

**ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING  
SPECIAL SESSION - DECEMBER 6, 1999**

The Board of Island County Commissioners met in Special Session on December 6, 1999, at 7:00 p.m. at Terry's Corner Fire Station, 525 E. North Camano Drive, Camano Island WA. Chairman Shelton, Commissioners McDowell and Thorn were present. The purpose of the Special Session was to conduct a public hearing on Ordinance #C-118-99 (PLG-001-99).

**PUBLIC HEARING ON PROPOSED ORDINANCE #C118-99 (PLG-001-99) IN THE MATTER OF AMENDING  
CHAPTER 17.03 ISLAND COUNTY CODE REGARDING COMMUNICATION TOWERS**

Attendance:

Public: Approximately 25 attended [Attendance Sheet: GMA doc. #5157]

Staff: Phil Bakke, Planning Director

Chairman Shelton opened the Public Hearing on proposed Ordinance #C-118-99 (PLG-001-99) in the matter of amending Chapter 17.03 Island County Code regarding communication towers.

Phil Bakke, Island County Planning Director, made the presentation. He noted that a second public hearing was scheduled for December 13, 1999 at 1:30 p.m., Courthouse, Coupeville. If the Board received testimony and recommendations that would make substantive changes to this Ordinance, the hearing should be continued to a later date to consider those changes. This element is a part of the Comprehensive Plan that was remanded back to the Planning Commission for further review. He noted Type I Decisions from the Island County Code did not require public posting or advertising. Type I Decisions are approved by the Island County Public Works Director; Type II Decisions require posting of the property and public advertising and a mandatory comment period and are approved by the Public Works Director. The decision can be appealed to the Island County Hearing Examiner, the Board of Island County Commissioners or to Superior Court. Type III Decisions are made by the Island County Hearing Examiner after the property has been posted and the proposal advertised and a public hearing is held.

Mr. Bakke reviewed the provisions of the Ordinance. He explained the Planning Commission proposal came after receiving considerable public testimony, encouraged and simplified the process for installation of aesthetic communication antennas or equipment that can be attached to existing buildings, screened by a chimney, or power pole swap-outs. A power pole swap-out is where a power pole is replaced with a single antenna. The permit requirements of placing wireless communication facilities in the County. Under i. Co-Location, the licensed carriers shall pursue sharing communications towers within the intended service area, which would result in fewer communication towers in the area. He reviewed screening, facility color, signage, security barrier, storage, and noise levels. If communication towers become obsolete, the abandoned structure would be removed within 180 days.

Commission Thorn pointed out the Federal Telecommunications Act stated the County cannot prohibit the location of cell towers in the county. The County can have influence over the siting, lighting, and other standards as outlined by Mr. Bakke.

John Lewis, 631 E. Chinook Ct., Camano Island, asked if a guide communication tower in a residential zone would require a Type III approval decision. He noted on page 7. c. iii. it required monopole facilities in the Rural Residential (RR) zone to be reviewed as a Type III Decision. He recommended that any communication structure in the RR zone be required to be a Type III Decision and that in critical areas that architectural designed towers that looked like trees be required for aesthetics.

Mr. Bakke noted on page 7, c. v. there was a typo. He stated "not" should be removed to read "v. Any other wireless communication tower exceeding twenty (20) feet in height shall be reviewed as a Type III decision pursuant to section 16.19 ICC."

Carl Lenander, 1376 County Club Drive, Camano Island, submitted a letter into the record [GMA doc. #5158] and suggested that the definitions needed to be in harmony with technical engineering terms. He stated for example: a "monopole" is a term used throughout the industry for a single radiating element instead of an equipment type antenna. Monopole is not the structure that holds up the antenna, it is actually a radiating element, itself. A "whip antenna" is really a self-supporting flexible monopole energized at one end. In cellular communications, Type A or B systems are wired systems or wireless systems. A wireless communication facility would refer to a cellular system fed by a microwave link as opposed to either coaxial or fiber-optic link. He stated 17.03.180, Land Use Standards, L.8.(c) Permit Requirements, needed clarification regarding permitting of antenna arrays. Antenna arrays are a collection of individual antennas. It could be an array of

radiating elements that could be on top of a tower, so he felt clarification was needed whether it was both a tower and an array not taller than 20 feet.

Mr. Lenander thought this ordinance timely and felt that regulations for satellite to earth links and large dish type structures should be included in these new codes. Site placement was the main issue, since the best location for transmission was usually not the best for aesthetic placement. He was in favor of architectural approaches for construction of antenna systems to look like trees or buildings. He was concerned about the environmental impacts and health impacts such as radio frequency radiation and future health hazard discoveries. Mr. Lenander wondered why the newly approved tower on Lands Hill did not require lights and wanted safety issues addressed in the ordinance. He wanted to be assured that the facilities were serving the residents of Island County and that Island County regulations were as complete and restrictive as surrounding counties. He was concerned that facilities would be built in Island County because it was easier and less expensive, but would actually serve other counties.

