

Permit Application Requirements for Wireless Communications Facilities in the Public Right-of-Way

Applications for Wireless Facilities in the Public Right-of-Way Must Comply with Section 719 of the Cincinnati Municipal Code.

Application Types

The Application Process Varies Slightly by the Facility Type , and the Process for Type III Facilities is the Most Stringent Because it Involves a New Facility Where None Existed Previously.

Type I : Modification to an eligible facility that does not substantially change the physical dimensions

Type II: Modification to an eligible facility and the modification substantially changes the physical dimensions of the eligible facility

Type III: Mount or install new antennae and transmission equipment to a non-tower supporting structure in the ROW that does not already support transmission equipment; or a

Facility Types

CMC Section 719 and the Associated Design Guidelines Categorize Wireless Communication Facilities into Two Basic Categories:

- **Standard Configuration Facilities Conform to the Aesthetic Criteria Established in the Design Guidelines and May be Eligible for a More Abbreviated Review Process.**
- **Non-Standard Facilities are Those that Don't Conform with the City's Aesthetic Design Guidelines and are Subject to a More Stringent Review Process.**

Types of Review

Applications are Subject to Minor Review or Standard Review as Defined by CMC Section 719 and the Associated Design Guidelines.

- **“Minor Review” is a More Abbreviated Process that Results in Automatic Approval For Eligible Facilities in Zoning Districts that Allow Minor Review.**
- **Facilities That Don’t Meet “Minor Review” Requirements Must Go through the More Stringent “Standard Review” Process.**
- **Standard Review Applies to All Facilities Located in Historic Districts and Planned Development Districts, and it also Applies to All Facilities Not Meeting the City’s Aesthetic**

Table of Districts Showing Eligibility for Minor or Standard Review

	Standard Wood Pole Configuration	Standard Metal Pole Configuration	Ground-Mounted Equipment
Downtown Development District	RESTRICTED	MINOR REVIEW	RESTRICTED
Riverfront Residential / Recreation Districts	RESTRICTED	MINOR REVIEW	RESTRICTED
Historic Overlay Districts (including area adjacent to historic landmarks)	RESTRICTED	STANDARD REVIEW	RESTRICTED
Park and Recreation Districts (primarily designed as more urban and active)	RESTRICTED	MINOR REVIEW	RESTRICTED
All Underground Utility Districts	RESTRICTED	MINOR REVIEW	STANDARD REVIEW
Planned Development Districts	STANDARD REVIEW	STANDARD REVIEW	STANDARD REVIEW
Interim Development Control Overlay Districts	STANDARD REVIEW	STANDARD REVIEW	STANDARD REVIEW
Urban Design Overlay Districts	STANDARD REVIEW	STANDARD REVIEW	STANDARD REVIEW
Single-Family Residential Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Residential Mixed and Multi-Family Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Office Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Institutional-Residential Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Commercial Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Urban Mixed Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Manufacturing Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Riverfront Commercial Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Riverfront Manufacturing Districts	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Park and Recreation Districts (primarily designed as more suburban and passive with heavily wooded backdrop)	MINOR REVIEW	MINOR REVIEW	STANDARD REVIEW
Neighborhood Business Districts	STANDARD REVIEW	MINOR REVIEW	STANDARD REVIEW

Pre-Application Meetings

- **Pre-Application Meetings**
 - **Mandatory for Applications Falling Under Standard Review Protocol**
 - **Optional for Applications Falling Under Minor Review Protocol**
 - **Informal meeting with DOTE**
 - **Discuss proposed location and design**
 - **DOTE, City Planning and/or the Urban Conservator will advise on specific design guidelines, course of action, relay any concerns**

Application Requirements

Elements of a Complete Application Include:

1. **Notice to Residents and Community Councils within 200-feet of Proposed Site**
2. **RF Compliance Affidavit Affirming that the Proposed Facility is in Compliance with All Government Regulations**
3. **Proof of Regulatory Authorization to Use the Public Right-of-Way**
4. **Statement that the Applicant Will Own the Facility, or has the Owner's Permission**
5. **Plans showing the Proposed Location that Include Elevation Views**
6. **Photo Simulations of the Proposed Site from Two Different Line of Site Locations**
7. **Justification Statement Explaining the Applicant's Technical Objective and How the Proposed Facility Will Suit the Objective**

Application Process - Determination

If the application does conform to Ch. 719 and the CMC:

- **DOTE provides a written decision**

If the application does not conform to Ch. 719 and the CMC:

- **DOTE provides a written decision**
- **If it is a Type II or Type III, DOTE will provide the reason(s) for the denial supported by substantial evidence of the reasons in a written record**