

# Wireless Ordinance Discussion



CITY *of* CALABASAS

CTC July 21, 2020

# CTC Review Authority

- Per Section 17.76 of the CMC, the CTC acts as a Planning Commission for all wireless related projects, including the reviewing body for consideration of amendments to Section 17.12.050 of the CMC.
- This item tonight is just a discussion, **not** a public hearing for adoption of a new ordinance.



# Ordinance Background

- 2012: Ordinance No. 2012-295
  - Comprehensive update to prior wireless ordinance
- 2014: Ordinance No. 2014-314
  - Court order
- 2015: Ordinance No. 2015-323
  - Minor Modification Permits
- 2019: Ordinance No. 2019-375
  - Small Wireless Facility Permits



# Current Ordinance

- Section 17.12.050 of the CMC:
  - Regulates all wireless facilities, including those within the public right-of-way
    - Wireless Telecommunication Facility Permit
    - Minor Modification Permit
    - Small Wireless Facility Permit
  - Regulates Satellite Dishes and Radio Antennas



# Issues with Current Ordinance

- **Process**
  - Wireless Facility Permit process is restrictive
- **Prohibited Locations**
  - New facilities are prohibited in residential and open space zones, including streets within gated communities
- **1,000-foot setback from residential uses, schools and parks**
  - Most of the City is located within 1,000 feet of a residential use, school or park.
- **Organization**
  - Current ordinance is 26 pages long



# Process

- **Wireless Telecommunication Facility Permit**
  - Required for all new facilities not subject to a Small Wireless Facility Permit
  - Discretionary Permit subject to CTC review and approval.
  - Findings require the applicant to demonstrate a proposed facility is the least intrusive mean to close a significant gap in the carrier's coverage.
  - Requires a 30 day public hearing notice to all property owners within 1,500 feet