Commissioner Thorn explained the tower on Lands Hill was proposed to benefit the residents of the east-side of Camano Island, even though it may very well benefit the residents of Stanwood also. After having read the Federal Telecommunications Act, he stated Island County was barred from prohibiting the placement of a tower based on health reasons alone.

Charlotte Lenander, 1376 Country Club Drive, Camano Island, requested concerning co-location that the existing carrier, as well as the applicant, provide written documentation why it was not feasible, and she would like to see the applicant specify expected radiation power.

Fred D. Kalanquin, 346 Shore Drive, Camano Island, a tower operator and issued the first cable franchise on Camano Island in 1977, stated there were three towers on the Island, his located in the northeast corner of Rocky Point Heights next to Brentwood Estates on the north end of the Island in a rural residential area. They lease to Snohomish County PUD, Northland Cable T.V., TCI from Seattle, and Twin City Foods. He was in favor of co-location and understood it was the standard along the coastline from California north. He understood the only restrictions on the co-locations were that cellular companies needed to be on different elevation lines with at least a 10-foot separation. He was pleased with the ordinance, but commented that no one had contacted them for co-location on their tower.

Joyce Christiansen, 1333 S. Hagen Road, Camano Island, was concerned about lack of staff to police the ordinance regulations and was interested to learn how verification would be made that applicants for placement of new towers had made a good faith effort to co-locate on existing towers.

Chairman Shelton assured her that the applicant would be required to furnish a written response from the owner of the tower. And Mr. Bakke pointed out that the County was in the process of entering into a GIS system the current locations of the facilities in the County to produce a map to be available to the public and staff. Then staff could direct an applicant to contact the owners of existing towers for co-location.

Commissioner Thorn suggested the permit application requirements needed expansion and agreed a written submittal was needed in regard to co-location.

Laura Lewis, 979 S. Cavalero Road, Camano Island, felt the correct language needed to be included in the ordinance as Mr. Lenander pointed out. She felt co-location was very important and agreed that applicants should be required to contact the PUD and others for co-location and should have strong policing. She was also concerned that the benefit of the newly approved tower was for other communities, such as Stanwood, Snohomish and Skagit counties. She was opposed to Island County approving towers that other counties would not approve.

Phil Lewis, 979 S. Cavalero Road, Camano Island, encouraged Island County to require the applicant to show in writing the benefits to the citizens of Camano Island and prove electronically where they will serve. He would like added that the facilities not be placed within 200 feet of a scenic highway. He stated the scenic highways needed to be designated as they were in the former Comprehensive Plan.

Carolyn Ehret, 903 High Road, Camano Island, was concerned about the 128 foot tower only benefiting Sunrise Blvd. and asked whether co-location was considered with Air Touch and U.S. West antennas. She asked too about a limit to the number of towers in a rural area, and commented she would like to see the range of service in writing for proposed cell towers.

Val Schroeder, 1369 N. Arrowhead Road, Camano Island, was unhappy about the two cell towers being approved near the heron habitat on Land's Hill because she felt the towers benefited Skagit and Snohomish counties more than Island County. She wondered why they were approved before there was policy and was concerned about the environmental impacts and health issues within critical areas. She supported co-location and environmental critical area protections.

Chairman Shelton clarified there was a policy in effect when the towers were approved, but many felt the regulations were not stringent enough and the County recognized the need to better define locations of facilities and the community's attitude toward cell towers. Critical areas are addressed in another ordinance and this ordinance would not be exempt from those critical area ordinances.

Ms. Lenander asked if an environmental impact study would be a requirement for a proposed tower.

Chairman Shelton stated it could be a requirement if a tower was proposed in an extremely sensitive area. Cell tower operators would probably avoid that due to the expense of placing it there.

Mr. Bakke explained none of these provisions were exempt from the provisions of the State Environmental Policy Act (SEPA) or Critical Areas Ordinance. Type II and Type III Decisions require an applicant to go through a Site Plan Review and the standards in the Site Plan Review Ordinance also apply here.

Ms. Lewis recommended that the specific density for cell towers in an area be regulated by an engineering standard, such as how many vendors could be accommodated by a single tower and how many towers would be allowed for a specific number of square miles, etc. She was in favor of co-location and of creating an incentive to encourage vendors to co-locate, such as implementing simpler permitting process or reduced permit fees. She felt co-location would result in less towers on Camano.

Mr. Bakke clarified the intention of the ordinance would require the applicant to demonstrate how they would facilitate co-location. After the facility was approved, co-location for additional providers could possibly be as simple as a building permit.

