D through F of RMC 4-9-030, Conditional Use Permits, to read as follows:

D. DECISION CRITERIA:

Except for Wireless Communication Facilities, the Administrator ~~or designee~~ or the Hearing Examiner shall consider, as applicable, the following factors for ~~all~~ applications:

- 1. Consistency with Plans and Regulations:** The proposed use shall be compatible with the general goals, objectives, policies and standards of the Comprehensive Plan, the zoning regulations and any other plans, programs, maps or ordinances of the City of Renton.
- 2. Appropriate Location:** The proposed location shall not result in the detrimental overconcentration of a particular use within the City or within the immediate area of the proposed use. The proposed location shall be suited for the proposed use.
- 3. Effect on Adjacent Properties:** The proposed use at the proposed location shall not result in substantial or undue adverse effects on adjacent property.
- 4. Compatibility:** The proposed use shall be compatible with the scale and character of the neighborhood.
- 5. Parking:** Adequate parking is, or will be made, available.
- 6. Traffic:** The use shall ensure safe movement for vehicles and pedestrians and shall mitigate potential effects on the surrounding area.
- 7. Noise, Light and Glare:** Potential noise, light and glare impacts from the proposed use shall be evaluated and mitigated.
- 8. Landscaping:** Landscaping shall be provided in all areas not occupied by buildings, paving, or critical areas. Additional landscaping may be required to buffer adjacent properties from potentially adverse effects of the proposed use.
- 9. Specific Requirements for Kennels:** In addition to the criteria above, the following criteria shall also be considered for kennel applications:
 - a. History:** Past history of animal control complaints relating to the applicant's dogs and cats at the address for which the kennel is located or to be located. Conditional Use Permits shall not be issued for kennels to applicants who have previously had such permits revoked or renewal refused, for a period of one year after the date of revocation or refusal to renew.
 - b. Standards for Keeping Animals:** The applicant or kennel owner must also comply with the requirements of RMC [4-4-010](#), Animal Keeping and Beekeeping Standards.

10. Specific Requirements for Secure Community Transition Facilities (SCTF), Crisis Diversion Facilities (CDF) and Crisis Diversion Interim Service Facilities (CDIS): In addition to the criteria in subsections D1 through D8 of this Section, the following criteria shall be considered for secure community transition facilities, crisis diversion facilities, and interim service facilities:

- a. Whether alternative locations were reviewed and consideration was given to sites that are farthest removed from any risk potential activity;
- b. Whether adequate buffering is provided from abutting and adjacent uses;
- c. Whether adequate security is demonstrated by the applicant;
- d. Whether public input was provided during the site selection process; and
- e. For SCTF there is no resulting concentration of residential facility beds operated by the Department of Corrections or the Mental Health Division of the Department of Social and Health Services, the number of registered sex offenders classified as Level II or Level III, and the number of sex offenders registered as homeless in a particular neighborhood, community, jurisdiction or region.

E. DECISION CRITERIA – WIRELESS:

In lieu of the criteria of Section D, the Administrator or designee or Hearing Examiner shall consider, in determining whether to issue a Conditional Use Permit for a wireless facility, although the governing authority may waive or reduce the burden on the applicant of one or more of these criteria if the governing authority concludes that the goals of RMC [4-4-140](#), Wireless Communication Facilities, are better served thereby, the following factors:

1. **Height and Design:** The height of the proposed tower and/or antenna as well as incorporation of design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
2. **Proximity to Surrounding Uses:** The nature of uses on adjacent and nearby properties. Proximity of the tower and/or antenna to residential structures and residential district boundaries.
3. **Nature of Surrounding Uses:** The nature of uses on adjacent and nearby properties. The proposed use at the proposed location shall not result in substantial or undue adverse effects on adjacent property.
4. **Topography and Vegetation:** The surrounding topography, tree coverage and foliage.
5. **Ingress/Egress:** The proposed access ingress and egress.

