

Kitsap County Code Update

17.530 'Wireless Communication Facilities'

Planning Commission Work Study
January 22, 2019

Planning Commission Public Process: Today

- ◆ December 18, 2018: Work Study
Workplan, Small Cell Introduction, Federal Standards
- ◆ January 8, 2019: Work Study
Preliminary Draft Proposed Code
- ◆ **January 22, 2019: Work Study**
Staff Report, Preliminary Feedback
- ◆ February 5, 2019: Public Hearing
- ◆ February 19, 2019: Recommendation
- ◆ March 5, 2019: Findings of Fact

Federal Communication Commission (FCC)





1996 – 2009 – 2012 – 2014 - 2018

- ◆ Telecommunications regulated by the Federal Communication Commission (FCC)
- ◆ 1996 Telecommunications Act (1996 Act).
- ◆ 2009 Shot Clock Order (2009 Order).
- ◆ 2012 Middle Class Tax Relief and Job Creation Act of 2012 (2012 Spectrum Act).
- ◆ 2014 Clarifications Order for the 2012 Act (2014 Order).
- ◆ 2018 Small Wireless Facilities Order (2018 Order).
- ◆ Result: local governments have less authority to regulate

Preliminary Draft Code Structure

17.530 Wireless Communication Facilities

◆ Permits required and design criteria:

- ◆  Tower-Based facilities
- ◆  Non-tower facilities
- ◆  Small Wireless Facilities
- ◆  Collocation

◆ General Development Standards

◆ Exempt and Prohibited

◆ Maintenance and repair

◆ Abandonment and Removal

Heart of the Code:

Table 1 Wireless Communication Facility (facility) Permit Review Summary				
Type of Facility	Number of Days for Decision 17.530.030 (H)	Land Use Permit		
		Letter of Exemption	ACUP	CUP
Replacement of wireless support structure with an identical support structure.	60	X		
Collocation:				
New or replacement non-tower facility that does not substantially change existing facility.	60	X		
New or replacement non-tower facility that substantially changes an existing facility	90		X	
A new non-tower facility on a structure not previously approved for facility use.	90		X	
Small wireless facility on any existing structure.	60	X		
New facility and support structure:				
Small wireless facility on a new structure.	90		X	
A tower-based facility within 500 feet of an existing tower-based facility.	150		X	
A tower-based facility disguised through stealth technology as a tree or natural feature that is compatible with its surroundings and meets the requirements of 17.530.040 B 'Visual Appearance'.	150		X	
Tower-based facility that does not qualify for the Administrative Conditional Use Permit (ACUP) process.	150			X

Substantial Change:

- ◆ 17.110.708
- ◆ Height, width, equipment cabinets, excavation
- ◆ Defeats concealment element
- ◆ Conditions of approval

Image Source: <https://mdsafetech.org>



Related Equipment:



