



AGENDA REPORT SUMMARY

Meeting Date: June 28, 2022

Subject Wireless Telecommunications Facilities Ordinance and Design Guidelines

Prepared by: Gabriel Engeland, City Manager

Attachment(s):

1. Resolution 2022-__, Wireless Telecommunications Facilities CEQA Resolution as approved
2. Ordinance 2022-__, Wireless Telecommunications Facilities Locational Standards as introduced
3. Resolution 2022-__, Wireless Telecommunications Facilities Design Guidelines as approved

Initiated by:

City Council

Fiscal Impact:

None

Environmental Review:

Negative Declaration. A Negative Declaration was approved on June 14, 2022.

Summary Background:

- The technology for wireless telecommunications facilities is moving away from large, powerful towers that are very visually intrusive to smaller, less powerful facilities that are less visually intrusive. As a result, a greater number of wireless telecommunications facilities are needed to provide coverage.
- A draft CEQA resolution, locational standards, and design guidelines were reviewed by the City Council and public hearings were held on April 12, May 10, and June 14, 2022. In addition, the Planning Commission held public hearings on March 3, 2022 and March 17, 2022, resulting in the recommendations presented to the City Council on April 12, 2022.

Reviewed By:

City Manager

GE

City Attorney

JH



Subject: Wireless Telecommunications Facilities Ordinance and Design Guidelines

- The Ordinance and Design Guidelines considered and approved by the City Council regulate wireless facilities on the basis of aesthetics, traffic safety, noise, and other criteria. However, due to federal preemption, the proposed Ordinance and Design Guidelines do not regulate the placement of wireless facilities based on the environmental effects of radio frequency (“RF”) emissions that comply with FCC regulations. Neither do the proposed Ordinance and Design Guidelines require or prohibit any specific type of technology, also consistent with the limitations imposed on the City based on federal preemption
- On June 14, 2022, the City Council took the following actions:
 - Approved Resolution 2022-__, adopting CEQA findings and a Negative Declaration (Attachment 1);
 - Introduced Ordinance 2022-__, setting forth locational standards for Wireless Telecommunications Facilities (Attachment 2); and
 - Adopted Resolution 2022-__, setting forth Design Guidelines for Wireless Telecommunications Facilities (Attachment 3).

Staff Recommendation:

1. Adopt Ordinance 2022-__, Wireless Telecommunications Facilities Locational Standards, as introduced by the City Council on June 14, 2022.

Purpose

The overarching intent of the Ordinance and Design Guidelines is to balance the need to provide for a reasonable range of potential sites for the location of wireless telecommunications throughout the City while preserving its essential wooded, small community character and its inherent aesthetic quality. The proposed Ordinance and Design Guidelines achieve this by minimizing the visual and physical effects of wireless telecommunications facilities through appropriate location, siting, design, and visual screening of facilities; encouraging the installation of wireless telecommunications facilities at locations where other such facilities already exist; and providing for the installation of wireless facilities so as to minimize potential adverse impacts to Los Altos.

Proposed locational standards and design guidelines are intended to better reflect the community’s land use and address advancements in wireless telecommunications technology that is trending away from large, powerful, and very visually intrusive towers and “macro” facilities to smaller, less powerful, and less visually intrusive small wireless facilities.



Subject: Wireless Telecommunications Facilities Ordinance and Design Guidelines

Background

Current regulation of wireless telecommunications facilities within the City of Los Altos is provided in two documents:

- City of Los Altos Resolution No. 2019-35, *Design and Siting Guidelines and Standards for Wireless Facilities*, which provides design guidelines and locational standards for the installation of wireless facilities within the City.
- City of Los Altos Municipal Code Chapter 11.12, *Wireless Facilities*, which addresses wireless telecommunications facility permit requirements and sets forth standard conditions of approval for such facilities.

The City adopted Resolution No. 2019-35 and Municipal Code Chapter 11.12 in August 2019 following a City Council study session and several public hearings, at which stakeholders discussed wireless and other infrastructure deployment issues; reviewed potential local regulatory responses to the recent changes in federal law in the FCC orders; and expressed their design and locational preferences, practical and safety concerns, aesthetic concerns, policy views and the essential local values that make Los Altos a unique community.

Ordinance 2022-___ repeals Resolution No. 2019-35 in total, replacing it with the locational standards in Ordinance 2022-___ and the Design Guidelines in Resolution 2022-___. In addition to adding Chapter 14.85 to the Municipal Code, Ordinance 2022-___ makes specified revisions to Municipal Code Chapter 11.12.

Discussion/Analysis

Starting with the Planning Commission's recommendations, the City Council undertook detailed review of wireless facilities locational standards and design guidelines on April 12, May 20, and June 14, 2022.

On June 14, 2022, the City Council approved Resolution 2022-___, adopting CEQA findings and a Negative Declaration (Attachment 1). The City Council also introduced Ordinance 2022-___, setting forth locational standards for Wireless Telecommunications Facilities (Attachment 2). Because a previously adopted ordinance had been codified as Municipal Code Chapter 14.82, the wireless telecommunications facilities ordinance has been renumbered as Chapter 14.85 in all attachments. Finally, on June 14, 2022, the City Council adopted Resolution 2022-___, setting forth design guidelines for Wireless Telecommunications Facilities (Attachment 3).



Subject: Wireless Telecommunications Facilities Ordinance and Design Guidelines

Having introduced Ordinance 2022-__ on June 14, 2022, staff has brought the Ordinance back to the City Council for formal adoption. The Ordinance and Design Guidelines would become effective 30 days after adoption. Resolution No. 2019-35 will remain in effect until the effective date of the Ordinance.

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