



Executive Summary

Issue Title: Wireless Communication Facility Code Update
Meeting Date: October 24, 2018
Time Required: 15 minutes
Attendees: Jim Bolger, Dave Ward, Darren Gurnee, Lisa Nickel

Action requested at this meeting:

Obtain Board direction to proceed with the Wireless Communication Facility code update project timeline and public outreach strategy

Background

Wireless Communication Facilities (wireless facilities) support the infrastructure system that serves wireless devices (eg. smartphones, tablets). New or expanded wireless facilities help to maintain or increase system performance, speed, and reliability. New standards established by the Federal Communication Commission (FCC) significantly affect the County's ability to review permits for wireless facilities. These new standards specifically affect Kitsap County's:

- time to review and issue wireless facility permits. Exceeding the permit review times established by the FCC defaults the permit to an approved status.
- permits required for installation of wireless facilities on public land and small cell deployments on existing structures.

2018-2019 Wireless Communication Facility Code Update

The Department of Community Development and the Prosecuting Attorney's Office propose an update to Kitsap County Code regarding wireless facilities to remain consistent with new federal standards. The proposed code update will balance the need to:

- expand existing or construct new wireless facilities.
- ensure compatibility between wireless facilities and surrounding land uses.
- ensure public health, safety, and welfare.

The attached workplan details:

- project purpose.
- topics addressed in the code language.
- goals that guide the development of code language.
- project timeline.
- public outreach.

Attachments

1. Update to Kitsap County Code Chapter 17.530 'Wireless Communications Facilities' - Workplan



**UPDATE TO KITSAP COUNTY CODE
CHAPTER 17.530 'WIRELESS COMMUNICATIONS FACILITIES'
-- WORKPLAN --**

1. PROJECT PURPOSE

Update Kitsap County Code Chapter 17.530 'Wireless Communication Facilities' to remain consistent with new federal standards.

2. TOPICS ADDRESSED IN THE CODE LANGUAGE

The Wireless Communication Facility code update proposal changes Kitsap County Code regarding:

- Definitions. The update aligns Kitsap County Code with industry terms and definitions.
- Required permits by the type of facility proposed. Factors that affect the type of permit needed for development include:
 - Built form (tower vs non-tower).
 - Location (ROW vs private land).
 - Existing facilities (collocation vs new facility).
 - Substantial changes to an existing facility.
 - Maintenance, repair, abandonment, removal.
- Permit review times and duration.
- Exemptions from State Environmental Protection Act (SEPA) and the permit process.
- Prohibited location and structure types.
- General development standards (height, visual appearance, lighting, noise, agreements)
- Development standards for non-tower facilities vs. tower based facilities

3. GOALS THAT GUIDE THE DEVELOPMENT OF CODE LANGUAGE

The Wireless Communication Facility code update will:

- Provide a predictable permit process for customers and Kitsap County staff.
- Streamline review for small cell technology placed on existing facilities.
- Ensure consistency between the Kitsap County's Comprehensive Plan and federal standards.
- Allow facility development that supports 5G infrastructure or increases wireless infrastructure performance, reliability, and speed.
- Allow Kitsap County to review facility permits on public or private land for:
 - compatibility with surrounding uses.
 - public health, safety, and welfare.
- Establish a process to update local code when federal standards change.

4. PROJECT TIMELINE:

Kitsap County procured an outside law firm with subject matter expertise to prepare initial draft language. Multiple County departments collaborated to review and revise this language into preliminary draft code. Preliminary feedback from a panel of subject matter experts and the public will inform the Planning Commission and Board of County Commissioner public processes. Figures 1 and 2 indicate tasks that lead to an expected adoption in early 2019.

Figure 1 - Task Schedule

Task	Date	2018				2019		
		Sep	Oct	Nov	Dec	Jan	Feb	Mar
Workplan Development	9/1 - 10/5							
BoCC Briefing	10/24							
Comment Period/Open Houses	10/24 - 12/11							
SEPA & Staff Reports	10/8 - 11/13							
PC Work Study	11/20							
PC Public Hearing	12/4							
PC Recommendation	12/18							
PC Findings of Fact	1/15							
Staff Report/Draft Revisions	11/14 - 1/14							
BoCC Briefing	1/14							
Comment Period	1/23 - 2/18							
BoCC Work Study	1/23							
BoCC Public Hearing	2/11							
BoCC Decision	2/25							
BoCC adopt Final Draft Ordinance	3/11							

