



Executive Summary

Issue Title: Wireless Communication Facility Code Update
Meeting Date: January 7, 2019
Time Required: 15 minutes
Attendees: Jim Bolger, Dave Ward, Darren Gurnee, Lisa Nickel

Action requested at this meeting: No action required. The Department is providing a status report regarding the code update process.

Schedule:

- Board of County Commissioners briefing to confirm the workplan (10/24/2018)
- Planning Commission work study sessions:
 - Session 1 (12/18/2018): Workplan, introduction to small wireless facilities, Federal Communications Commission (FCC) regulatory history review
 - Session 2 (1/8/2019): Review of draft code
- Planning Commission public hearing (February 5, 2019)
- Planning Commission public comment period (January 8 through February 12, 2019)
- Planning Commission deliberation and recommendation (February – March 2019)
- Board of County Commissioner study sessions, hearing, deliberation (March 2019)

Industry Stakeholder Comments

- The draft staff report includes comments and responses

Project Website (continuously updated)

- <https://www.kitsapgov.com/dcd/Pages/Code-Updates.aspx>
- Provides project introduction, meeting schedule, and meeting materials
- Links to video recording of Planning Commission work study sessions

Federal Communication Commission ruling 18-133 9/26/2018

- Effective January 14, 2019
- The new rules shorten the County's deadlines to review and issue wireless facility permits (all departments). Exceeding the new permit review times defaults to an approved permit status or guarantees a 30-day appeal to the applicant.
- The rules affect the County's ability to permit and condition wireless facilities on public and private land.
- The rules remove the County's ability to deny wireless installations on public land and structures.
- The Prosecuting Attorney's office and Departments of Community Development, Public Works, Parks, and Information Services are working together to comply with the effective date.
- Multiple jurisdictions have appealed the ruling (i.e., Bremerton, Port Orchard, Poulsbo, Seattle). The ninth circuit is considering a motion to stay.