6. **Impacts:** The potential noise, light and glare impacts.
7. **Collocation Feasibility:** The availability of suitable existing towers and other structures to accommodate the proposal.
8. **Consistency with Plans and Regulations:** The compatibility with the general purpose, goals, objectives and standards of the Comprehensive Plan, the Zoning Ordinance and any other plan, program, map or ordinance of the City.
9. **Landscaping:** Additional landscaping may be required to buffer adjacent properties from potentially adverse effects of the proposed use.

F. PROCEDURES:

1. **General:** Applications shall be reviewed in accordance with chapter [4-8](#) RMC, Permits – General and Appeals.
2. **Pre-application Conference:** Applicants are encouraged to consult early and informally with representatives of the Planning Division and other affected departments.
3. **Submittal Requirements and Application Fees:** Submittal requirements shall be as listed in RMC [4-8-120C](#), Land Use Permit Submittal Requirements.
4. **Public Notice and Comment Period Required:** Whenever a complete application is received, the Planning Division shall be responsible for providing public notice of the pending application, pursuant to RMC [4-8-090](#), Public Notice Requirements.
5. **Determining Necessity for Public Hearing:** Upon receipt of the final departmental comments and after the close of the public comment period, the Administrator ~~or designee~~ and/or the Environmental Review Committee shall determine the necessity for a public hearing pursuant to subsection C2 of this Section.
6. **Administrative Approvals:** For projects not requiring a public hearing, the Administrator ~~or designee~~ shall take action on the proposed Conditional Use Permit in accordance with the procedures in RMC [4-8-100](#).
7. **Hearing Process and Examiner Authority:** For projects requiring a public hearing, the Hearing Examiner shall take action in accordance with the procedures in RMC [4-8-100](#), Application and Decision – General.
8. **Decision and Conditions:** The Administrator ~~or designee~~ may grant a Conditional Use Permit, with or without conditions, or deny the requested Conditional Use Permit. The Administrator ~~or designee~~ or Hearing Examiner shall have authority to grant the Conditional Use Permit upon making a determination, in writing, that the use is consistent with the applicable decision

criteria in subsection D of this Section, and, if applicable, subsection E of this Section. The Administrator or designee or Hearing Examiner may require additional setbacks, fencing, screening, soundproofing, public improvements or any other appropriate measures necessary to ensure compatibility with the surrounding neighborhood, and may limit the term and duration of the Conditional Use Permit. Conditions imposed by the Administrator or designee or Hearing Examiner shall reasonably assure that nuisance or hazard to life or property will not develop.

9. Timeline to Apply for Associated Permits: Building permits, licenses or land use permits required for the operation of a Conditional Use Permit shall be applied for within two (2) years of the date of Conditional Use Permit approval. A single two (2) year extension may be granted for good cause by the Administrator or designee.

RMC 4-11-010, Definitions A, Administrator, is amended to read as follows:

ADMINISTRATOR: Unless otherwise specified, the Administrator of the Department of Public Works of the City, or designee, or the Administrator of the Department of Community and Economic Development, or designee. This definition also includes ~~or~~ any successor office with responsibility for management of the public properties within the City of Renton, or designee.

RMC 4-11-230, Definitions W, Wireless Communication Facilities, Definitions relating to, is amended to add a new definition #8 under the subheading of "Antenna" as follows:

8. Amateur Radio (also called ham radio) Antenna: A device that picks up or sends out radio frequency energy used for purposes of private recreation, non-commercial exchange of messages, wireless experimentation, self-training, and emergency communication. The term "amateur" is used to specify persons interested in radio technique solely with a personal aim and without pecuniary interest, and to differentiate it from commercial broadcasting, public safety (such as police and fire), or professional two-way radio services (such as maritime, aviation, taxis, etc.).