Figure 2 - Task Outcomes

Task	Outcome
Workplan Development	Scope and workplan complete
BoCC Briefing	BoCC provides direction for project scope, timeline, and outreach
Comment Period/Open Houses	Preliminary stakeholder and Planning Commission public comment period (60 days)
SEPA & Staff Reports	Analysis and staff recommendations
PC Work Study	PC understands code update and staff recommendations
PC Public Hearing	PC receives public comment and deliberates
PC Recommendation	PC deliberates and makes recommendation
PC Findings of Fact	PC adopts Findings of Fact
Staff Report/Draft Revisions	Analysis and staff recommendations
BoCC Briefing	BoCC understands PC recommendations and process
BoCC Comment Period	Board of County Commissioner public comment period (30 days)
BoCC Work Study	BoCC understands code update and staff recommendations
BoCC Public Hearing	BoCC receives public comment and deliberates
BoCC Decision	BoCC deliberates and adopts ordinance
BoCC Adopt Final Draft Ordinance	BoCC meeting for additional deliberation

Acronyms:

- BoCC – Kitsap County Board of County Commissioners
- PC – Kitsap County Planning Commission
- SEPA – Washington State Environmental Policy Act



5. PUBLIC OUTREACH:

The Department of Community Development (Department) outreach goals for the code update include:

Transparency – Anyone can become informed about the process and access materials

Predictability – Processes are clearly and consistently communicated so everyone knows what to expect

Opportunity – Everyone can participate without significant barriers

Figure 3 identifies key outreach objectives for each phase of the update process. In summary the Department will:

- provide a matrix of code changes to help simplify complicated code language.
- request preliminary feedback from
 - a panel of subject matter experts.
 - public at large.
- provide draft language, staff report with analysis, State Environmental Protection Act (SEPA) determination, and comment matrices for the Planning Commission and Board public processes.
- provide a final draft ordinance for the Board of County Commissioner public process.

Figure 4 details outreach methods that the Department might use. These methods may include:

- Online and in-person open houses
- GovDelivery and Nextdoor
- Legal notices published in Kitsap Sun
- Direct mail or email to organizations, agencies, and key stakeholders including:
 - Community Advisory Councils (CAC)
 - Department Advisory Group (DAG)
- Press releases linked to project website (online open house)
- Bremerton Kitsap Access Television (BKAT) or webinars

Figure 3 – Outreach Objectives and Audience		
Project Phase	Outreach Objectives	Audience
Ongoing	<ul style="list-style-type: none"> • Interested parties entering the process at any time can: <ul style="list-style-type: none"> ○ become familiar with the basic what, why, when, how, & who info for project. ○ become familiar with project status and past progress. ○ subscribe to more targeted distribution list. • People no longer interested can unsubscribe from the more targeted distribution list 	<ul style="list-style-type: none"> • All interested parties (internal and external) • Late-comer participants

Project Phase	Outreach Objectives	Audience
Comment period and open houses	<ul style="list-style-type: none"> • Share final scope of the project • Introduce interested parties to the basic what, why, when, how, & who info for project • Interested parties subscribe to more targeted distribution list • Collect data and other information from community and expert sources • Relevant stakeholder groups are equitably represented in advisory groups • Interested parties can provide input into the development of the proposal • Share draft proposal 	<ul style="list-style-type: none"> • Broadest relevant GovDelivery lists • GovDelivery lists from relevant prior projects • Known stakeholders & interested parties • Existing or new advisory groups • Identified experts • Publications
Planning Commission public process	<ul style="list-style-type: none"> • Share results of the analysis (SEPA determination, staff report) • Interested parties can provide input on the proposal and analysis 	<ul style="list-style-type: none"> • Targeted GovDelivery lists • Existing or new advisory groups • Identified experts • Publications
Board of County Commissioner public process	<ul style="list-style-type: none"> • Share results of the analysis (SEPA determination, planning commission recommendation, updated staff report) • Interested parties can provide input on the proposal and analysis 	<ul style="list-style-type: none"> • Targeted GovDelivery lists • Existing or new advisory groups • Identified experts • Publications
Project Close	<ul style="list-style-type: none"> • Share outcome of the project • Share next steps for implementation 	<ul style="list-style-type: none"> • Targeted GovDelivery lists • Existing or new advisory groups • Identified experts
Follow-on Implementation	<ul style="list-style-type: none"> • Relevant information regarding implementation is shared, if applicable 	<ul style="list-style-type: none"> • Targeted GovDelivery lists • Existing or new advisory groups

