



# Personal Wireless Service Facility Application

File Number
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APPLICANT INFORMATION		
Name:	Company:	Daytime Phone:
Mailing Address:		E-Mail:
Contact person:	E-Mail:	Daytime Phone:
Property owner (if different):		Daytime Phone:
Mailing Address:		E-Mail:
Carrier/Service Provider Name:		Original Permit Number:

PROJECT INFORMATION	
Site Address:	Parcel Number:
Zoning District:	Comprehensive Plan
Legal description of property/ Latitude/ Longitude/ Building Location:	
Review Process: <input type="checkbox"/> Building Permit <input type="checkbox"/> Right of Way Use Permit (Type ___) <input type="checkbox"/> Type 1 <input type="checkbox"/> Type 2	
Affected critical areas: <input type="checkbox"/> Wetlands <input type="checkbox"/> Streams <input type="checkbox"/> Critical Aquifer <input type="checkbox"/> Landslide Hazard Area <input type="checkbox"/> Fish & Wildlife	
Description of proposal (attach additional sheets if necessary):	
Does the Applicant have a Franchise? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If no, please fill out a Franchise application and execute the template small wireless facility franchise agreement or contact the City to discuss the terms. Please note that the template small wireless facility franchise agreement will not be modified without a tolling agreement.	
Does the Applicant propose to install facilities on City-owned poles? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Does the Applicant have a Master Lease Agreement for usage of City-owned poles? Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b><i>If the applicant has not executed a master lease agreement, please contact the City for the master lease agreement. Please note that the template master lease agreement will not be modified without a tolling agreement.</i></b>	

Number of proposed small wireless facilities: _____.
Number of proposed small wireless facilities on existing poles: _____.
Number of proposed small wireless facilities on replacement poles: _____.
Number of proposed small wireless facilities on new poles: _____.
Are there any proposed small wireless facilities that need Community Development Department review consistent with BMC 19.50.020? Yes <input type="checkbox"/> No <input type="checkbox"/> .

**SIGNATURE**

I, \_\_\_\_\_, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate \_\_\_\_\_ to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional Engineers and other Consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for other important information. The checklist(s) must be submitted with the application and the required submittals.

# Personal Wireless Service Facility Handout

## WHERE ARE PWSFs PERMITTED WITHIN THE CITY OF BURIEN?

The City of Burien has determined three priorities in the location of PWSFs. The applicant bears the burden to show that location in a higher priority is not technically feasible. (The following is a summary. For more detailed information, please see BMC 19.50.020.)

Priority 1 – Collocation of antennas on existing support structures in non-residential zones, or locating antennas on existing structures in the I, CR, CC-1, CC-2, and SPA-4 zoning districts.

Priority 2 -- Locating antennas on existing structures in the O, SPA-1, SPA-2, SPA-3, DC, CI, RM, and RS zoning districts, or new support structures to site new small cell facilities in the public rights-of-way or outside the rights-of-way.

Priority 3 -- Construction of any new support structures.

## WHAT TYPE OF REVIEW IS REQUIRED?

The type of City review is based on the proposed location of the PWSF. An Environmental Checklist and SEPA Review maybe required pursuant to WAC 197-11-800(27).

### **A building permit is required for PWSFs that are located outside the public rights-of-way and if:**

1. The new PWSF is a collocation of antennas on an existing support structure in a non-residential zone;
2. The new PWSF is an attachment of antennas to existing structures in the I, CR, CC-1, CC-2, and SPA-4 zones; or
3. Antennas are attached to existing or replacement ball field light standards, electrical transmission towers, water tanks or existing utility poles in any zoning district.
4. Small wireless facilities not requiring new poles or structures and meeting the requirements of BMC 19.50 are permitted in any zone

A right of way use permit is required for any PWSF located within the public rights-of-way and:

1. Small wireless facilities not requiring new poles or structures and meeting the requirements of BMC 19.50 are permitted in any zone
2. A franchise agreement is required for any PWSF located in the public rights-of-way. The PWSF application can be submitted and processed concurrently with an application for a franchise, but the PWSF permit is conditioned on approval of franchise by City Council.

