

# THURSTON COUNTY GOVERNMENT

## 2022/2023 Official Development Code Docket Item

### A-19: Wireless Communication Facilities



#### OVERVIEW

##### What is being proposed?

Update the Thurston County Code to comply with a 2018 Federal Communications Commission (FCC) rule titled "*Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*." County Code revisions would standardize permit processing times for wireless facility applicants, allow for smaller facility designs, and allow carriers to place facilities in the County rights-of-way.

##### Which section of the Thurston County Code would change?

Title 20, Chapter 20.33 (Wireless Communication Facilities and Antenna Support Structures), and related sections of the Zoning Code, including definitions, construction standards, facility conditions, designs, and uses.

##### Name of the Proposed Amendment?

A-19 Wireless Communications Facilities.

##### Community Benefit?

Changes will pave the way for more users and devices to be connected at faster speeds and enable connections in areas with no wireless reception.

#### Review Timeline

##### Q3 - Q4 2020

- Internal & Stakeholder Review

##### Q1 2021 – Q3 2022

- Planning Commission Work Sessions
- Public Hearing

##### Q3 – Q4 2022

- SEPA Review
- Board of County Commissioners Review & Public Hearing

##### Q4 2022

- Board of County Commissioners final action

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## ADDITIONAL DETAIL

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Thurston County government proposes a revision to its development code in order to comply with a new FCC rule for wireless facilities. County Code would be updated to streamline permitting processes, allow for modern wireless facility design, and additional facility placement.

### **Definition of *Wireless Communication Facilities***

The materials and equipment used to make wireless communications possible.

### **What would the proposed amendment (A-19) do?**

1. Change timelines for the County to process permits to comply with federal law. This may require the County to change the types of permits and associated requirements for different types of facilities.
2. Implement an “Eligible Facility Request” Process
  - a. Establish a process for modifying existing wireless installations as long as proposed changes don’t alter physical dimensions of existing installations.
  - b. This includes any request involving;
    - i. Adding new transmission equipment to existing towers or devices.
    - ii. Removing transmission equipment.
    - iii. Replacing transmission equipment.

### **A Legal Challenge to the FCC Rule**

There is currently a legal challenge in the Ninth Circuit Court of Appeals regarding the FCC rule listed above. The County plans to comply with the federal law by updating County Codes despite the appeal. If, in the future, court ruling results in changes to the FCC rule, the County will assess the need for additional code changes at that time.

## Staff Contact

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