ZONING USE TABLE

USES:	RESIDENTIAL ZONING DESIGNATIONS										INDUSTRIAL			COMMERCIAL ZONING DESIGNATIONS					
	RC	R-1	R-4	R-8	RMH	R-10	R-14	RM	IL	IM	IH	CN	CV	CA	CD	CO	COR	UC-N1	UC-N2
INDUSTRIAL (continued)																			
Solid Waste/Recycling																			
Recycling collection and processing center									P14	P38	P38								
Recycling collection station									P	P	P								
Sewage disposal and treatment plants									H59	H									
Waste recycling and transfer facilities									H59	P									
UTILITIES																			
Communication broadcast and relay towers	H	H	H	H	H	H	H	H	H	H38	H29	H38	H	H	H	H	H	H	H
Electrical power generation and cogeneration									H	H66	H66	H66	H66	H66	H66	H66	H66	H66	H66
Radio antenna	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD
Utilities, small	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities, medium	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD	AD
Utilities, large	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H

WIRELESS COMMUNICATION FACILITIES

Lattice towers support structures									H48	AD47	AD47	H48	H48	AD47	H48	AD47	H48	AD47	H48
Macro facility antennas	AD46	P44	P44	P44	P44	P44	P44	P44	P44	P44	P44	P44							
Micro facility antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mini facility antennas	P44	P44	P44	P44	P44	P44	P44	P44	P44	P44	P44	P44							
Minor modifications to existing wireless communication facilities	P49	P49	P49	P49	P49	P49	P49	P49	P49	P49	P49	P49							
Monopole I support structures on private property	AD45	AD46	P44	P44	P44	P44	P44	P44	P44	P44	P44	P44	AD46						
Monopole I support structures on public right-of-way	AD45	P44	P44	P44	P46	P44	P44	AD46	P44	P44	AD46	AD46							
Monopole II support structures									H48	AD47	AD47	H48	H48	AD47	H48	AD47	H48	AD47	H48
Parabolic antennas - Large	AD45	H46	P44	P44	P44	P44	P44	P44	P44	P44	P44	AD46							

Blank=Not Allowed
 P=Permitted Use
 P#=Permitted provided condition can be met
 AD=Administrative Conditional Use
 H=Hearing Examiner Conditional Use
 AC=Accessory Use
 #=Condition(s)

Uses may be further restricted by: RMC 4-3-020, Airport Related Height and Use Restrictions; RMC 4-3-040C, Uses Permitted In the Airtomall Improvement District; RMC 4-3-050, Critical Areas Regulations; RMC 4-3-090, Shoreline Master Program Regulations

<i>Amateur Radio Antenna</i>	AD																		
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LAND USE APPLICATIONS

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION/PERMIT	
	Number of Required Copies	Is Indicated
10% Notice of Intent to Annex	13	
60% Petition to Annex	13	
Additional Animals Application Form	5	
Affidavit of Installation of Public Information Sign		
Applicant Agreement Statement (for wireless communication facilities)		
Applicant's Confirmation of Condition Compliance		
Application Fee per the City of Renton Fee Schedule Brochure	X	
Assessment Information	X	
Authorization for Abatement		
Binding Site Plan Map		
Additional Animals Permit		
Annexation (10% Notice of Intent)		
Annexation (60% Petition)		
Appeal		
Business License for Home Occupation ¹		
Comp. Plan Map Amendment/Rezone		
Comp. Plan Map Text Amendment		
Conditional Approval Permit for a Nonconforming Structure		
Conditional Approval Permit for a Nonconforming Use ²		
Conditional Use Permit (Administrative)	5	
Conditional Use Permit (Hearing Examiner)	5	
Critical Area Permit		
Environmental Review		
Environmental Review (Nonproject)		
Grade and Fill Permit (Special)		
Lot Line Adjustment		
Master Site Plan (Overall)		
Master Site Plan (Individual Phases)		
Mobile Home Park, Preliminary		
Mobile Home Park, Final		
Modification/Alternate Request		
Plat, Final		
Plat, Preliminary/Binding Site Plan	2	
PUD, Preliminary		
PUD, Final	2	
Rebuild Approval Permit for a Nonconforming Structure		
Rebuild Approval Permit for a Nonconforming Use		
Rezone		
Routine Vegetation Management Permit		
Shoreline Exemption		
Shoreline Substantial Development Permit		
Shoreline Conditional Use Permit		
Shoreline Variance		
Short Plat, Preliminary		
Short Plat, Final/Binding Site Plan	2	
Site Plan		
Special Permit		
Temporary Use Permit ⁹	2	
Variance		
Waiver		

Number of required copies (if any) is indicated in each column unless waived by the Development Services Division.

