

CITY COUNCIL AGENDA TOPIC

Ordinance amending Chapter 6.08 of the Bellevue City Code (BCC) related to the permitting, deployment, and operation of Small Wireless Facilities (SWF) in the public rights-of-way; providing severability and establishing an effective date.

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EXECUTIVE SUMMARY**ACTION**

On September 25, after discussion in Study Session about the Bellevue City Code Amendment (BCCA), Council directed staff to bring back this Ordinance for final action. This Ordinance amends Chapter 6.08 of the Bellevue City Code regarding Small Wireless Facilities (SWF) in the Rights-of-Way. With support from the Bellevue Chamber of Commerce, the City of Bellevue has partnered with telecommunications carriers such as Verizon, Extenet, Crown Castle and AT&T on these proposed amendments.

RECOMMENDATION

Move to adopt Ordinance No. 6755

BACKGROUND/ANALYSIS

Small Wireless Facilities (SWFs), as the name implies, are wireless communication facilities that have smaller radios and antennas than the larger macrocell sites (such as a traditional cell tower). These facilities can be installed on City street light poles or wood utility poles to add 4G and 5G capacity in high traffic areas such as the Bellevue Downtown. SWFs have been recognized as an important strategy to advance 5G and overall wireless connectivity in Bellevue.

On January 22, 2019, Council adopted Ordinance No. 6454, establishing a new Chapter 6.08 Small Wireless Facilities in the Rights-of-Way in the Telecommunications Title (Title 6) of the Bellevue City Code. This action was necessary to regulate the deployment of small wireless facilities (SWFs) in the public street rights-of-way consistent with an FCC order limiting local control of SWFs, as well as to establish SWF design criteria and to separate and expedite the SWF approval process from the larger Wireless Communication Facilities (i.e. cell towers).

The deployment of SWFs in Bellevue also continues to be of high interest to telecommunication companies as well as the Bellevue Chamber of Commerce. Four SWFs have been completed in Downtown, and three additional permits have been issued for SWF construction. Additionally, the Transportation Department has partnered with carriers, with the support of the Bellevue Chamber of Commerce, to continue to streamline the permitting process and develop working relationships to advance SWF deployments. Part of this partnership has been the development of proposed code amendments to Chapter 6.08 BCC, to apply what we have learned from deployment of this relatively new wireless technology over the past couple of years to the BCC.

In accordance with the direction from Council at the September 25 Study Session, this Ordinance to amend Bellevue City Code 6.08 is being brought forth for final action. The proposed BCCA, as noted above, are intended to continue City efforts to streamline the permit review process for SWFs in the public rights-of-way, as well as revise standards to ease the deployment of SWFs. Specifically, the proposed amendments include:

- Expanding pole mounting location options for SWF antennae;
- Allowance of unified enclosures and other equipment and antennae on the same pole;
- Allowance of both pole- and strand-mounted SWFs on the same pole;
- Increasing the time allowed from permit issuance to SWF installation and operation;
- Codifying procedures for EFRs in accordance with FCC orders; and,
- Allowing temporary installations for redevelopment activity.

The specific amendments proposed in the BCCA can be found in Attachment A.

POLICY & FISCAL IMPACTS

Policy Impact

This proposed BCCA will continue to promote a predictable and streamlined review process for SWFs in the public right-of-way. Additionally, this proposed BCCA serves to enable needed wireless coverage throughout the City, while maintaining standards that mitigate their aesthetic impacts.

These actions are also consistent with the following Comprehensive Plan policies:

- **Comprehensive Plan Policy UT-79.** Require the placement and design of wireless communication facilities in a manner that minimizes the adverse impacts on adjacent land uses.
- **Comprehensive Plan Policy UT-83.** Recognize that wireless communication facilities will be deployed in all areas of the city to provide coverage and capacity consistent with the changing use of wireless technology. Minimize the attendant impacts, particularly the visual impacts of wireless communication facility towers, lattice towers and structures by utilizing criteria for the design and location of such facilities that appropriately balance the need for wireless services and the impacts of the necessary facilities.
- **Comprehensive Plan Policy UT-89.** Encourage the co-location of telecommunications equipment on city sites that reduce total impact of antennas on the community.
- **Comprehensive Plan Policy UT-90.** Periodically review and update wireless facility regulations to respond to changes in technology and community conditions to balance impacts with the need for service.

Fiscal Impact

There is no fiscal impact associated with the adoption of this proposed BCCA.

OPTIONS

1. Adopt the Ordinance amending Chapter 6.08 of the Bellevue City Code (BCC) related to the permitting, deployment, and operation of Small Wireless Facilities (SWF) in the public rights-of-way; providing severability and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. BCCA Final Strike-Draft
Proposed Ordinance No. 6755

AVAILABLE IN COUNCIL LIBRARY

N/A