**A building permit and a Type 1 Land Use Review are required if** new antennas are attached to existing structures (except single detached dwelling units and their accessory structures) in the O, SPA-1, SPA-2, SPA-3, DC, CI, RM and RS zoning districts, and new support structures or poles to site small wireless facilities.

A right of way use permit and Type 1 Land Use Review are required for PWSFs located within the public rights-of-way if new antennas are attached to existing structures (except single detached dwelling units and their accessory structures) in the O, SPA-1, SPA-2, SPA-3, DC, CI, RM and RS zoning districts, and new support structures or poles in public rights-of-way to site small wireless facilities except for the DC zone.

- ◆ *Type 1 Land Use Review* involves a decision by the Community Development Director following issuance of a public notice, consideration of written public comments and review of a written staff recommendation. The Director's decision can be appealed to the City's Hearing Examiner.

**A building permit and a Type 2 Land Use Review are required** for any other PWSF applicant not listed above, except for the following, which are prohibited: lattice towers in all zones and new monopoles and structures that support small wireless facilities in the DC zone and in public rights-of-way in the DC zone and new monopoles in residential zones.

- ◆ *Type 2 Land Use Review* involves a decision by the City’s Hearing Examiner following issuance of a public notice, holding of a public hearing, consideration of public comments, and review of a written staff recommendation. The Hearing Examiner’s decision can be appealed to the City Council.

### **WHAT STEPS ARE REQUIRED FOR A LAND USE REVIEW AND HOW LONG WILL IT TAKE?**

The following is a summary of the steps required for review and processing of a Land Use Review application. For collocation of small wireless facilities on existing structures, the City anticipates completing all review within 60 days of a complete application. For attachment of a small wireless facility on new or replacement structures the City anticipates, completing all review within 90 days of a complete application. For collocation of a PWSF that is not a small cell facility, the City anticipates completing all review within 90 days. For installation of a PWSF on a new or replacement structure, the City anticipates completing all review within 150 days. NOTE: The timeframes exclude time for response to requests by the City for additional information from the applicant.

1. **Pre-Application Meeting:** A pre-application meeting with the Project Review Team is recommended for all PWSFs (including small wireless facilities). Pre-application meetings are generally held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday mornings of each month. To set up a pre-application meeting, submit a *Pre-Application Meeting Request* with the Dept. of Community Development, along with the required information, at least a week before the meeting. The Project Review Team consists of staff from the City Departments of Community Development (Planning and Building), and Public Works, along with staff from the appropriate water, sewer and fire districts, if applicable. The purpose of the pre-application meeting is to provide the applicant with a preliminary list of issues, discuss the nature of the proposed deployment, code requirements, review process, schedule and application requirements.
2. **Call for Application Submittal Appointment:** Call the Planner who handled your pre-application meeting to setup an application submittal appointment. Generally, this can occur within a day or two.
3. **Determination of Completeness:** Within 10 days of submittal, your application will be reviewed for completeness. A letter will be sent if additional information is needed. If the application is complete, the public notice process will begin.
4. **Notice of Application:** Staff will prepare a public notice of your application for proposals which require a land use review. The notice is published in the newspaper, mailed to property owners within 500’ of the property, and posted on the property. We will prepare the notice board and will call you when it’s ready to post. You are responsible for erecting it on site. The public comment period is 21 days.
5. **Staff Review:** Your application will be reviewed by the Project Review Team, and any technical requirements will be provided to you. Also, the Planner assigned to your project will prepare a written advisory report (staff recommendation) analyzing your application and applicable Zoning Code regulations and Comprehensive Plan policies.
6. **Decision:** This step depends on the type of Land Use Review:
  - A. **Building Permit/Right of Way Use Permit:** Staff reviews the permit for compliance with BMC 19.50 and all other applicable regulations and the applicable permit is issued.
  - B. **Type 1 Review:** The Community Development Director reviews the staff recommendation and issues a decision.
  - C. **Type 2 Review:** The Hearing Examiner reviews the staff recommendation, holds a public hearing and issues a decision.
7. **Appeal:** The appeal period for a Type 1 or 2 Review is 14 days.

