

CITY COUNCIL AGENDA TOPIC

Ordinance regarding various fees for wireless facilities in the public right of way; fees for city electrical facilities access, pole reservation, and annual wireless communication facilities; and providing for severability.

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Transportation Department

EXECUTIVE SUMMARY**ACTION**

This Ordinance establishes a fee schedule for existing telecommunications wireless lease fees including the city electrical facilities access fee, the pole reservation fee, and the wireless communication facilities annual lease fee. On October 28, 2025, after the Mid-Bi Adjustments Study Session, Council directed staff to finalize this Ordinance for approval.

RECOMMENDATION

Move to adopt Ordinance No. 6880

BACKGROUND/ANALYSIS

At the October 28 study session, staff provided City Council a presentation and related agenda materials on the proposed Transportation Fee Ordinance related to wireless facilities in the public right of way. Staff requested direction from City Council at the October 28 study session to return on November 18th for final action to adopt an Ordinance approving the fee schedule.

There are three proposed fees under this ordinance: two related to Small Wireless Facilities and one related to Wireless Communication Facilities in the public right of way. Under the authority of Title 6 of Bellevue City Code, the City is currently charging these fees to wireless carriers and staff are seeking adoption of the Ordinance to formalize the fees and to further increase transparency for customers.

Fees Related to Small Wireless Facilities in the Public Right of Way

The first fee related to Small Wireless Facilities in the right of way is the City Electrical Facility Access Fee. The City provides wireless carriers the option to access and utilize the City's circuit or electrical facilities to power their privately-owned and maintained Small Wireless Facility equipment. If the carrier elects to utilize City's circuit or electrical infrastructure to power the Small Wireless Facility, the carrier must enter into a Circuit Access Agreement which establishes the terms, requirements, and lease rate for splicing into the City's circuit, see BCC 6.08.070. The City Electrical Facility Access Fee is assessed annually to carriers and is adjusted annually by the average CPI increase. The City Electrical Facility Access Fee is charged on a per site basis for each Small Wireless Facility that utilizes City electrical facilities, and the 2025 City Electrical Facility Access Fee is depicted in the table below.

The second fee related to Small Wireless Facilities in the right of way is the Pole Reservation Fee. Prior to submitting a formal Small Wireless Facility permit application and to facilitate planning and design,

wireless carriers have the option to apply for a pole reservation permit and reserve a City-owned streetlight for a 180-day term. By reserving a City-owned streetlight, the carrier has acknowledged their interest in submitting a formal Small Wireless Facility permit application and constructing a Small Wireless Facility at the location in the future. During the term of a pole reservation, the City will not accept a Small Wireless Facility permit application from another wireless carrier at that location. The Pole Reservation Fee accounts for the opportunity cost of leasing the pole to another carrier and prevents conflicts between carriers. The Pole Reservation Fee is derived from the annual Small Wireless Facility pole lease fee and the 2025 Pole Reservation Fee is reflected in the table below.

Fee Related to Wireless Communication Facilities in the Public Right of Way

Telecommunications companies may install ground-based or pole-mounted Wireless Communication Facility equipment in the public right of way if they have a valid right of way use agreement with the City. The City charges an annual lease fee for Wireless Communication Facilities in the public right of way. The lease terms, fees and site-specific information related to the Wireless Communication Facility in the right of way is outlined in the site-specific addendum to the right of way use agreement, known as a site license addendum. The Wireless Communication Facility annual lease fee was updated in February 2025 using a rate setting analysis of wireless communication facility lease rates. It should be noted that the 2025 Wireless Communication Facility annual lease fee can be negotiated further by a carrier on a site-specific basis per RCW 35.21.860, thus the annual fee listed below in some cases may be the starting point for site-specific negotiations. However, since this fee is based on a recent fee analysis of such facilities, the City believes little negotiation will be necessary. The 2025 Wireless Communication Facility annual lease fee is outlined in the table below.

The above-described fees are currently being charged, and the fees are publicly available on the City's webpage but are not reflected in a council-approved fee ordinance. Adoption of the Ordinance would formalize the fees that are already being charged, increase transparency to customers and provide a framework for adjusting fees over time.

Fees Related to Small Wireless and Wireless Communication Facilities in the Public Right of Way		
Type	Fee	Due At
<i>Small Wireless Facility – City Electrical Facility Access Fee^{1,2}</i>	<i>\$1,151.77 for 2025</i>	<i>Annually</i>
<i>Small Wireless Facility - Pole Reservation Fee³</i>	<i>\$166.75 for 2025</i>	<i>Issuance</i>
<i>Wireless Communication Facility (WCF) in the Right-of-Way Lease Fee^{4, 5}</i>	<i>\$13,200 for new WCF sites for 2025</i>	<i>Annually</i>

¹For the first year of a Small Wireless Facility lease that begins part-way through the calendar year, the first annual payment of the City Electrical Facility Access Fee is prorated from month the carrier connects to city power to the end of the calendar year.

² The City Electrical Facility Access Fee is adjusted annually using the average Consumer Price Index, which is a 5-year rolling average of annual rates for all Urban Consumers (Seattle-Tacoma-Bellevue, WA) as of October of the relevant years. Subsequent years' City Electrical Facility Access Fees are calculated during the prior year

after the October rates are posted. For example, the 2026 City Electrical Facility Access Fees will be calculated November of 2025.

³ The Pole Reservation Fee is calculated by determining the \$ per-day rate of the annual pole lease fee and multiplying by the 180-day term. The annual pole lease fee is adjusted annually using the average Consumer Price Index, which is a 5-year rolling average of annual rates for all Urban Consumers (Seattle-Tacoma-Bellevue, WA) as of October of the relevant years. Subsequent years' pole lease fees are calculated during the prior year after the October rates are posted. For example, the 2026 pole lease fee will be calculated November of 2025.

⁴ The WCF annual lease fee increases by 3% annually as laid out in each site-specific SLA.

⁵ WCF annual lease fee subject to negotiation with wireless carrier, per RCW 35.21.860 as part of the site-specific addendum.

POLICY & FISCAL IMPACTS

Policy Impact

City Council Vision

High Quality Built and Natural Environment

4.6 Invest in high-quality technology infrastructure to support smart city initiatives and improve high-speed internet access and affordability for residents and businesses.

Community Safety and Health

5.3 Provide and maintain reliable utility services and infrastructure that directly preserve and improve public health.

Bellevue City Code

Chapter 6.08.070 BCC

In order for a SWF permit to be approved, applicant must have an executed circuit access agreement with the city if connecting to and accessing city systems for electrical power.

Chapter 6.06 BCC

Governs telecommunications facility leases on city property, including compensation to the city for such leases.

Fiscal Impact

The proposed Transportation Wireless Communication fees will generate an estimated \$85,000 in 2026, which is included in the 2026 General Fund budget. These fees are currently in effect; however, they are not yet part of a formally adopted ordinance. Adopting the Ordinance and fee schedule will increase transparency, provide a framework for adjusting fees over time and ensure a consistent and defensible mechanism for adopting and enforcing fees.

ATTACHMENTS

1. Adopt the Ordinance regarding various fees for wireless facilities in the public right of way; fees for city electrical facilities access, pole reservation, and annual wireless communication facilities; and providing for severability.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

Proposed Ordinance No. 6880

AVAILABLE IN COUNCIL LIBRARY

N/A