

Department of Community and Economic Development  
Planning Division  
**ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**ADMINISTRATIVE  
POLICY/CODE**

**INTERPRETATION #:** CI-77

**MUNICIPAL**

**CODE SECTIONS:** 4-4-140 Alteration of Existing Tower

**REFERENCE:** CI-74 Amendments to Wireless Communication Facility Regulations

**SUBJECT:** WCF Minor Alteration Criteria

**BACKGROUND:** RMC 4-4-140, Wireless Communication Facilities, was recently amended by Ordinance 5746 in part to render the code consistent with Federal Law (Section 6409(a) of the Middle Class Tax Relief and Job Creation Act) governing the procedures to make alterations to existing wireless facilities.

**JUSTIFICATION:** Section 6409(a) of the Middle Class Tax Relief and Job Creation Act stipulates a reduced timeframe for review of minor alterations to existing wireless facilities that do not substantially change the facility. The Federal Communications Commission determined the criteria to differentiate a minor from a major alteration, which was a shortcoming of Section 6409(a). The three criteria each describe a different measurement used to determine if an alteration substantially changes the physical dimensions of the facility and is therefore not a "minor" alteration. The FCC determined that each criterion is independent of the others; however, RMC 4-4-140.E.1 connects all three by the use of the word "and" instead of "or" between subsections "b" and "c," thereby requiring that all the measurements must be exceeded in order to determine a substantial change is proposed.

**DECISION:** Amend RMC 4-4-140.E.1.b by replacing "and" with "or" after the semicolon.

**ADMINISTRATOR  
APPROVAL:**

\_\_\_\_\_  
C. E. "Chip" Vincent

**DATE:** October 1, 2015

**APPEAL  
PROCESS:**

To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Your submittal should explain the basis for the appeal. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

**CODE  
AMENDMENTS  
NEEDED TO  
IMPLEMENT  
DETERMINATIONS:**

RMC 4-4-140.E.1.b:

b. Width: A collocation and/or modification that would add an appurtenance to the body of the tower that would protrude from the edge of the tower by more than twenty feet (20'), or more than the width of the tower at the level of the appurtenance, whichever is greater; ~~and~~  
or

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