



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE:** AUGUST 5, 2020

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** MICHAEL RUSSO, COMMUNICATIONS DIRECTOR  
MICHAEL KLEIN, SENIOR PLANNER, AICP  
MATT SUMMERS, ASSISTANT CITY ATTORNEY

**SUBJECT:** DISCUSSION OF OPTIONS TO AMEND SECTION 17.12.050  
(ANTENNAS / WIRELESS COMMUNICATION FACILITIES) OF THE  
CALABASAS MUNICIPAL CODE.

**MEETING DATE:** AUGUST 12, 2020

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**SUMMARY RECOMMENDATION:**

That the City Council review recommendations from the Communications and Technology Commission (CTC) to amend the wireless ordinance (Attachment A) and provide direction to staff.

**BACKGROUND:**

At the direction of the City Council, staff has worked with the CTC on a comprehensive review of the City's wireless ordinance. The purpose of the review is to address concerns raised from a survey conducted in 2019, in which approximately 1,000 respondents expressed dissatisfaction with the quality of wireless services and reliability within the City. On April 21, 2020, the CTC reviewed the results of the survey and directed the wireless subcommittee to meet with staff, the City Attorney and Jonathan Kramer, to review the wireless ordinance and develop recommendations to amend the ordinance with the goal of improving wireless service within the City. On July 21, 2020, the CTC discussed

options developed by the subcommittee and voted unanimously to approve a memo (Attachment A) with specific recommendations for the City Council to consider in order to update the wireless ordinance.

**DISCUSSION/ANALYSIS:**

A. A detailed discussion is provided in the July 21, 2020, CTC staff report, which is provided as Attachment B to this report. In summary, both staff and the CTC have concluded that the lack of reliable wireless service in the City is the result of a restrictive ordinance that discourages deployment of new wireless facilities. After a thorough review of the current wireless ordinance, it was determined that the best approach is to modify rather than revise the entire ordinance. As a result, the following is a summary of recommendations made by the CTC:

- 1) Develop a two-tier permit process for the construction of new wireless facilities. A Tier 1 permit would allow for the construction of new stealth facilities, located in areas predetermined by the City to be appropriate. A Tier 1 permit would require an administrative review and would eliminate the need for a public hearing for new facilities that meet these requirements. A Tier 2 permit would be required for any new facility that does not meet these specific requirements, and the process would remain the same as the City's current Wireless Telecommunication Facilities Permit.
- 2) Allow for stealth facilities in Residential Zoning Districts and Open Space Zoning Districts, specifically on properties that are developed and under HOA ownership. Property owner consent would still be required.
- 3) Allow Tier 1 eligible facilities to be constructed within 1,000 feet from residential zones, schools and parks. The 1,000-foot setback would remain applicable to Tier 2 facilities.
- 4) Reorganize the existing wireless ordinance into its own Chapter in the Municipal Code.
- 5) Develop design and stealth guidelines for Tier 1 Facilities. The design guidelines would be a supplementary document, meant to act as a visual aid that complements the standards set forth in the ordinance.
- 6) Implement a time limit for the updates to the ordinance. The ordinance's amendments creating the Tier 1 permit process would initially remain in effect for only 12-18 months after being adopted, for the purpose of encouraging earlier deployment of new facilities to more swiftly address the issues described in this memorandum. Provisions could be added that would allow the ordinance to be reevaluated at a later date, and extended for an additional period of time if necessary and as determined by the Council. The reorganization element would remain in effect.

**FISCAL IMPACT/SOURCE OF FUNDING:**

The effort to update the wireless ordinance will require staff time to develop the provisions and design guidelines through community outreach and industry outreach efforts. The process will involve coordination with the City Attorney and Kramer Firm, which the City has existing contracts and will incur costs at an hourly rate. Furthermore, any significant update to the wireless ordinance is subject to CEQA. The average cost to prepare an initial study and corresponding negative declaration, or mitigated negative declaration, is approximately \$30,000.

**REQUESTED ACTION:**

That the City Council review the recommendations from the CTC to amend the wireless ordinance (Attachment A) and provide direction to staff.

**ATTACHMENTS:**

- Attachment A: CTC Memo
- Attachment B: CTC Staff Report, July 21, 2020
- Attachment C: Current Wireless Ordinance