Image Source:
<https://www.steelintheair.com/Blog>

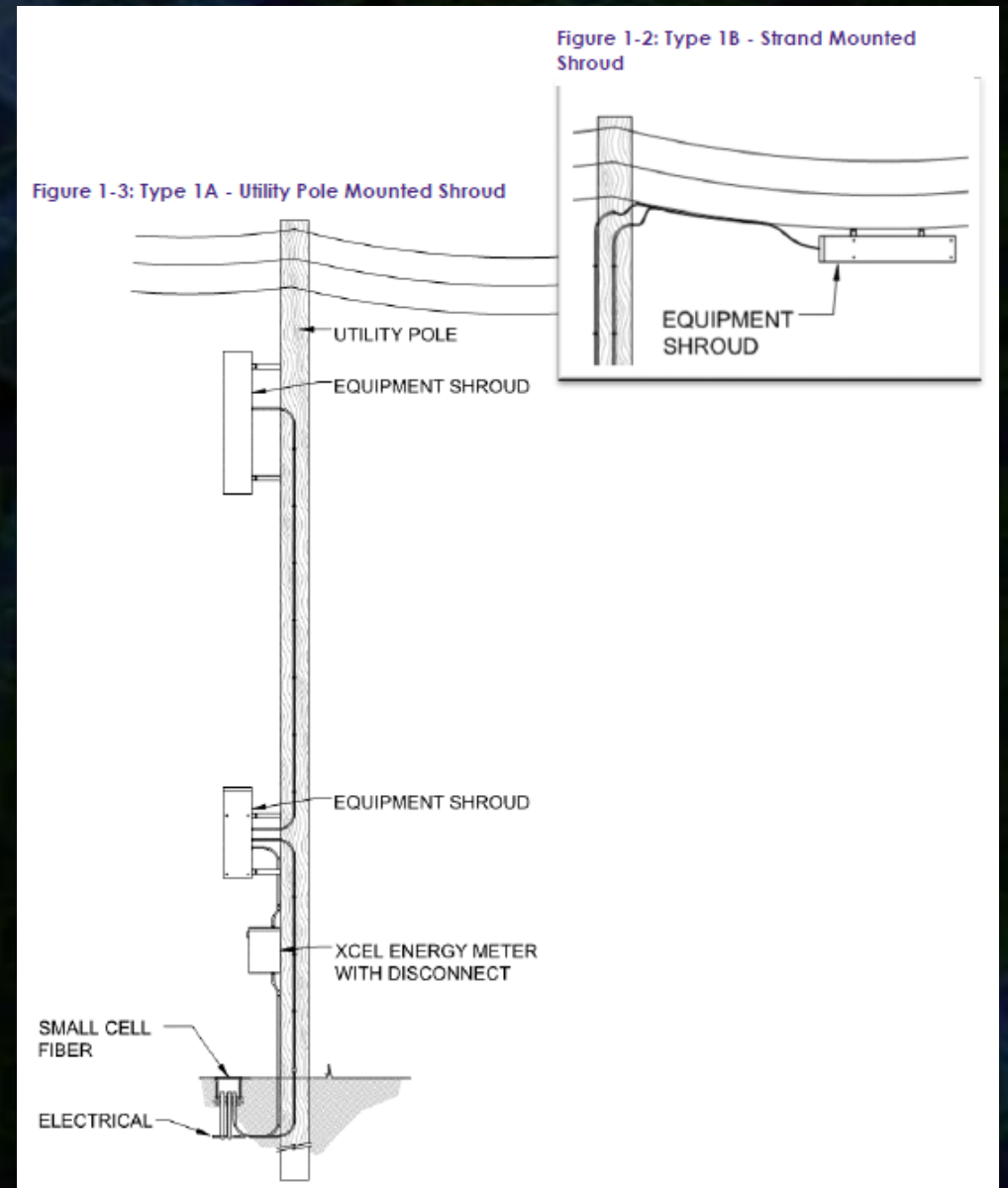


Image Source: <https://www.denvergov.org>

Type of Facility:

- ◆ Images for example purposes only.