Commissioner Thorn clarified the ordinance said the applicant shall demonstrate a good faith effort to co-locate with other carriers. In an event it is not feasible to co-locate, a written statement stating that would be required by the applicant. The County and applicant may retain a mutually acceptable technical expert in the field of RF engineering to verify feasibility of co-location.

John Lewis felt technical maps showing cell communication deficiencies and how the proposed antenna would eliminate the problems should be a requirement of the application. This would serve the issue of meeting density and indicate the geographical locations they would be serving.

Mr. Lenander explained the federal government produced a digital terrain elevation database that is used by many communication agencies and it would do precisely what Mr. Lewis requested. It would be a worthwhile addition to County capability and improve the emergency services' communication. He stated with the original cell tower concept, cell antennas covered approximately a 10-mile region. He explained in high-density areas, the micro-channel concept used smaller systems bolted on the side of a church, on power poles, etc. and they are focused antennas that cover a specific corridor in a micro-cell concept. If you have too many users in a single cell, you can add micro-cells within the original cell with neighborhood antenna systems that would cover areas that are shadowed. He explained that shadowing was a problem on Camano. He felt in establishing a private utility system that serves the public well, the overall architectural solution for communications on the Island should include the micro-cell concept locating distributor radiating centers in needed areas.

Commissioner Thorn explained there was an article in the International City/County Management Association (ICMA) that described the same concept with the larger towers called coverage phases, a capacity phase with more channels, and a residential phase with smaller type installations, but more of them. [INFO Tech Report for local governments, Vol. 16, No. 9, Sept. 1999, article: "Hello Local Government Control, Good-bye Cellular Towers" *GMA doc. #5159*.

Peggy Wendel, Everett Herald, inquired about the different technology and whether the County had the power to regulate the different type systems proposed. She also asked whether co-location was proposed for the two towers on Lands Hill. She understood the newer technology did not need such a large base system, and is quieter. She suggested getting the providers

to collaborate to work together to get seamless coverage.

Dennis Conroy, 1808 Lake Drive, Camano Island, in regard to co-location, recommended the words "encourage" in the ordinance be replaced with "required". He felt some excellent points had been made and urged the County to take them into account.

Sandra Erickson, 914 High Road, Camano Island, requested clarification of co-location, whether it meant another location down the street or on the same pole. She asked what would happen if the County just said "no", for example, to the new U.S. West proposal.

Mr. Bakke explained under the proposed ordinance, an application would be reviewed to see how the new facility would help facilitate co-location. There would be demonstration where on the pole other providers could locate. Co-location is a new proposal in the ordinance, therefore, not considered when approving the previous towers on Lands Hill. He explained that specific code requirements that regulated the approval of cell towers were currently in effect and the County had to abide by those requirements.

Commissioner Thorn explained there were degrees of co-location, such as co-locating on a specific tower and/or co-locating towers on a specific site.

Howard Shuman, 1459 Larkspur Lane, Camano Island, asked for clarification regarding health issues in siting towers as regulated by the Federal Telecommunications Act. He was interested that the County, should in the future science technology indicate there could be some genetic effects from cell towers, take that into consideration.

Commissioner Thorn assured him that if new research indicated a health threat, the County would respond by a code modification. He noted that San Juan County issued a model cell tower Ordinance No. 8, in 1997.

Commissioner McDowell agreed with the consensus on co-location and that the specifics may need to be redefined, with owner of tower responding in writing if the applicant is not able to co-locate on their tower. He believed the County should establish a database of tower locations and each tower's co-locating capability. He was not sure if the County had the right to restrict the benefits to only Island County residents and felt it was up to the County Prosecutor to determine that issue for the Board.

Chairman Shelton felt there were ways to make cellular phone service palatable with the residents of Island County. He thought, perhaps, before approving any new cell tower that the County could require future co-location and establish the capacity before granting site plan approval. He believed co-location was part of the solution along with requiring antennas be located on top of existing power poles and other low impact solutions as discussed. He did not want Island County to be singled out as having "easier" regulations such that tower owners would locate in Island County rather than in adjoining counties. At the same time, he was not sure the County could restrict the benefits to Island County residents only.

#### **BOARD ACTION:**

The Board, by unanimous motion, continued the public hearing on Ordinance #C118-99 (PLG-001-99) to 1:30 p.m., on December 13, 1999, in the Commissioner's Hearing Room, Island County Courthouse Annex, Coupeville. [Notice of Continuance, GMA doc. #5152].

There being no further business to come before the Board at this time, the Chairman adjourned the meeting at 8:35 p.m. .

**BOARD OF COUNTY COMMISSIONERS ISLAND COUNTY,  
WASHINGTON**

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Mike Shelton, Chairman

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Wm. L. McDowell, Member

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Wm. F. Thorn, Member

**ATTEST:**

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Margaret Rosenkranz,  
Clerk of the Board