



CITY OF FORT BRAGG

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COUNCIL COMMITTEE ITEM SUMMARY REPORT

MEETING DATE: SEPTEMBER 11, 2019
TO: PUBLIC WORKS & FACILITIES COMMITTEE
FROM: TOM Z. VARGA, PUBLIC WORKS DIRECTOR
**AGENDA ITEM TITLE: PRELIMINARY REVIEW OF RESOLUTION REVISING
AND UPDATING AESTHETIC GUIDELINES FOR
DEPLOYMENTS OF WIRELESS
TELECOMMUNICATIONS FACILITIES IN THE CITY OF
FORT BRAGG**

BACKGROUND AND OVERVIEW:

During City Council meetings on April 12, 2019 and April 22, 2019, aesthetic guidelines for the deployments of wireless telecommunications facilities in the city were adopted. The upcoming roll out of 5G cell service will be supported by Small Wireless Facilities (SWF). This technology is expected to result in a significant increase in the installation of communications infrastructure. Since that time, staff with outside legal assistance, has developed a revised and updated Resolution spelling out guidelines better fitting the needs of the community.

The recent Federal Communications Commission (FCC) declaratory ruling and third report interpreting the Telecommunications Act of 1996 has prescribed extensive criteria regarding the installation of SWFs and telecommunications facilities. Certain aesthetic guidelines have been left to the discretion of local agencies. These guidelines are the subject of the revised Resolution. Staff is working with over 100 pages of material comprising a revised Resolution and five associated exhibits. Nevertheless, an initial review would help to keep the process moving in an expeditious manner.

One of the important initial steps is adequate public notice when an application for a SWF or other telecommunication facility is received. The initial draft Resolution and associated exhibits contain provisions for public notice for various times and places before SWFs can be installed. These provisions have been excerpted and attached for reference.

Exhibit B to the Resolution contains Permit Guidelines, includes an application checklist and specific permit conditions. Section IV – Public Notification covers the requirements for noticing the public, (see the attached excerpts). The contents of such a notice are listed in detail. To further enhance the reach of this public notification, suggested language has been added to have the notice be published in a local newspaper. In addition, suggested language has been added that the City Council will be advised when an application has been made and that they may take up the matter at a public meeting if so desired.

This is also an opportunity to consider how the authorization for the installation of SWFs for 5G as well as other telecommunications infrastructure deployments fit within the City Council's goals and priorities. The following priority/goal applies.

Priority 1-Jobs/Industry; Goal 3-Foster and help sustain Local businesses, "Public/private partnerships: overcome barriers to industry such as broadband, housing, and transportation; work with West Company and Economic Development Financing Corp. (EDFC); and support businesses that 'keep money here'", (emphasis added).

In general, the telecommunications industry is transitioning from "hard-wired" infrastructure, (e.g. copper wire or fiber-optic lines) to wireless technology. This is especially true as the telecommunications system expands from the traditional communication between people to communication between machines and objects – the Internet of Things (IoT). The upcoming generation of telecommunications infrastructure – 5G, is expected to be the next big step in this transition where broadband communications become increasingly dependent on wireless technology.

Consequently, this is a good time to consider how permitting the installation of wireless telecommunications facilities helps support the goal of overcoming barriers to broadband. Specifically, what is the right balance to be struck between broadband accessibility and the regulation of wireless telecommunications facilities, most notably SWFs?

CONSISTENCY:

Consider how the revised guidelines support Council policies, priorities, and goals.

RECOMMENDATION:

Review and provide feedback to staff on the public noticing provisions of the proposed revisions to the aesthetic guidelines for deployments of wireless telecommunications facilities in the City.

ATTACHMENTS:

1. Excerpts from Guidelines summarizing public notice provisions