Delete columns - permit no longer exists

Delete columns - permit no longer exists

TABLE 4-8-120C

LAND USE APPLICATIONS

TABLE 4-8-120C

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION/PERMIT	
	Number of required copies (if any) is indicated in each column unless waived by the Development Services Division.	
Existing Covenants (recorded copy)	2	2
Existing Easements (recorded copy)	2	2
Final Plat Plan		
Flood Hazard Data, if applicable		
Floor Plans	12	12
Geotechnical Report	5	5
Grading Plan, Conceptual	128	128
Grading Plan, Detailed	12	12
Habitat Data Report	12	12
Hazardous Materials Management Statement		
Inventory of Existing Sites (for wireless communication facilities)	4	4
Additional Animals Permit		
Annexation (10% Notice of Intent)		
Annexation (60% Petition)		
Appeal		
Business License for Home Occupation ¹		
Comp. Plan Map Amendment/Rezone		
Comp. Plan Map Text Amendment		
Conditional Approval Permit for a Nonconforming Structure		
Conditional Approval Permit for a Nonconforming Use		
Conditional Use Permit (Administrative)	5	5
Conditional Use Permit (Hearing Examiner)	5	5
Critical Area Permit	5	5
Environmental Review	5	5
Environmental Review (Nonproject)	5	5
Grade and Fill Permit (Special)	5	5
Lot Line Adjustment	5	5
Master Site Plan (Overall)	5	5
Master Site Plan (Individual Phases)	5	5
Mobile Home Park, Preliminary	5	5
Mobile Home Park, Final		
Modification/Alternate Request		
Plat, Final	5	5
Plat, Preliminary/Binding Site Plan	5	5
PUD, Preliminary	5	5
PUD, Final	5	5
Rebuild Approval Permit for a Nonconforming Structure		
Rebuild Approval Permit for a Nonconforming Use		
Rezone	5	5
Routine Vegetation Management Permit		
Shoreline Exemption		
Shoreline Substantial Development Permit	5	5
Shoreline Conditional Use Permit	5	5
Shoreline Variance	5	5
Short Plat, Preliminary	5	5
Short Plat, Final/Binding Site Plan	5	5
Site Plan	5	5
Special Permit	5	5
Temporary Use Permit ⁹	5	5
Variance	5	5
Waiver		

LAND USE APPLICATIONS

TABLE 4-8-120C

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION/PERMIT
Justification for the Comprehensive Plan Amendment and, if applicable, Rezone	Additional Animals Permit
Justification for the Conditional Approval Permit (nonconforming structure)	Annexation (10% Notice of Intent)
Justification for the Conditional Approval Permit (nonconforming use)	Annexation (60% Petition)
Justification for Conditional Permit Request	Appeal
Justification for the Rebuild Approval Permit (nonconforming structure)	Business License for Home Occupation ¹
Justification for the Rebuild Approval Permit (nonconforming use)	Comp. Plan Map Amendment/Rezone
Justification for Rezone	Comp. Plan Map Text Amendment
	Conditional Approval Permit for a Nonconforming Structure
	Conditional Approval Permit for a Nonconforming Use
	Conditional Use Permit (Administrative)
	Conditional Use Permit (Hearing Examiner)
	Critical Area Permit
	Environmental Review
	Environmental Review (Nonproject)
	Grade and Fill Permit (Special)
	Lot Line Adjustment
	Master Site Plan (Overall)
	Master Site Plan (Individual Phases)
	Mobile Home Park, Preliminary
	Mobile Home Park, Final
	Modification/Alternate Request
	Plat, Final
	Plat, Preliminary/Binding Site Plan
	PUD, Preliminary
	PUD, Final
	Rebuild Approval Permit for a Nonconforming Structure
	Rebuild Approval Permit for a Nonconforming Use
	Rezone
	Routine Vegetation Management Permit
	Shoreline Exemption
	Shoreline Substantial Development Permit
	Shoreline Conditional Use Permit
	Shoreline Variance
	Short Plat, Preliminary
	Short Plat, Final/Binding Site Plan
	Site Plan
	Special Permit
	Temporary Use Permit ⁹
	Variance
	Waiver

