



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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March 16, 2017

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Recommend that the City Council accept Categorical Exemption CE-17-053 and approve a Zoning Code Amendment and Local Coastal Program Amendment to modify the regulations for wireless telecommunications facilities in the public right-of-way. (Citywide)

APPLICANT: City of Long Beach, Department of Development Services
333 W. Ocean Boulevard, 5th floor
Long Beach, CA 90802
Application No. 1702-17 (ZCA 17-008, LCPA 17-001)

DISCUSSION

On June 7, 2011, the City Council adopted ORD-11-0011, which revised the City's existing zoning regulations for wireless telecommunications facilities (WTFs). A number of major changes were established in this new Ordinance, including a Conditional Use Permit (CUP) requirement for any new WTF on private property, and more rigorous design and aesthetic standards for WTFs (Exhibit A – Current Wireless Telecommunications Facilities Ordinance).

At the time this Ordinance was adopted, practically all WTF development was occurring at "macro" WTF sites on monopoles, building rooftops, or electrical transmission towers. Most of these sites are located on private property, and consist of multiple large panel antennas (typically six to twelve), with multiple radio units behind the antennas, and several refrigerator-sized equipment cabinets, and often a backup power generator, located in a ground lease area or leased equipment room. To date, there are over 120 such macro WTFs in the City. These macro sites provide broad area coverage to the carriers' customers throughout the City.

The 2011 Ordinance also included new regulations (in Section 21.56.130) for a different type of WTF, located in the public right-of-way. These WTFs were anticipated to be located on existing or new poles, such as street light standards, and were expected to be considerably smaller in scale than macro sites. Referred to by the wireless industry as "micro" sites or "small cells," they consist of a single small omnidirectional antenna atop a pole, or up to three small panel antennas concealed behind a cylindrical shroud at the top of a pole, with small (briefcase-sized) radio equipment and electrical power connections

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either in an underground vault, or mounted on the pole above pedestrian height. These micro sites, or small cells, fill small- and intermediate-sized gaps in the carriers' macro coverage, in addition to providing for greater communications capacity in areas of existing macro coverage. In 2011, there were no micro sites on public infrastructure in Long Beach (excluding any on wooden utility poles owned by Southern California Edison, which are not subject to these regulations). As small cell technology was completely new at the time, the 2011 regulations represented a best-practices approach based on other jurisdictions' approaches to this emerging field.

In the following years since 2011, the City received fewer than five applications for small cells in the public right-of-way. This changed in 2016, when the wireless industry shifted to large-scale deployment of small cells. The Planning Bureau has received approximately 80 applications for small cells located in the public right-of-way in the 14 months since the beginning of 2016. With this sudden increase in the volume of applications for WTFs in the right-of-way, staff has found that the 2011 regulations for small cells do not provide sufficient clarity to applicants, and contain several design standards and location preferences that need to be updated to better implement the City's aesthetic standards and goals for development of small cell WTFs in the public right-of-way.

The Public Works Department and City Attorney's Office, working with the Planning Bureau, have initiated this effort to update the WTF regulations to better respond to the current market for small cells development. This update will provide more appropriate aesthetic and location standards for City residents and stakeholders, while providing increased clarity of regulations and efficiency of processing for the wireless industry. The first step in this effort is the adoption of a "patch" Ordinance (Exhibit B – Draft Ordinance), to implement the most crucial changes and allow City staff and the City Attorney's Office time to develop a more comprehensive update of the wireless telecommunications regulations, while also allowing aesthetically-appropriate small cell projects to proceed. It is anticipated that a permanent Ordinance will be brought forward in approximately six months.

The proposed "patch" Ordinance includes: updated statement of purpose of the regulations; updated legal definitions of terms; clarification of permitting requirements; removal of vague or inapplicable language; an update to the siting preferences for WTFs in the right-of-way to encourage location on existing street light poles, discourage installation of new poles, and prohibit installation of new wooden poles; establishment of better standards for wireless equipment (radio packs, power converters, and electric meters) associated with these sites, specifically, requiring them to be located in below-grade vaults wherever possible; and higher standards for evidence if the developer cannot meet the superior siting and design preferences set by the Ordinance.

Staff requests that the Planning Commission forward this Ordinance to the City Council with a recommendation for adoption. Following adoption of this "patch" Ordinance, a permanent code amendment will be brought forward to the Planning Commission for review.

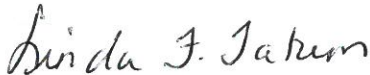
PUBLIC HEARING NOTICE

A Notice of Public Hearing was published in the local newspaper of record, as required for a Citywide zoning amendment, on March 2, 2017, in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. Any comments received prior to the Planning Commission hearing will be provided to the Commission at the hearing.

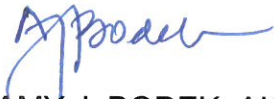
ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was prepared for the proposed project (Exhibit C – CE-17-053), finding that this project qualifies for a Categorical Exemption per Section 15305 of the California Environmental Quality Act Guidelines.

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:CT:sk

Attachments: Exhibit A – Current Wireless Telecommunications Facilities Ordinance
 Exhibit B – Draft Ordinance
 Exhibit C – Categorical Exemption CE-17-053