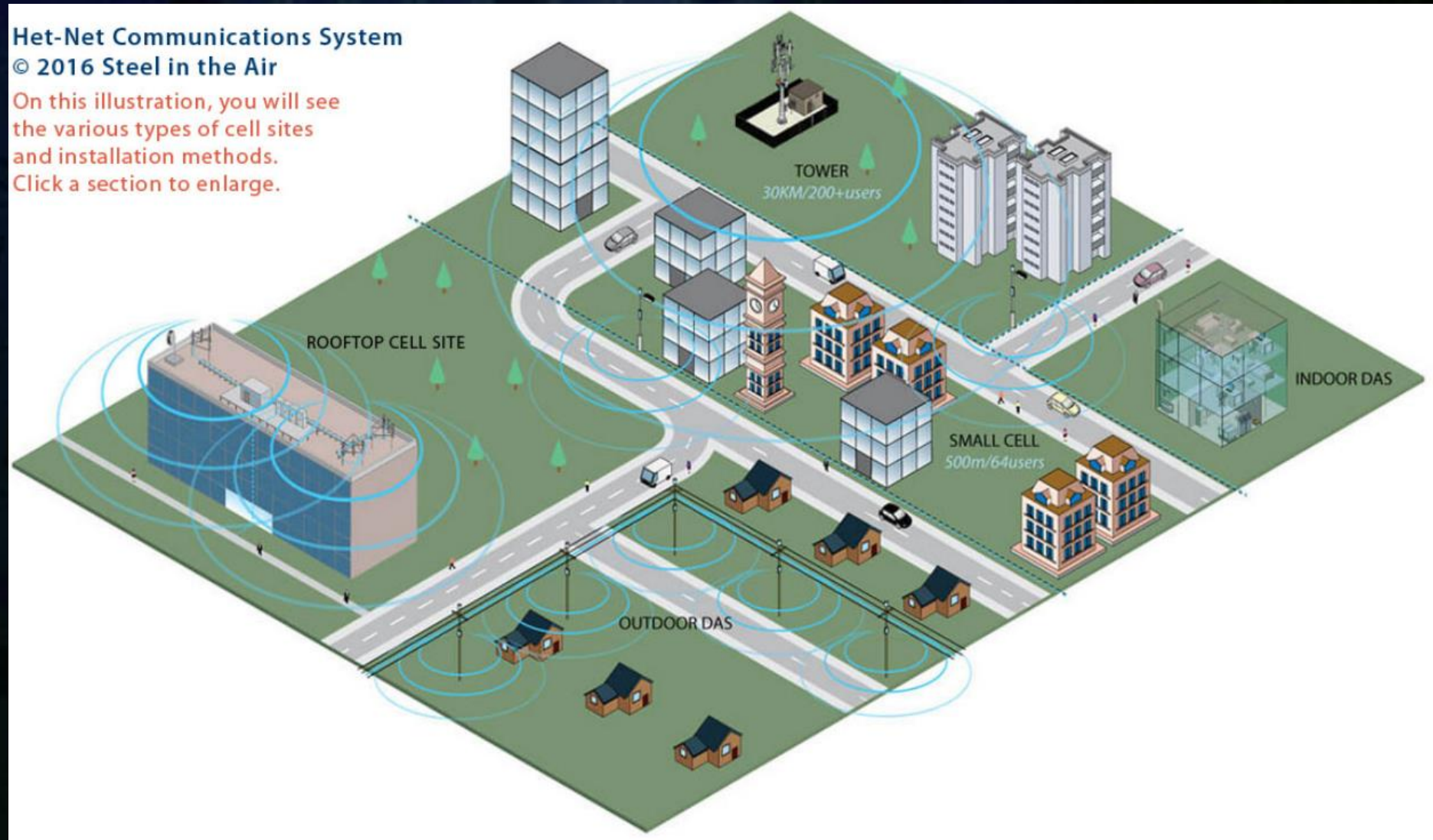


Image Source: <https://www.steelintheair.com/cell-site-types/>

Tower-Based Facility:

◆ ACUP:

📶 Existing tower within 500 feet

📶 Disguised as tree or other natural feature

◆ CUP:

