



CITY of CALABASAS

To: Mayor and City Council Members

Date: September 19,  
2012

From: Michael Klein, Associate Planner

Subject: On February 22, 2012 Congress passed the Middle Class Tax Relief and Job Creation Act, and included within that new federal legislation was a provision specific to wireless communication facilities – Section 6409(a). This provision states that a “local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station”. Staff’s opinion is that 6409(A) does not apply to any wireless facility or structure; it only applies to existing telecommunication towers. Absent clarification from the FCC or Federal Government, staff will rely on the City’s definition of “telecommunications tower” found in section 17.12.050 of the Calabasas Municipal Code (CMC) to determine what existing wireless facilities are eligible for 6409(A) classification. The CMC defines a “telecommunications tower” as a freestanding pole or structure that is used primarily to support wireless telecommunications facility antennas. For example, antennas mounted to a street light would not meet the City’s definition of a tower, and therefore would not qualify for 6409(A) applicability. Below is a list of existing facilities that do meet the City’s definition of a tower, and are the only facilities that could be 6409(A) applicable, until further changes are made in the law or court decisions provide additional guidance.

Address	Carrier(s)
2500 Calabasas Rd	T-Mobile
24800 Cordillera	AT&T, Sprint, T-Mobile
4933 Las Virgenes	Verizon
4985 Las Virgenes	T-Mobile
4411 Lost Hills	T-Mobile
22233 Mulholland Hwy	Verizon
24000 Park Belmonte	Sprint
23850 Park Sienna	T-Mobile

*Memorandum*