Figure 4 - Primary Outreach Tools			
Tool	Purpose	Audience	Reach
Online Open House (project website)	<ul style="list-style-type: none"> • What, why, when, how & who info for project • Announcements (notices, events, etc) • Archive for interested parties & late-comer participants • Access to: <ul style="list-style-type: none"> ○ documents ○ online comment form ○ other relevant information/education web pages 	Interested parties (internal and external) seeking information online	Will vary
Kitsap County Homepage	<ul style="list-style-type: none"> • Graphical ad to provide a one-click pathway to the online open house • Kitsap News headline to provide a one-click pathway to major events in the project (i.e. public hearings, etc) 	Interested parties (internal and external) seeking information online	Will vary
Department homepage	<ul style="list-style-type: none"> • Graphical ad to provide a one-click pathway to the online open house • Department news headline to provide a one-click pathway to major events in the project (i.e. public hearings, etc) 	Interested parties (internal and external) seeking information online	Will vary
GovDelivery	<p>Electronic messages to targeted distribution lists via email, SMS text, Facebook, & Twitter</p> <ul style="list-style-type: none"> • Project launch announcement (also sent to broad lists with invitation to subscribe to more targeted list) • Key process steps & meetings • Online engagement opportunities (surveys, etc) • Plain talk version of legal notices published in Kitsap Sun (e.g. Application, SEPA, Hearing, Decision, etc) • Relevant implementation next steps 	Interested parties (internal and external) wanting to receive notifications	<p>~ 7,400 Comp Plan Update List</p> <p>~ 3,400 Code Update List</p>
Nextdoor	<ul style="list-style-type: none"> • Neighborhood relevant communications • Expand reach of key GovDelivery announcements 	Residents subscribed to "Neighborhoods" in the County	~ 18,200

Tool	Purpose	Audience	Reach
Legal Notices Published in Kitsap Sun	Notifications required by law <ul style="list-style-type: none"> • Public Hearings • SEPA determination • Ordinance adoption 	Interested parties (external)	~ 30,000
Formal Notification to Tribal Governments & Organizations	Government-to-Government notification to sovereign tribal governments as well as formal tribal organizations (e.g. Point-No-Point Treaty Council and Northwest Indian Fisheries Commission)	Tribes with usual and accustom areas that include any part of Kitsap County	7 Tribes, 2 Orgs
Kitsap1 Call Center	Provide callers <ul style="list-style-type: none"> • Immediate basic project information • Direction to online open house for self-service • Immediate routing to appropriate staff for further assistance 	Interested parties (external)	Will vary
DCD Permit Center	<ul style="list-style-type: none"> • Inform visitors of project • Answer visitor questions • Receive comments delivered in person 	Interested parties (external)	Will vary
Smartsheet.com	Online public comments <ul style="list-style-type: none"> • Submittal form • View submitted comments in real time 	Interested parties (external)	Will vary
Standing Advisory Groups	Existing advisory groups: <ul style="list-style-type: none"> • Receive all GovDelivery notifications • Receive project updates from staff 	CACs, DAG, Planning Commission	CACs (55), DAG (15), PC (8)
New Advisory Group	New advisory group with equitable representation of stakeholder groups that are committed to regular meetings. Group can be fixed term or ongoing.	Topic specific	Will vary
Department Director	Be ambassador for project	Public and private meetings	Will vary
Department Outreach Staff	Be ambassador for project	General public at outreach events	Will vary
County Commissioners	Be ambassador for project	Public and private meetings	Will vary
Commissioner Policy Staff	Be ambassador for project	Public and private meetings	Will vary
In-person Open House	Opportunity to share project information, collect input, and engage in one-on-one discussion	Interested parties (external)	Estimate (5-30) per event

Tool	Purpose	Audience	Reach
Code Update Notices by Mail	Notification of individually identifiable properties likely to be affected by the code update, existing wireless communication facility locations <ul style="list-style-type: none"> • Project initiation announcement (invitation to subscribe to GovDelivery list) • Combined SEPA/Hearing 	Residents and property owners affected by the code update	Will vary
Press Releases	Notify press of important projects at timely and relevant process points	News organizations	Will vary
BKAT	Broadcast announcements, public meetings, or videos	BKAT viewers	Unknown