📶 If the tower doesn't qualify for ACUP

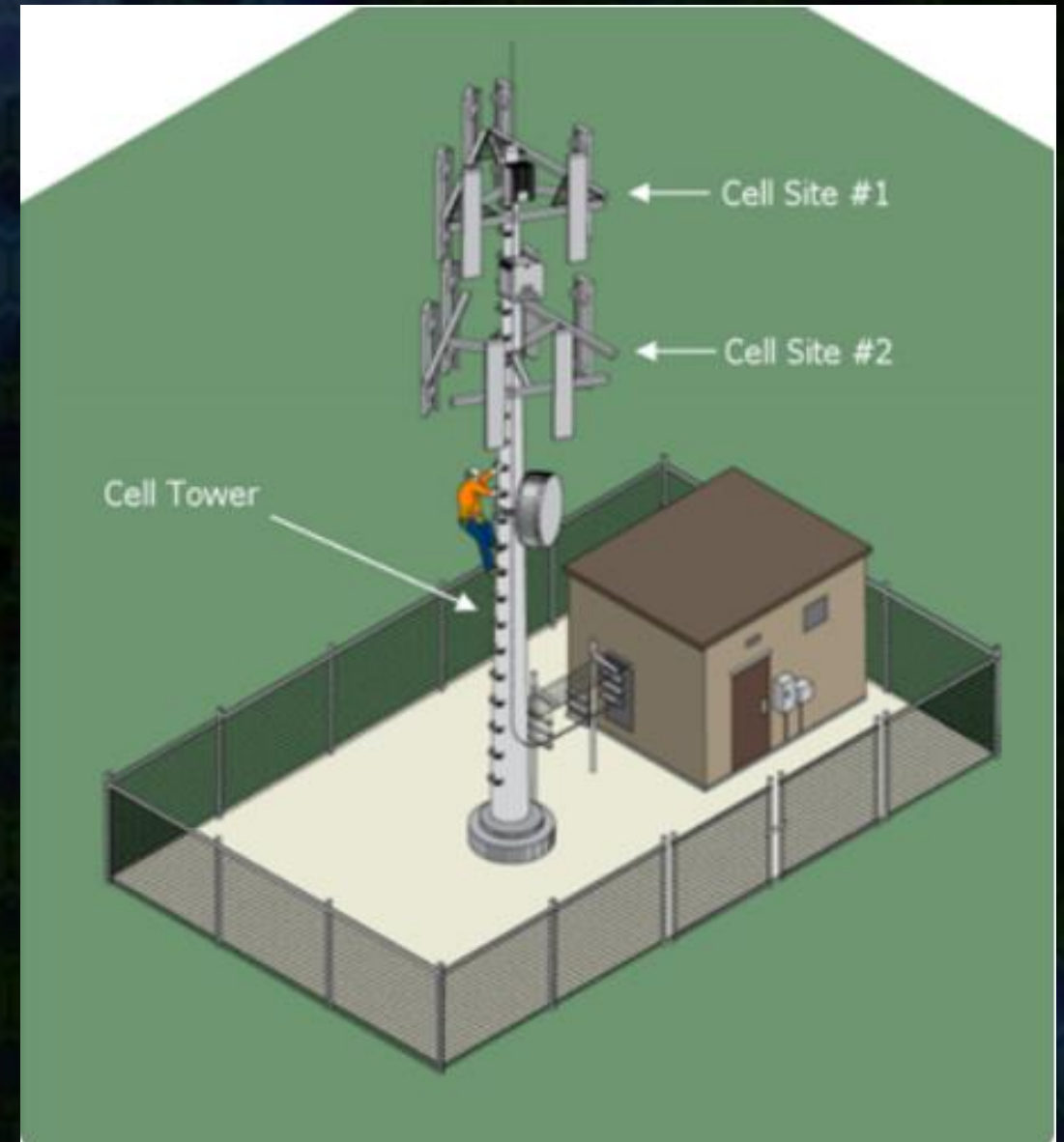


Image Source: <https://www.steelintheair.com/cell-site-types/>

Tower Based Facility:

- ◆ Guy wire towers ... prohibited



200 foot (61 m) radio mast of an AM radio station in Mount Vernon, Washington, USA, supported by three sets of 120° guy lines



Image Source: <https://en.wikipedia.org>

Tower Based Facility:

- ◆ Lattice Tower
- ◆ Mono-Pole
- ◆ Related Equipment



Image Source: Kitsap County

Stealth Technology:

- ◆ Tree or natural feature
- ◆ Both Saguaro cacti are wireless facilities
- ◆ Context matters



STEALTH WIRELESS SITES. SAGUARO SECOND FROM LEFT AND SAGUARO ON FAR RIGHT ARE TWO SEPARATE STEALTH WIRELESS SITES WELL DISGUISED WITH LIVE SAGUAROS. SITE IS ELEVATED FOR ADDITIONAL VERTICALITY ON A HILL OVERLOOKING A HEAVILY USED FOUR-LANE ROAD. PHOTO BY JESSE DRAKE.

