



City of Bellevue

# Wireless Communication Facilities (WCF) LUCA

**City Council Public Hearing**

October 23, 2023

Nick Whipple, Planning Manager

Caleb Miller, Senior Planner

*Development Services*



# **Direction for Council Consideration**

Hold the public hearing for Ordinance No. 6759. Following the hearing, Council may adopt Ordinance No. 6759.

# AGENDA



Background



FCC Orders



Objectives



Proposed LUCA



Review Process



Staff Recommendation

# Background

- Phase 3 of WCF code amendments
  - Phases 1 and 2 adopted 2019
  - Covered small wireless facilities (SWFs) in the right-of-way (ROW)
- Land Use Code (LUC) regulations adopted 2003
  - Apply to WCFs on private property
  - Few, minor updates since adoption
- Changes to WCF landscape:
  - New technologies
  - Increased demand
  - Limitations on local authority from Federal Communications Commission (FCC)

# FCC Orders

## Shot Clocks (2009, 2018)

Activity	Time Limit
SWF attached to existing structure (collocated)	60 Days
Non-SWF collocated	90 Days
SWF on new structure	90 Days
Non-SWF on new structure	150 Days

## Eligible Facilities Requests (2014)

- Review process for modifications to WCFs
- May not result in substantial change
- Must be approved within 60 days if all criteria are met



Federal  
Communications  
Commission

# LUCA Objectives

- **Respond to new technology**
  - SWFs
  - Stealth, screening techniques
- **Adjust, streamline permitting process**
  - Learning from recent permitting experience
- **Align with FCC orders**
  - Eligible Facilities Requests (EFRs)
  - Shot Clocks



# Proposed LUCA

- Re-write of LUC 20.20.195
- Maintain existing standards for:
  - Aesthetics
  - Screening
  - Tower separation
- Codify process for eligible facilities requests
- Comply with FCC shot clocks



# Revised Permit Procedures

WCF Type/Attachment	Approval Process
Eligible Facilities Requests (EFRs)	<b>Permitted.</b> Construction or right-of-way permits may be required.
Modifications to existing WCFs that do not qualify as EFRs	
WCFs attached to existing structures (collocated)	
WCFs attached to new purpose-built structures (towers)	<b>Administrative Conditional Use Permit (ACUP).</b>
Requests for departures from WCF standards	



# Review Process

Action	Date
<b>BCCA:</b> Engagement with stakeholders	2022-2023
<b>LUCA:</b> Engagement with stakeholders	Summer 2023
<b>BCCA/LUCA:</b> City Council Study Session 1	September 25
<b>BCCA:</b> City Council Action	October 9
<b>LUCA:</b> Public Hearing*	October 23
<b>LUCA:</b> City Council Action (if needed)	Future Meeting

*\*Council may take action following the hearing*

# Staff Recommendation

*LUCA meets the decision criteria under LUC 20.30J.135:*

**1**

**Consistent with  
Comprehensive  
Plan**

**2**

**Enhances  
public health,  
safety, or  
welfare**

**3**

**Not contrary to  
interests of  
citizens,  
property  
owners**



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