# Tier 1 Examples

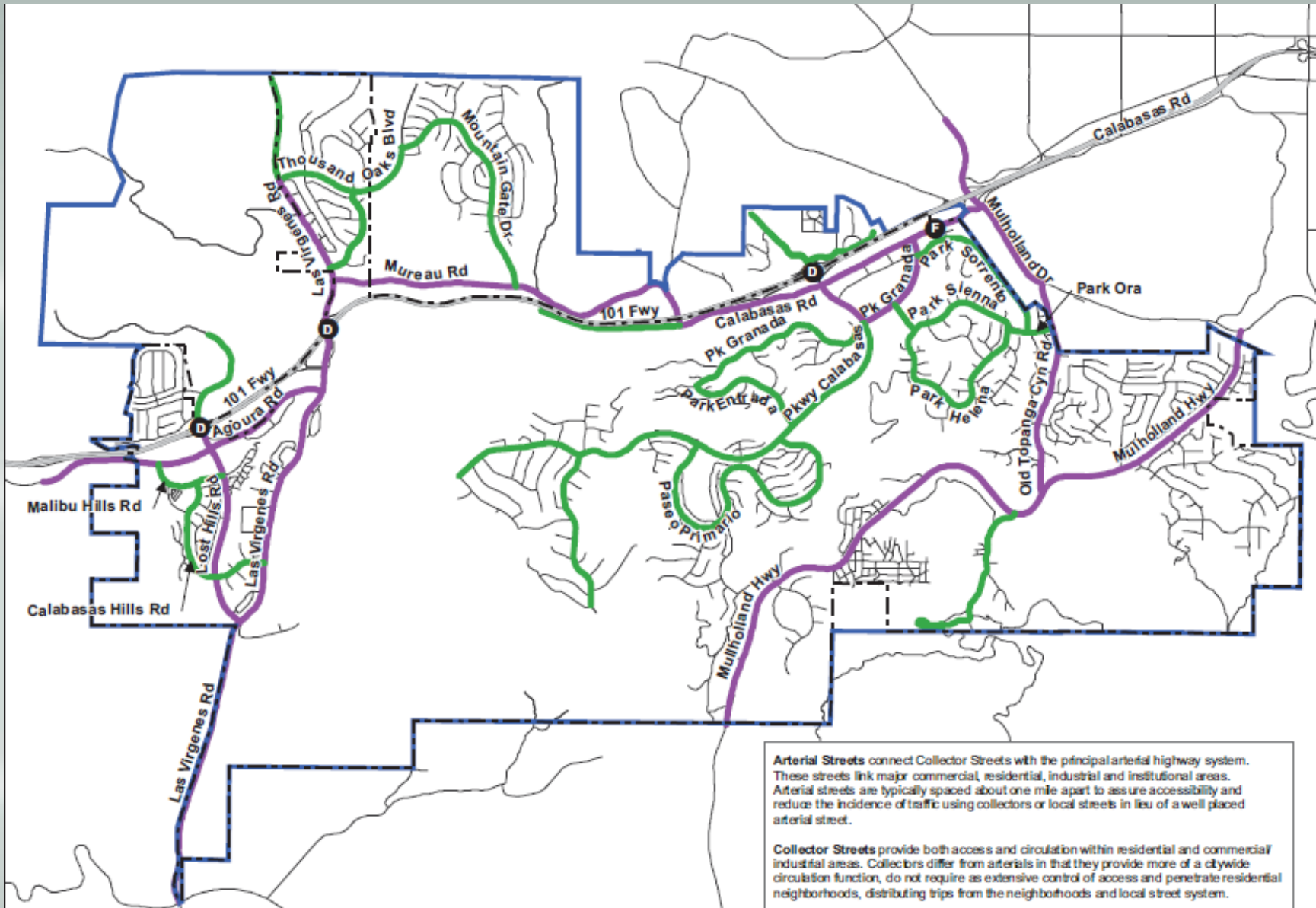




Not Tier 1, subject to Tier 2





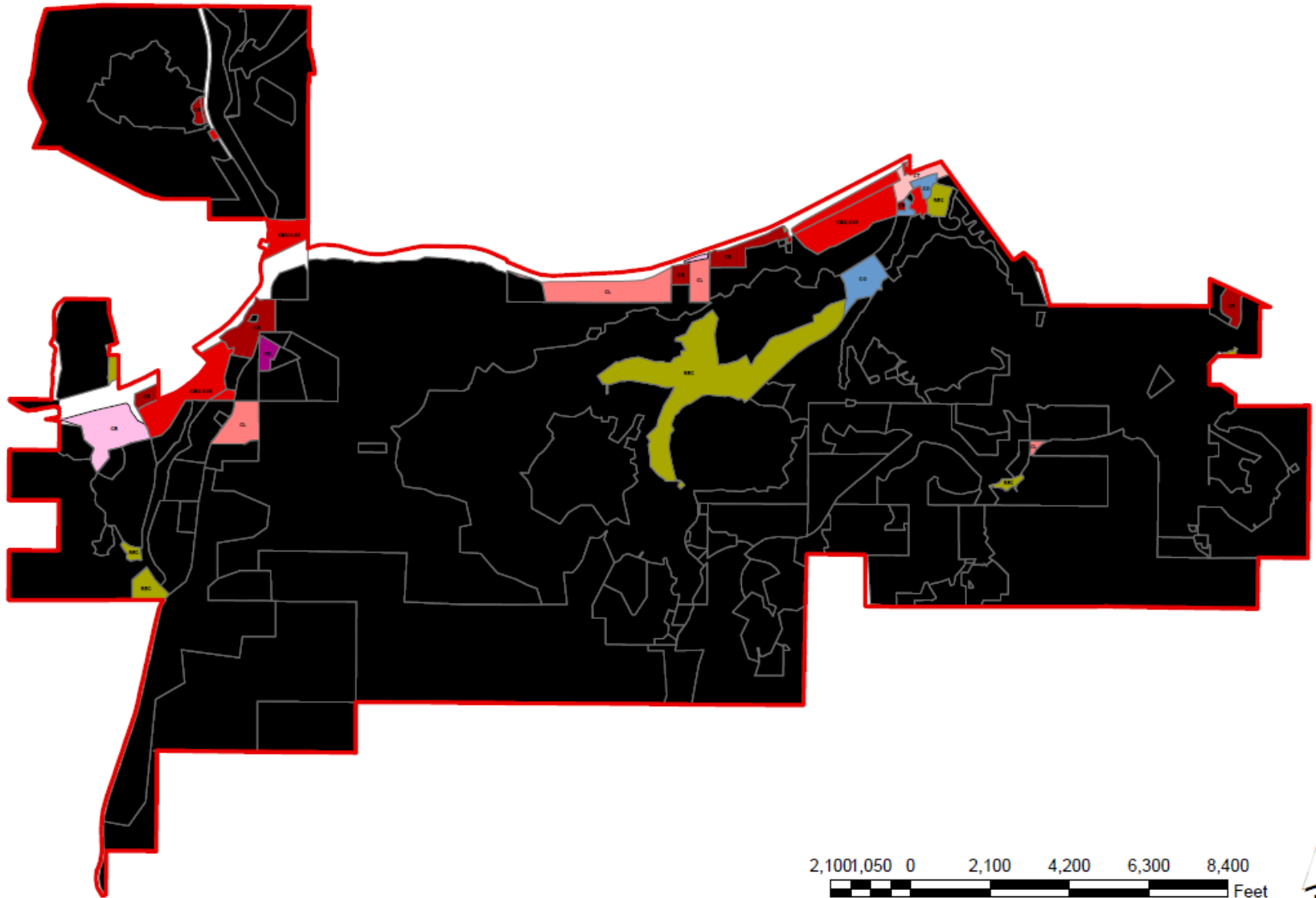


# WIRELESS FACILITY ORDINANCE DISCUSSION

# Prohibited Locations

- Prohibited Zones
  - Residential Zones, including streets within gated communities
  - Open Space Zones, including developed HOA common area

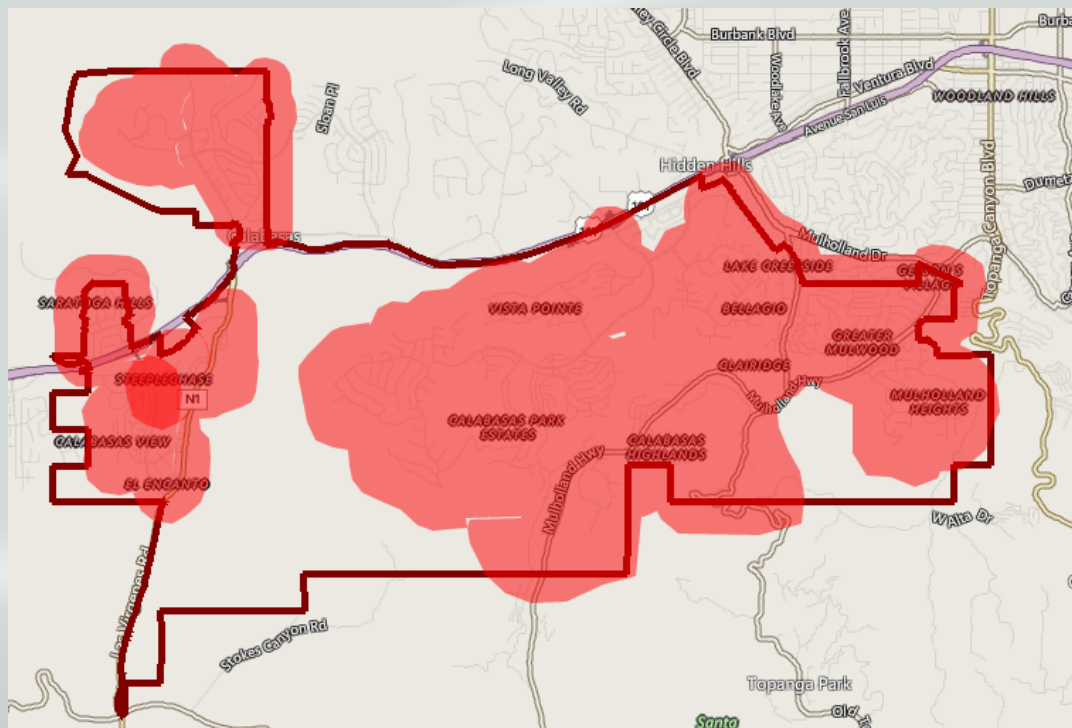






# 1,000-foot Setback

- All new facilities required to be setback at least 1,000 feet from residential uses, schools and parks



# Organization

- **Wireless Ordinance is a subsection of 17.12, Standards for Specific Land Uses.**
  - Includes specific uses such as residential accessory structures, accessory dwelling units, alcohol sales etc
  - Most subsections are a few paragraphs or a few pages
  - Wireless subsection is 26 pages!!



# Summary of Recommendations

1. Develop a Two Tier Permit Process;
2. Allow for stealth facilities in Residential and Open Space Zoning Districts, developed and under HOA ownership;
3. Allow Tier 1 facilities within 1,000 feet of residential uses, schools and parks;
4. Reorganize wireless ordinance into its own Chapter in the CMC;
5. Develop design and stealth guidelines for Tier 1 facilities; and
6. Implement a 12-18 month time limit for the ordinance.



# Recommended Action

Staff recommends that the CTC approve Exhibit A, a draft memo from the CTC to the City Council, which includes recommendations to update the current wireless ordinance.

