



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522, Ext. 7339 ■ from S. Whidbey (360) 321-5111, Ext. 7339 FAX: (360) 679-7306 ■ 1 NE 6th Street, P. O. Box 5000, Coupeville, WA 98239-5000. Internet Home Page: <http://www.islandcounty.net/planning/>

~ MEMORANDUM ~

TO: Planning Commission
FROM: Hiller West, Director
DATE: January 18, 2019
SUBJECT: New Federal legislation for wireless broadband

BACKGROUND

In June 2018, the STREAMLINE Small Cell Deployment Act (S. 3157) was introduced in the US Senate, which limits fees local governments can charge providers and narrows the review process for counties to assess 5G deployment applications. The FCC later approved a controversial rule in September 2018 setting national standards on the local permitting process when siting 5G small cell locations. Though the STREAMLINE Act stalled in the Senate, the FCC order went into effect on January 14, 2019.

DISCUSSION

The legislation limits fees local governments are able to assess telecommunications companies and includes two “shot clocks” (deadlines) for local governments to review and process applications. The bill also includes a “deemed granted” provision, under which applications are automatically approved if the local government fails to complete its evaluation within the set timeframe.

The FCC ruling will require local governments, including Island County, to adopt enabling amendments to their zoning codes. Staff would like to discuss this legislation with the Planning Commission, determine whether additional information is needed, and further research whether model ordinances are available for consideration at a future workshop.

RECOMMENDATION

For discussion only at this time. Staff will provide further information regarding the specific regulatory amendments required at a future workshop.

Please let me know if you need further information.

Attachment

Summary analysis by National Association of Counties (NACo).