

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING AMENDMENTS TO THURSTON COUNTY  
CODE TITLE 20 CHAPTERS 20.33, 20.03, and 20.54 RELATED TO  
WIRELESS COMMUNICATION FACILITIES.**

**WHEREAS**, Thurston County is required to plan under Chapter 36.70A RCW, the Growth Management Act (GMA), which contains fourteen goals intended to guide development and adoption of comprehensive plans and development regulations, which relate to urban growth, rural development, reduced sprawl, transportation, housing, economic development, property rights, permits, natural resource industries, open space, recreation, the environment, citizen participation and coordination, public facilities and services, and historic preservation;

**WHEREAS**, Thurston County is required to comply with the Federal Communications Commission, which has adopted multiple orders on local control;

**WHEREAS**, Thurston County has performed professional review, provided public notice, and received public comment with respect to these development code amendments; and

**WHEREAS**, the GMA requires development regulations to demonstrate and uphold the concepts of internal consistency, conformity, and concurrency; and

**WHEREAS**, the development regulations, including the official zoning maps, in Thurston County adopted under GMA must be consistent with the Thurston County Comprehensive Plan and associated Joint Plans; and

**WHEREAS**, Thurston County-wide Planning Policy 1.10 states that the County will meet basic human needs of clean water and air, healthy food, adequate housing, quality education, public safety, and equal access, regardless of socio-economic status; and

**WHEREAS**, this proposal is a board-initiated amendment and was included by the Board on the 2020-2021 Official Development Code Docket as Docket Item A-19; and

**WHEREAS**, the Thurston County Planning Commission reviewed this proposal at several work sessions in 2021; and

**WHEREAS**, the Thurston County Planning Commission held a public hearing on June 6, 2021 on the amendments to Wireless Communication Facilities regulations in rural Thurston County and all Urban Growth Areas and following the public hearing and 9 work sessions made a recommendation of approval (5-3) or the proposed amendments; and

**WHEREAS, I believe there should be a mention of the minority report.**

**WHEREAS**, pursuant to RCW 36.70A.106, a notice of intent to adopt was sent to the Washington State Department of Commence on November 18, 2022; and

**WHEREAS**, pursuant to the State Environmental Policy Act (SEPA) and WAC 197-11, a non-project Determination of “Non-Significance” (DNS) was issued on December 27, 2022; and

**WHEREAS**, the Planning Commission’s recommendation dated August 3, 2022 on the proposed code text amendments was received by the Board on October 12, 2022 at a regularly scheduled briefing. At a follow-up briefing during agenda setting on November 9, 2022, the BoCC directed staff to bring forward an AIS to request a public hearing on the Planning Commission recommendation; and

**WHEREAS**, the Board held a public hearing with notice requirements consistent with the Thurston County Code and state law on February 7, 2023 to take public testimony on the proposed Wireless Communication Facilities ordinance; and

**WHEREAS**, the Board agrees with the findings of the Thurston County Planning Commission and has determined that the amendments contained in this ordinance are consistent with the Thurston County Code (TCC) and other titles, chapters, and sections of the TCC; and

**WHEREAS**, the Board finds that the proposed amendments will improve consistency across the code and transparency for citizens of Thurston County; and

**WHEREAS**, the Board believes adopting the amendments is necessary for the preservation of the public health, safety, and general welfare of Thurston County residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY, AS FOLLOWS:**

**SECTION 1. TITLE 20 ZONING.** The Thurston County Code, Chapters 20.03, 20.33, and 20.54 are hereby amended as shown in Attachment A.

**SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or other portion of this Ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

**SECTION 3. CORRECTIONS.** Upon approval of the Prosecuting Attorney’s Office, the Clerk of the Board is authorized to make any necessary corrections to any section, subsection, sentence, clause, phrase or other portion of this Ordinance for scriveners or clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect *immediately upon adoption*.

ADOPTED: \_\_\_\_\_

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

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Clerk of the Board

\_\_\_\_\_  
Chair

APPROVED AS TO FORM:

JON TUNHEIM  
PROSECUTING ATTORNEY

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Vice-Chair

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Travis Burns  
Deputy Prosecuting Attorney

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Commissioner