



## LAND USE APPLICATION

## Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012

### Wireless Exemption Letter

A wireless exemption from a land use permit may be granted for an eligible facilities request when the modification of an existing wireless tower or base station does not substantially change the physical dimensions of such tower or base station, based on definitions established by Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, further refined in 47 CFR § 1.40001(b), and referenced in Sammamish Municipal Code (SMC) 21A.55.040. "Request" means any request for modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.

A modification substantially changes the physical dimensions of an eligible support structure – and is therefore ineligible for an exemption – if it meets any of the following criteria:

- For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater.
- For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet.
- For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets.
- 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.
- It entails any excavation or deployment outside the current site.
- It would defeat the concealment elements of the eligible support structure.
- 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 in 47 CFR § 1.40001(b)(7)(i) through (iv).

If you are requesting an exemption, please describe your request and demonstrate compliance with the above information and complete definitions from 47 CFR § 1.40001 in a project narrative. Projects that do not meet the definition of an eligible facilities request will require land use review.

Applicants are fully responsible for complying with land use regulations for wireless facilities as stated in Chapter 21A.55 SMC. Pursuant to 47 CFR § 1.40001(c)(2), the City shall approve or deny an application for a wireless exemption letter within 60 days of submittal of the application.

### Applicant Information

Name: Owner Name (if different):  
 E-mail: Company (if applicable):  
 Address: Phone:

### Property Information

Property Address: Parcel Number(s):  
 Current Zoning: Development Name:

### Required Documents

#### Submittal Instructions

- If applying in person, applicants must [schedule an intake appointment](#).
- If applying in person, one paper copy of each document is required, including a signed version of this cover sheet, unless otherwise stated.
- A PDF of each document is required at time of submittal. Please label files as follows: ProjectType\_DocumentType (for example: WCF\_ProjectNarrative).

#### Submittal Documents

- [Acceptance of Financial Responsibility / Affidavit of Applicant Status](#)
  - Documentation of Original Permitted Condition
  - Plan Set (1 copy)
  - Pre-Application Conference Notes (if applicable)
  - Project Narrative
  - Signed Application Form
- PDF of communication with the City's Public Works Dept. about the Right-of-Way permit.

### Fees

Counter Service Intake Fee	\$136
Wireless Communication Facility Review	\$408

The listed fees are initial deposit amounts based on hourly rate. If the initial deposits have been exhausted before the project is completed an additional deposit will be required in the amount estimate by the Community Development Department round to the nearest 10-hour increment.

### Signatures

I certify that all of the information submitted in this application including any supplemental information is true and complete to the best of my knowledge and I acknowledge that willful misrepresentation of information will terminate this permit application. I have read this application in its entirety and understand that my submittal will be reviewed for completeness and, if found to be complete, will be processed in accordance with Chapter 20.05 SMC and 47 CFR § 1.40001.

Applicant, Representative, and/or Owner Signature: Date:

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