### **HOW CAN I SPEED UP REVIEW OF MY APPLICATION?**

Review times are generally dependent on the complexity of the project, the amount and content of public comment, and staff, Hearing Examiner and City Council workload. We pledge to review your application as quickly as possible, given all of these constraints. There are a few things that you can do that will speed up review of your application:

1. **Provide Good Quality, Accurate Information:** The single largest reason for delay is lack of quality, accurate information. The cheapest survey, engineering plan or soils report isn’t always the best. We have samples of reports and plans that are good examples to follow for format, level of detail and content.

2. Read and Understand the Regulations and Policies: We've found that an informed applicant usually does a better job of answering the review criteria, submitting good information and addressing neighbors' concerns. It helps if you can specifically address the relevant Code sections applicable to your project. This makes our review easier, and faster.
3. Meet With Your Neighbors Before Finalizing Your Plans: Many times, neighbors oppose a project simply because they didn't know about it until they saw the public notice board. They feel that the applicant is trying to sneak something by them. An informal neighborhood meeting, or individual meetings, can be very helpful in diffusing opposition to your project. If done before you apply, these meetings can also allow you to make design changes so that the neighbors will be supportive of your project.

These are just a few suggestions to help you prepare and file an application that will be easy for us to review, and speed up the decision on your application.



# Personal Wireless Service Facility Checklist

**PLEASE RETURN THIS CHECKLIST WITH YOUR APPLICATION**

The following is a list of materials and plans which must be submitted in order to have a complete application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Department of Community Development if you have questions. Please do not turn in your application until all materials which apply to your proposal have been checked off.

<b>Pre-Application Meeting</b>	REQUIRED	PROVIDED
A pre-application meeting with a planner is recommended prior to submittal (see separate pre-application meeting handout).	X	

<b>Application</b>	REQUIRED	PROVIDED
Set up an application submittal appointment	X	
A completed and signed Land Use Application Form.	X	

<b>Fees</b>	REQUIRED	PROVIDED
A check payable to the City of Burien for applicable filing fees and engineering deposits (see separate fee schedule).	X	

<b>SEPA Environmental Checklist (5 copies)</b>	REQUIRED	PROVIDED
Five (5) copies of a completed and signed SEPA Environmental Checklist (see separate SEPA Checklist handout).		

<b>Survey, Site Plans and Building Elevations (5 copies)</b>	REQUIRED	PROVIDED
Five (5) copies of dimensioned plans, drawn at 1" = 20' or a comparable scale, and one set reduced to 8½" x 11" size, showing:		
1. Adjacent land uses and zoning, adjacent streets and proposed means of access.		
2. Location, type and height of existing and proposed support structures, antennas, poles with small wireless facilities and on-site land uses.		
3. Locational information including GIS coordinates for placement of antennas or small wireless facilities on utility poles		
4. Proposed setbacks from property lines and nearest RS or RM zones.		
5. Proposed landscaping; size, species, location and distance apart; any proposed screening or fencing.		
6. Scaled elevation drawings of the proposed support structure and equipment enclosure (scale of 1/8"=1' or ¼"=1').		
7. Photosimulations of the proposed facility from public rights-of-way, public properties and affected RS or RM-zoned properties. The photosimulations shall show how the proposed PWSF will affect views of Mt. Rainier, Puget Sound and the Cascade and Olympic Mountains. Photosimulations shall also include all cable, conduit and/or ground mounted equipment necessary for and intended for use in the deployment regardless of whether the additional facilities are to be constructed by a third party.		