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LAND USE APPLICATIONS

TABLE 4-8-120C

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION/PERMIT	
	Project	Nonproject
Proposal (nonproject, e.g. draft ordinance, plan or policy)		
Proposal Summary (nonproject)		
Public Works Approval Letter		12
Routine Vegetation Management Application Form		
Screening Detail, Refuse/Recycling		
Service Area Map (for wireless communication facilities only)		
Short Plat Plan		
Short Plat Plan, Final		
Site Plan		
Site Plan, Shoreline Permit		
Site Plan, Single-Family		
Additional Animals Permit		
Annexation (10% Notice of Intent)		
Annexation (60% Petition)		
Appeal		
Business License for Home Occupation ¹		
Comp. Plan Map Amendment/Rezone		
Comp. Plan Map Text Amendment		
Conditional Approval Permit for a Nonconforming Structure		
Conditional Approval Permit for a Nonconforming Use	2	5
Conditional Use Permit (Administrative)	12	4
Conditional Use Permit (Hearing Examiner)	12	
Critical Area Permit		
Environmental Review		
Environmental Review (Nonproject)	12	
Grade and Fill Permit (Special)		
Lot Line Adjustment		
Master Site Plan (Overall)		
Master Site Plan (Individual Phases)		
Mobile Home Park, Preliminary		
Mobile Home Park, Final	2	
Modification/Alternate Request		
Plat, Final	2	
Plat, Preliminary/Binding Site Plan		
PUD, Preliminary		
PUD, Final	2	
Rebuild-Approval-Permit-for-a-Nonconforming-Structure		
Rebuild-Approval-Permit-for-a-Nonconforming-Use		
Rezone		
Routine Vegetation Management Permit	1	
Shoreline Exemption		
Shoreline Substantial Development Permit		
Shoreline Conditional Use Permit		
Shoreline Variance		
Short Plat, Preliminary		
Short Plat, Final/Binding Site Plan	2	
Site Plan		
Special Permit		
Temporary Use Permit ⁹		
Variance		
Waiver		

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LAND USE APPLICATIONS

TABLE 4-8-120C

SUBMITTAL REQUIREMENTS	TYPE OF APPLICATION/PERMIT	
	CDIS	CDIS
Additional Animals Permit		
Annexation (10% Notice of Intent)		
Annexation (60% Petition)		
Appeal		
Business License for Home Occupation ¹		
Comp. Plan Map Amendment/Rezone		
Comp. Plan Map Text Amendment		
Conditional Approval Permit for a Nonconforming Structure		
Conditional Approval Permit for a Nonconforming Use		
Conditional Use Permit (Administrative)		
Conditional Use Permit (Hearing Examiner)	12	
Critical Area Permit		
Environmental Review		
Environmental Review (Nonproject)		
Grade and Fill Permit (Special)	4	
Lot Line Adjustment		
Master Site Plan (Overall)	4	
Master Site Plan (Individual Phases)		
Mobile Home Park, Preliminary		
Mobile Home Park, Final		
Modification/Alternate Request	5	
Plat, Final	3	3
Plat, Preliminary/Binding Site Plan	3	3
PUD, Preliminary	5	
PUD, Final	4	4
Rebuild Approval Permit for a Nonconforming Structure	3	3
Rebuild Approval Permit for a Nonconforming Use	3	3
Rezone		
Routine Vegetation Management Permit	12	4
Shoreline Exemption		4
Shoreline Substantial Development Permit	5	5
Shoreline Conditional Use Permit	5	5
Shoreline Variance	5	5
Short Plat, Preliminary		
Short Plat, Final/Binding Site Plan	3	12
Site Plan		4
Special Permit		
Temporary Use Permit ⁶		
Variance		
Waiver		

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