Stealth Technology:

- ◆ Context matters
- ◆ Tree or natural feature



Image Source: <https://www.westernplanner.org>

Non-Tower Wireless Communication Facilities:

New Collocated Wireless Facility

◆ Letter of Exemption:

📞 Replace support structure (identical)

📞 No substantial change

◆ ACUP:

📞 Substantial change occurs

📞 Structure not previously approved

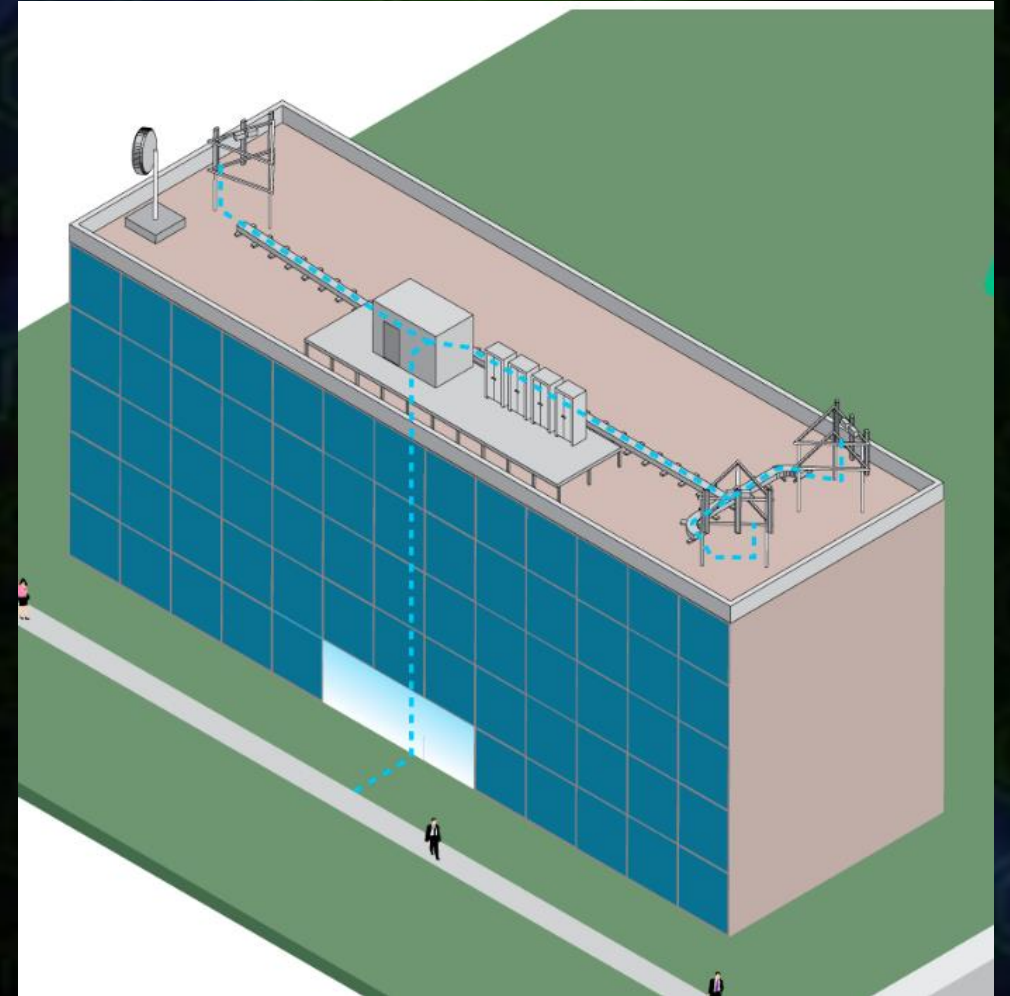


Image Source: <https://www.steelintheair.com/cell-site-types/>

Non-Tower Wireless Communication Facilities:

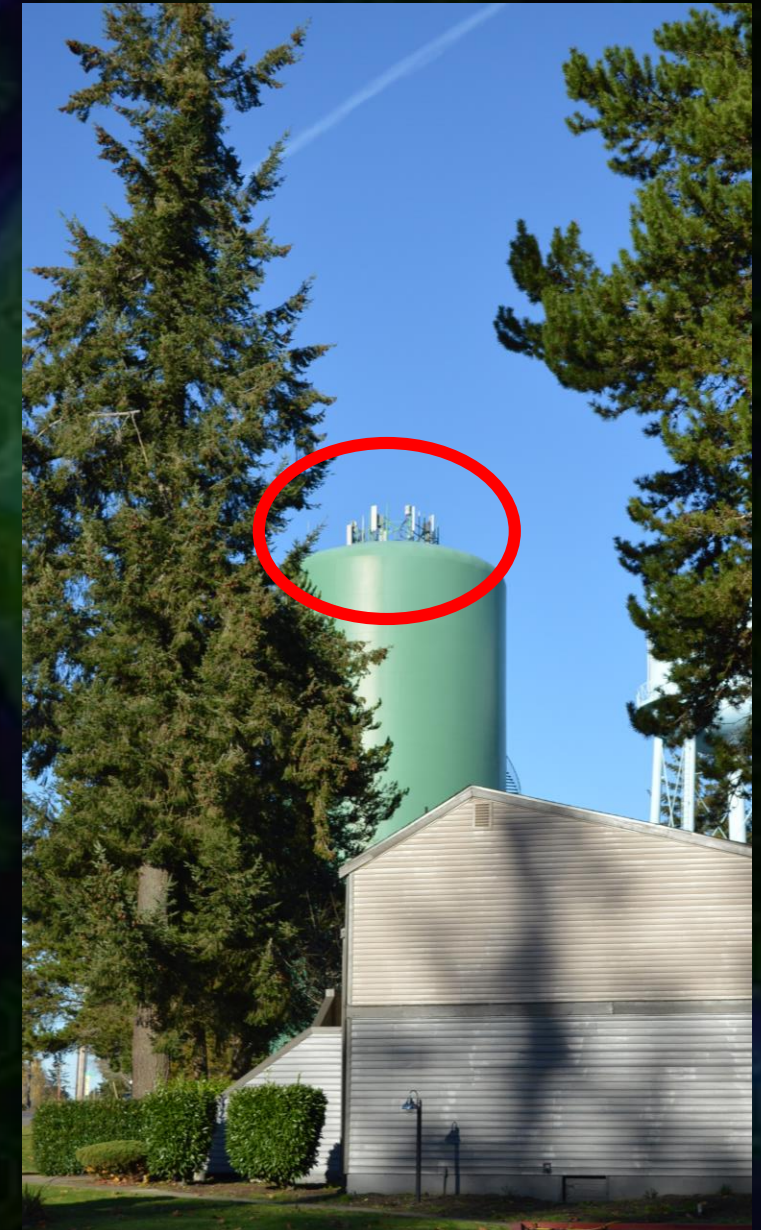


Image Source: Kitsap County

Stealth Technology:

- ◆ Integrated building designs



Image Source: <https://www.westfargopioneer.com>



BTS disguised as bricks, Lincoln, UK. Photo: V70PDB.

Image Source: <http://rhizome.org/>

Small Wireless Facilities:

- ◆ Letter of Exemption:

 - 📶 Existing structure (any structure)

- ◆ ACUP:

 - 📶 New structure

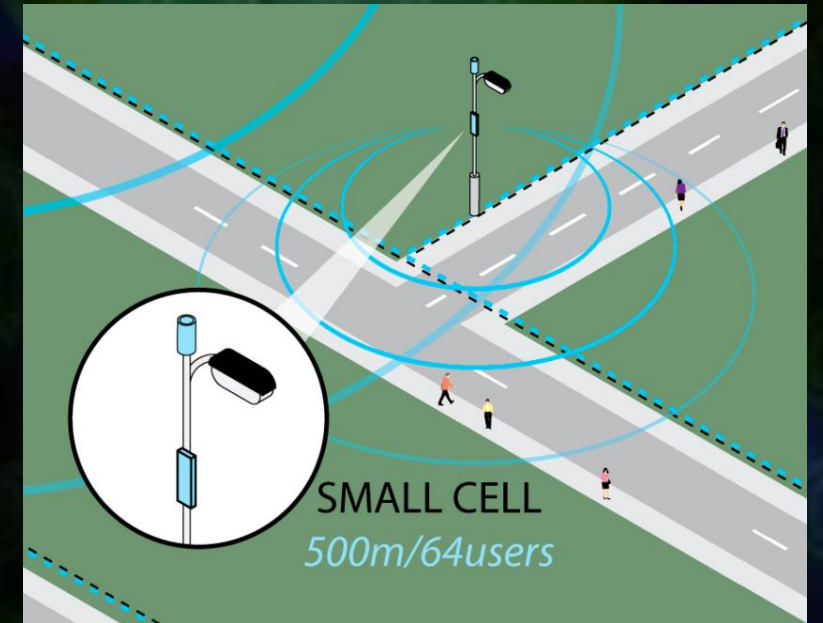
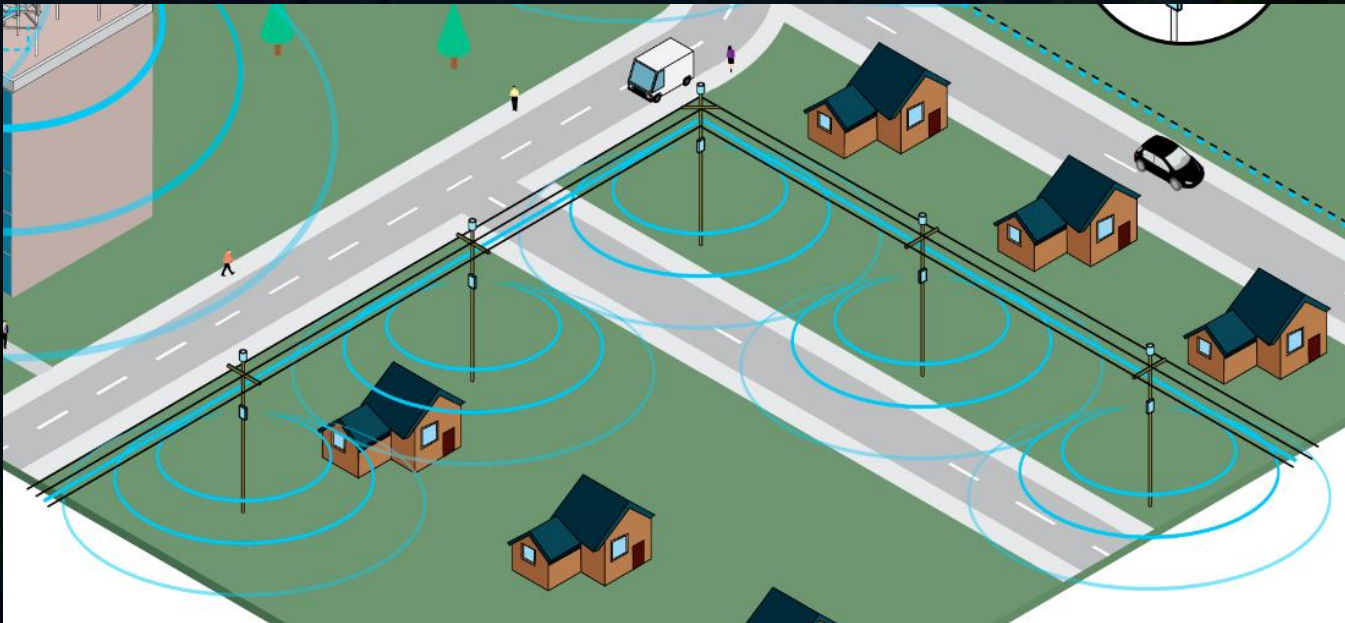


Image Source: <https://www.steelintheair.com/cell-site-types/>

Small wireless facility:

Small Cell Components

Fiber & Coax Conduit

Power Conduit

Power Disconnect



Antennas

Dark Fiber
(leased from 3rd party)

Radios & Fiber
Termination Box

Kitsap County Code Update

17.530 'Wireless Communication Facilities'

Next Meeting:

Planning Commission Public Hearing on February 5, 2019

Website: <https://www.kitsapgov.com/dcd/Pages/Code-Updates.aspx>

Contact: Darren Gurnee, Planner and Project Lead
Kitsap County Department of Community Development
dgurnee@co.kitsap.wa.us
(360) 337-5777