8.	Except for small wireless facilities on existing and replacement poles, approximate distance between the proposed antennas and the nearest residentially zoned property.		
9.	A landscape plan showing size, type, and location of specific landscape, screening and fencing materials, if applicable.		
10.	Manufacturers information indicating compliance with adopted noise standards.		
11.	<p>Sworn affidavit from an RF engineer with knowledge of the proposed project affirming that the proposed PWSF will be in compliance with FCC and other governmental regulations relating to human exposure to radio frequency emissions for every frequency at which the PWSF will operate and emissions report.</p> <p>For small cell facilities, If facilities which generate RF radiation necessary to the small wireless facility are to be provided by a third party, then the small wireless facility permit shall be conditioned on an RF Certification showing the cumulative impact of the RF emissions on the entire installation. You may provide one emissions report for the entire small wireless facility deployment if you are 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.</p>		

<b>Drainage Plans</b>		REQUIRED	PROVIDED
	Drainage plans complying with the City of Burien's Storm Water Design Manual (see separate handout).		

<b>Critical Area Study</b>		REQUIRED	PROVIDED
	A critical area study complying with City of Burien Zoning Code Section 19.40.060 (see separate handout).		

<b>Other Information</b>		REQUIRED	PROVIDED
1.	Copy of written approval from the owner of any pole or structure for the installation of your small wireless facilities on such pole or structure. Such written approval shall include approval of the specific pole, engineering and design standards, as well as assurances from the pole owner that the specific pole can withstand wind and seismic loads, unless the pole owner is the City. Submission of the lease agreement between the owner and you, 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.		
2.	If the proposal is for a small wireless facility located in the right-of-way adjacent to a parcel zoned for residential use, you shall include with this application a written statement stating that you have 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.		
3. If the proposal is for a small cell facility, documentation of compliance with BMC 19.50.035 Small cell Facility Design Criteria		
4. Proof of FCC and other regulatory approvals required to provide the service(s) or utilize the technologies sought to be installed.		
5. If the applicant is proposing new support structures or poles in the public rights-of-way, then the following additional information is required:		
A. Evidence that the proposed small wireless facility cannot be located on an existing utility pole, light pole, electrical transmission tower or on a site outside of the public rights-of-way such as a public park, public property, parking lot pole or in or on a non-residential use in a residential zone whether by roof or panel-mount or separate structure. The information shall include a map of the area to be served by the facility, its relationship to other sites in the applicant's network (within and outside of Burien City limits), and, an evaluation of existing available land, buildings and appropriate structures within 500 feet of the proposed site.		
B. Compliance with BMC 19.50.075(3) Concealment Element Design criteria		
C. The location of the small wireless facility is physically possible, does not obstruct vehicular or pedestrian traffic or the clear zone, complies with ADA and city construction and sidewalk clearance standards and state and federal regulations in order to provide a clear and safe passage within the rights-of-way, does not interfere with utility or safety fixtures (e.g., fire hydrants, traffic control devices), and does not adversely affect the public welfare, health or safety		
6. If the applicant is proposing to install a new monopole, the following additional information is required:		
A. Evidence that a collocation notice (BMC 19.50.025.3) was mailed via certified mail to all other PWSF providers licensed to provide coverage in Burien.		
B. Copies of any responses to the collocation notice.		
C. If a response to the collocation notice is received indicating an opportunity for collocation, a feasibility analysis containing the following items shall be submitted:		
i. A statement from a qualified engineer indicating whether the necessary service can or cannot be provided by collocation at the possible collocation site.		
ii. Evidence that the lessor of the possible collocation site either agrees or disagrees to collocation on his/her property.		
iii. Evidence that adequate space exists or does not exist at the possible collocation site to accommodate needed equipment and meets the applicable requirements of the Zoning Code.		
iv. Evidence that adequate access does or does not exist at the possible collocation site.		
D. Site plan showing a designated area reserved for at least one other PWSF provider's equipment near the base of the applicant's monopole.		