

Wireless Communications Facility Siting in Olympia
Where we've been, where we're at, where we're headed
April, 2014

A brief history that includes a moratorium, an ordinance overhaul, and a Master Plan

In 2006, in response to neighborhood concerns, Olympia overhauled its obsolete telecommunications ordinance to create a more deliberative method for evaluating and permitting sites and designs for new wireless communication facilities (WCFs). Before adopting the City's current WCF ordinance, the City Council instituted a moratorium on new WCFs that lasted from June, 2005 to March, 2006. The moratorium was instituted because the Council "became concerned that economic recovery, the consolidation of telecommunications companies, and the availability of new technology had led telecommunications companies to prepare for a new round of facility construction, and those facilities had the potential to adversely impact the City of Olympia under the City's zoning and telecommunications regulations." The drafting of the City's 2006 ordinance was spearheaded by a group of neighborhood leaders. In response to their requests and with their input, the City hired a consultant to craft a new ordinance and to draft a Wireless Telecommunications Master Plan for Olympia. The new ordinance and Plan were adopted by the Council in March 2006. The Plan was intended to be used to support the goals of the ordinance by providing the data, the maps, and a set of strategies to "reduce tower infrastructure by improving efforts to morph wireless deployments from various service providers, thereby minimizing tower proliferation by increasing shared sites." **The purpose and intent of the City's current WCF ordinance which was adopted in 2006 can be found below.**

Meeting the growing demand for wireless services

Up until the last few years, most of the demand for new wireless services could be met by siting new antennae on existing facilities and in commercial and industrial zones. With the shift away from landlines and with the dramatic increase in the use of wireless systems to transmit data, wireless carriers are now looking to site more of their new facilities in residential neighborhoods. And, as in 2006, economic recovery, industry consolidation, and the availability of new technologies, has set the stage for a new round of facility construction that has the potential to adversely impact our community. The initial requests for these new facilities have come from AT&T which is looking to site multiple new facilities in residential areas. This has reignited interest in and concerns about WCFs in Olympia.

A steady erosion of local control on WCF siting

Since 2006, the industry has successfully been working at the federal, state, and local level to make it as easy as possible for them to site new facilities, especially as they move into residential neighborhoods to expand their coverage and capacity. For example, recent changes to federal and WA State law have curtailed local government's authority to regulate the siting of wireless communication facilities (WCF), especially on existing structures. The Federal Communications Commission (FCC) is now in the process of a complex rule-making process to clarify how these new laws will be applied.

In addition, AT&T has submitted a request to the City of Olympia to amend the City's WCF ordinance. Their proposed changes would make it easier for any wireless carrier to site new facilities on existing structures and in historic districts, among other things. This request by AT&T, along with the industry's support of a recently passed State law to make it easier to site micro-cell facilities, are part of a national campaign that will have significant implications for Olympia and other local communities across the country. AT&T asserts that these changes need to be made to ensure Olympia's code is "more consistent with federal law...and Washington's new SEPA exemption for wireless facilities." However, until the FCC completes its rule-making process it is unclear what if any changes would need to be made to Olympia's code to bring it into compliance with federal law.

Community organizing to reach out to the industry and the City

Members of the Olympia Coalition of Neighborhood Associations (CNA) have formed a WCF subcommittee to address the potential impacts of the growing demand for enhanced and expanded wireless capacity and coverage in residential areas. This group is coordinating its work with City staff and with the wireless industry, and the attorney the City is contracting with to review Olympia's current WCF ordinance and Master Plan.

The WCF subcommittee had its first meeting on February 5, 2014. At this meeting, two small working groups were formed. One is reviewing the City's current WCF ordinance and developing a recommendation on how the City should respond to AT&T's proposed amendments. The other group includes representatives of the neighborhoods where AT&T has specifically indicated they would like to site new WCFs. This group had its first meeting on March 17 to develop a coordinated cross-neighborhood strategy to engage with AT&T and other carriers. They plan to have their first meeting with AT&T representatives sometime in April.

To learn more...

- **CNA's Wireless Subcommittee:** Peter Guttchen, Subcommittee Chair - pguttchen@gmail.com.
- **City of Olympia:** Steve Friddle, Community Planning & Development – 360.753.8591 - sfriddle@ci.olympia.wa.us
- **AT&T:** Carol Taguyun - AT&T External Affairs – 425.580.4694 – ctt1417@att.com
- **Check out the Wireless Subcommittee's Google Drive** – This regularly-updated shared resource is chock full of information on this important issue.

Chapter 18.44 - ANTENNAS AND WIRELESS COMMUNICATIONS FACILITIES - (Ord. 6395 §1, 2006).

18.44.020 Purpose and Intent

The purposes and intent of this chapter are to:

- A. Promote the safety and general welfare of the public by regulating the siting of antennas and wireless communication facilities, to the extent allowed to local governments under federal law.
- B. Minimize the impacts of antennas and wireless communication facilities on surrounding areas by establishing standards for location, structural integrity, and compatibility.
- C. Encourage the location and collocation of wireless communication facilities on existing structures, thereby a) minimizing new visual, aesthetic, and public safety impacts, b) minimizing effects upon the natural environment and wildlife, and c) reducing the need for additional antenna support structures.
- D. Accommodate the growing need and demand for wireless communication services.
- E. Encourage coordination between site suppliers and wireless communication services providers.
- F. Establish predictable and balanced codes governing the construction and location of wireless communications facilities, within the confines of permissible local regulations.
- G. Establish review procedures to ensure that applications for wireless communications facilities are reviewed and acted upon within a reasonable period of time.
- H. Respond to the policies embodied in the Telecommunications Act of 1996 in such a manner as not to unreasonably discriminate between providers of functionally equivalent personal wireless services or to prohibit or have the effect of prohibiting personal wireless services.
- I. Emphasize concealed (stealth) technologies to protect the character of the City while meeting the demand for wireless communications services.