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This Assistance Bulletin only applies to property within unincorporated Snohomish County and does not apply to property within incorporated city limits.

Modifications to Personal Wireless Service Facilities (PWSF) - Eligible Facilities Requests

Assistance Bulletin

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Q: What is an Eligible Facilities Request?

A: An eligible facilities request is a qualifying request for modification of an existing personal wireless service facility (PWSF) tower or base station that does not substantially change the physical dimensions of the tower or base station and that involves the collocation, removal or replacement of transmission equipment. Federal law establishes a streamlined process for local government review of applications to deploy wireless telecommunications equipment on existing infrastructure. The federal laws on eligible facilities requests are in section 6409(a) of the Spectrum Act of 2012 (codified as [47 U.S.C. § 1455\(a\)](#) and [47 C.F.R. § 1.6100](#)). Snohomish County's permitting process for eligible facilities requests is found in ch. [30.28A](#) of the Snohomish County Code.

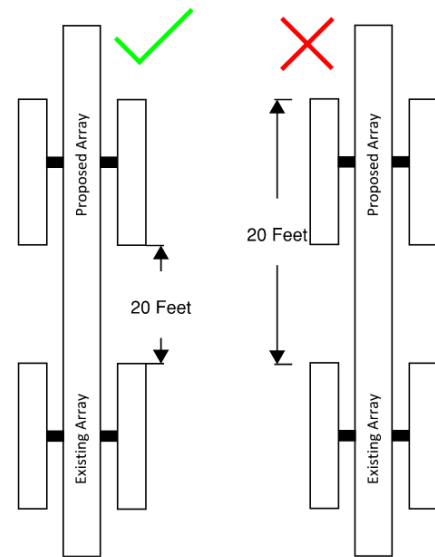
The Federal Communications Commission (FCC) released a Declaratory Ruling on June 10, 2020 ([FCC 20-75](#)), clarifying aspects of the federal regulations related to eligible facilities requests. This bulletin reviews key points from the FCC's ruling and corresponding Snohomish County procedures.

Tower Height Requirements

A single eligible facilities request cannot increase the height of a tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater.

The 20-foot separation distance, as shown in the graphic to the right, is to be measured from the top of the highest existing antenna on the structure to the bottom of the proposed additional antenna.

The height of the new antenna should not be included when calculating the allowable height increase.



Equipment Cabinets

A single eligible facilities request may add no more than the standard number of new equipment cabinets for the technology involved, not to exceed four cabinets.

This bulletin is intended only as an information guide. The information may not be complete and is subject to change. For complete legal information, refer to Snohomish County Code.

The FCC clarified that the term “equipment cabinet” does not include transmission equipment within protective housing, nor small pieces of transmission equipment that are more visible when mounted above ground. Small pieces of equipment such as remote radio heads/remote radio units, amplifiers, transceivers mounted behind antennas, and similar devices are not considered equipment cabinets if they are not used as physical containers for smaller, distinct devices.

Concealment Elements

A proposed modification is not considered an eligible facilities request if it “would defeat the concealment elements” of the eligible support structure. The FCC clarified that concealment elements are those elements that make a wireless facility look like something other than a wireless facility, such as using fake tree branches. Stealth design or concealment elements must be established when a new PWSF is reviewed based on the criteria outlined under SCC [30.28A.150](#), and will not be recognized in an eligible facilities request unless approved as part of the facility in the prior review.

In evaluating an eligible facilities request, landscape screening under SCC [30.25.025](#) is not required to be altered.

The ‘Shot Clock’

The 60-day processing time or ‘shot clock’ for eligible facilities requests starts as soon as a complete application and fees are submitted to PDS, as described in SCC [30.28A.030](#) and [.060](#).

While PDS does offer pre-application meetings under SCC [30.70.020](#) for any interested permit applicants, such meetings are not a requirement for modifications to existing PWSF. The processing time for an eligible facilities request is not started when a pre-application meeting request is submitted.

Siting Approval Conditions

Modifications must comply with the conditions in the siting approval of the construction or modification of the eligible support structure or base station equipment, unless the non-compliance does not exceed the thresholds in SCC [30.28A.060\(2\)\(b\)\(i\)](#) through [30.28A.060\(2\)\(b\)\(vii\)](#). A proposed modification will not be considered an eligible facilities request if it does not comply with the siting approval conditions. For non-compliance with a condition to disqualify a modification from being an eligible facilities request, there must be express evidence that at the time of approval the County required the feature and conditioned approval upon its continuing existence.

Conditions associated with siting approval may relate to aesthetics or minimizing visual impacts, but the County must expressly condition approval upon the continuing existence of such conditions.

Q: How do I apply for a modification to a PWSF?

A: General permit requirements along with the permitting process for eligible facilities requests are found under SCC [30.70](#) and [SCC 30.28A](#), respectively. The uses allowed in zones can be found in SCC [30.22.100](#), [30.22.110](#), and [30.22.120](#). Applications can be submitted through <https://mybuildingpermit.com> with the following path:

Application Type: Building
Project Type: Personal Wireless Service Facilities
Activity Type: Exterior Alteration
Scope of Work: Antenna

The Commercial Building Permit application form is located here: <https://snohomishcountywa.gov/documentcenter/view/52740>. The submittal checklist is located here: <https://snohomishcountywa.gov/documentcenter/view/51005>.