

**SUMMARY OF THE PLANNING COMMISSION'S COMMENTS ON ORDINANCE
REGARDING WIRELESS COMMUNICATION FACILITIES**

November 29 and December 20, 2018 Special Meeting

Below is a summary of the Planning Commission's comments regarding the proposed ordinance regulating wireless communication facilities.

General Comments Re: ordinance recitals, new sections, language, and definitions

1. Strengthen and/or define the wording "if feasible" in the application process.
2. The resolution and ordinance should better define "small cell"
3. Add recitals to ordinance to better describe the historic character and rural nature of the community.
4. The definition regarding substantial change of these systems should include software changes and upgrades.
5. Substantial changes should be reduced from the 20 feet down to 2 feet.
6. Substantial changes should include height changes and changes to noise, light, and EMF.
7. Add more language in the ordinance about EMF sensitivity.
8. Strengthen insurance requirements, including evidence of liability coverage, to better protect the Town.

Design and Development Standards

9. Do not allow WCF on the decorative streetlights.
10. Ensure the ordinance includes strong design criteria addressing fire hazards, view sheds, and aesthetic considerations.
11. Require equipment mock-ups or story poles, if applicable, for new applications.
12. Establish a time limit for the design and development standards extension.
13. Any lighting on poles should be dark sky compliant and the color should be regulated.
14. Strengthen the provisions for compliance with ADA including protection for those with EMF disabilities.
15. Reduce size of WCF from six cubic feet to as small as possible.
16. Limit the height of the antenna- they should not exceed the height of the existing structures.

Application and Permit Requirements

17. Reduce the Permit Expiration period to less than 10 years
18. Beef up the "Exceptions" provisions and pull together all "Exceptions" into one "Exceptions Section."
19. Consider adding/using the Town of San Anselmo exception standards.
20. Require applications to include a map of the geographic service area.
21. Require equipment owners of wireless communication facilities to follow an annual recertification and affidavit process similar to the process adopted by Burlington, Massachusetts.
22. Require public noticing for eligible facility requests. The Town should publish this information on its website. Carrier should be responsible for the noticing costs.
23. If permitted, require CEQA review and, if appropriate, preparation of initial study for eligible facility requests
24. Allow the Tree Committee to have some input in the process if trees are affected.

Locational/Buffers Requirements

25. Require facilities to be a minimal distance from schools and day care centers.
26. Add a buffer distance between WCF and residential units.
27. Prohibit WCF in the Open Space Zone (OA) and any deeded public access areas; add OA to the table which identifies the zoning districts WCF's are not permitted.
28. Add locational restrictions to include "not on ridgelines, in flood zones, near a mural, not affecting protected species or heritage trees, not by historic buildings (50 years or more)".
29. Add provisions for addressing endangered species, including the creation of buffer zones.
30. Only allow in utility undergrounding districts which requires equipment to be undergrounded.

Keep Titles Separate

31. Concerns that consolidating the two titles into the new Title 19 may inadvertently omit key protection.
32. Keep titles separate.

Other

33. Ensure that PG&E Smart Meter protections are not affected by this ordinance.
34. Suggested staff obtain letters from doctors that support the assertions about health risks.
35. Consider ordinance recommendations submitted by the local group.
36. The ordinance should be brought to the Council for review and comment and then return to the PC for a final recommendation.