

THE SHOT CLOCK ERA: AN IRVINE PERSPECTIVE

SCAN NATOA | JANUARY 21, 2016



FORMAT

PART 1 BACKGROUND

- Irvine's original wireless ordinance
- Community expectations
- 6409 – the early days

PART 2 CHANGES TO WIRELESS ORDINANCE

- Approach to wireless update - 6409
- Outreach
- Challenges
- Next Steps

BACKGROUND

2005: Irvine adopts its first comprehensive wireless ordinance

CREATES 11 ANTENNA CLASSIFICATIONS:

CLASS 1 – Building Mounted (*Concealed*)

CLASS 2 – Monorock/Monoshrub

CLASS 3 – Street Lights/Traffic Signals/Utility Poles

CLASS 4 – Co-Location

CLASS 5 – Temporary Facilities

CLASS 6 – Visible Field Lights/Utility Towers

CLASS 7 – Flagpole Mounted

CLASS 8 – Building Mounted (*Visible*)

CLASS 9 – Enclosed Camouflaged Tower

CLASS 10 – Monopole (*Exterior Mounted*)

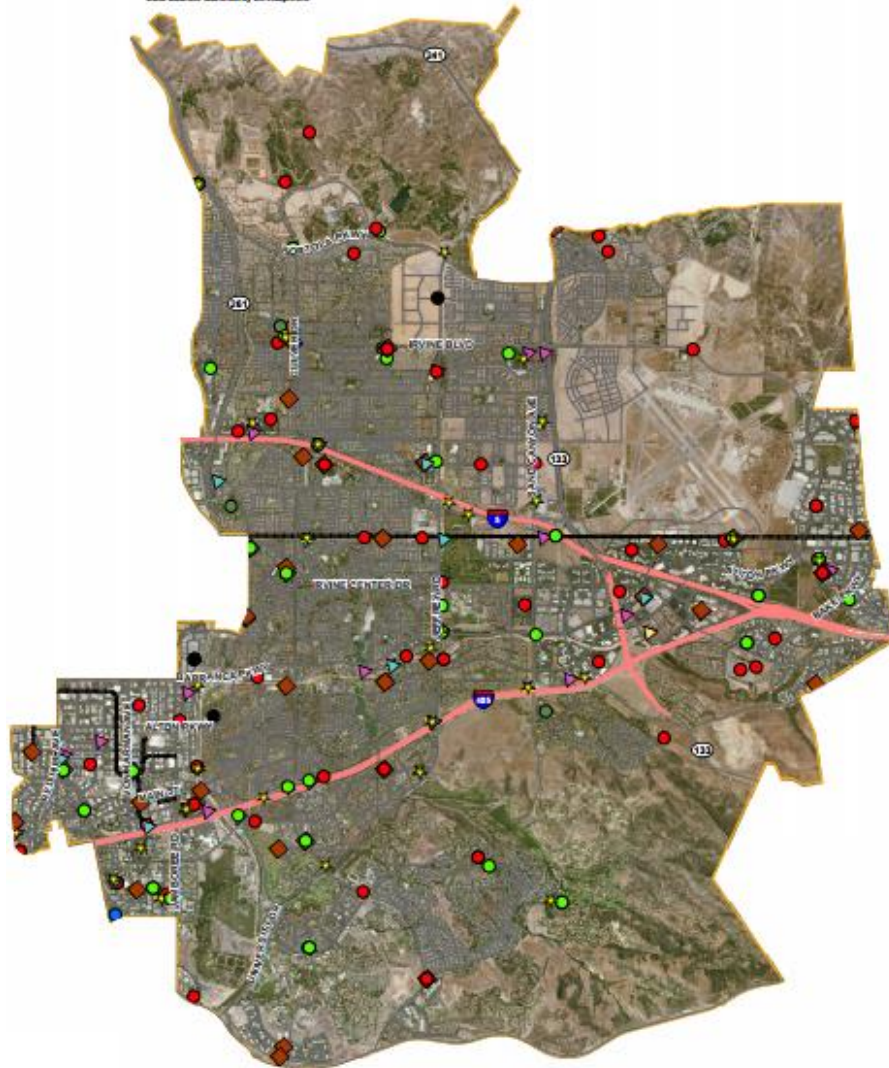
CLASS 11 – Non-Camouflaged Monopole

Cell Towers - September 2015











City of Irvine

September 28, 2015

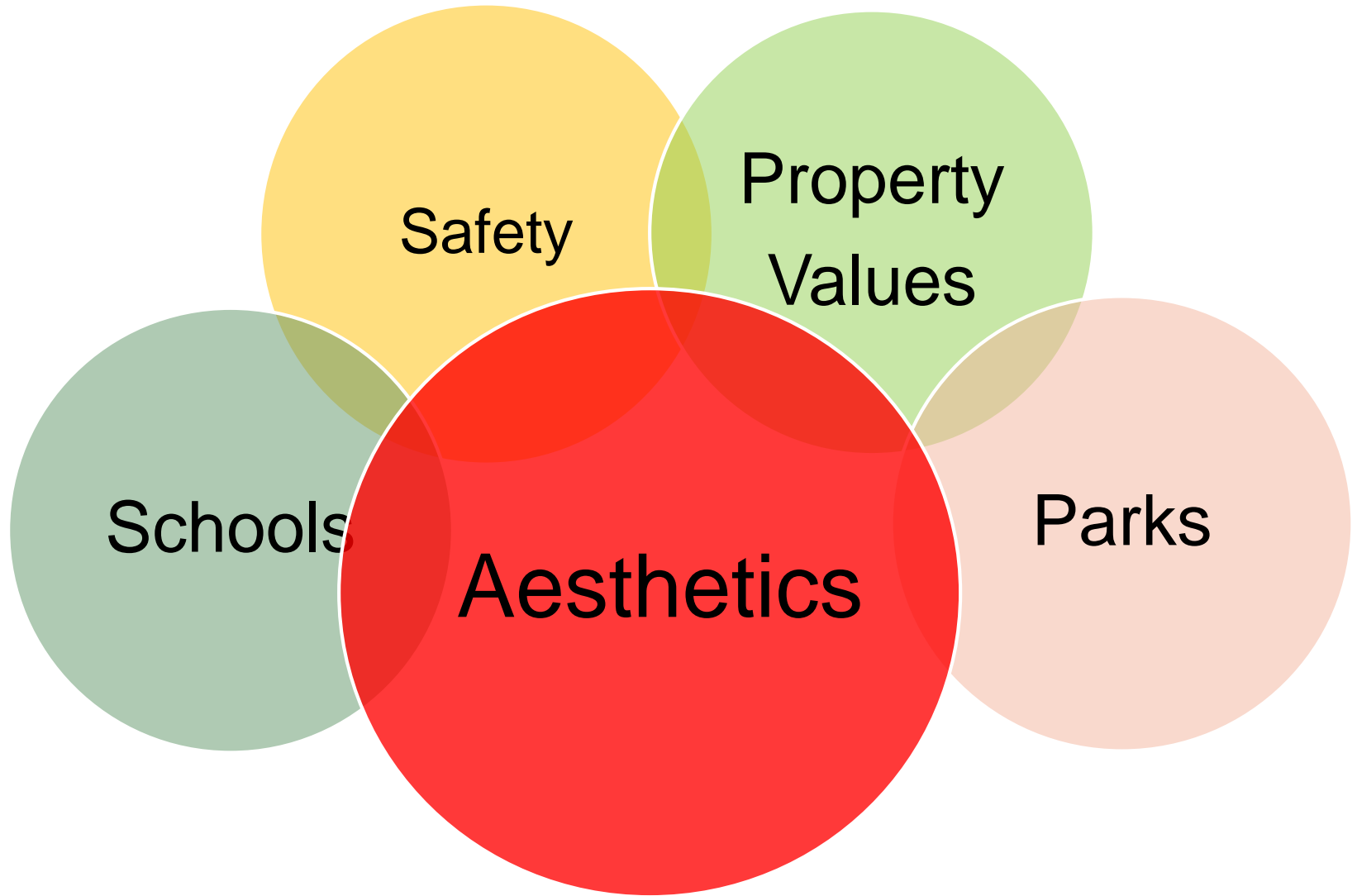
Data Source: Community Development



Wireless Tower Sites

-  Verizon
-  Sprint
-  AT&T
-  T-Mobile
-  Metro PCS
-  Clearwire
-  Multiple
-  Nextel
-  Crown Castle
-  Nexlink

COMMUNITY EXPECTATIONS



SECTION 6409 | The Early Days

2012: MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT ESTABLISHES SECTION 6409(a):

“States and local governments shall approve modifications of wireless facilities that do not substantially change their physical dimensions”



Some good...

BEFORE

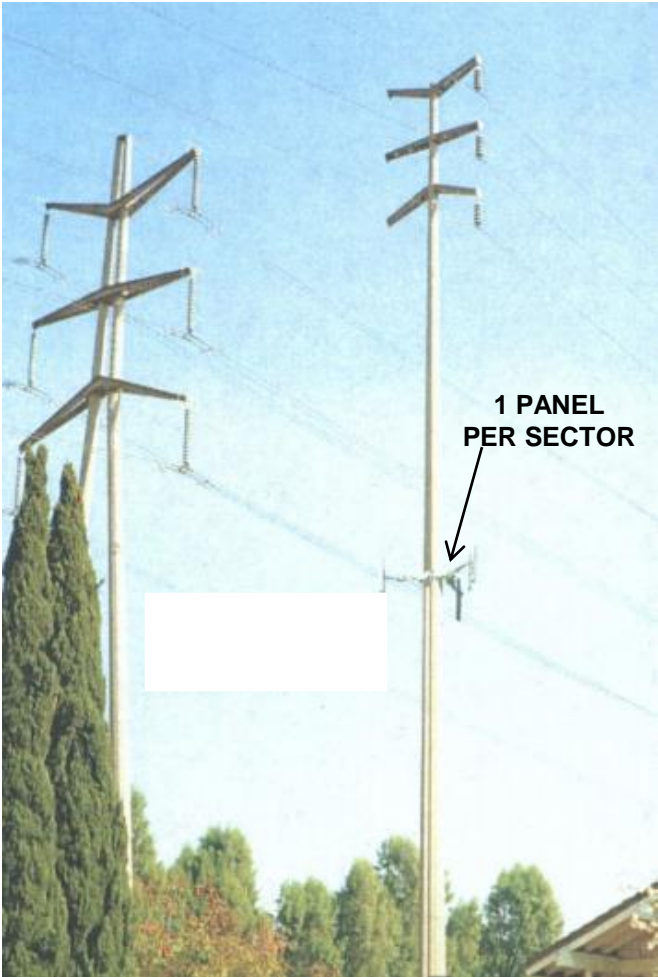


AFTER

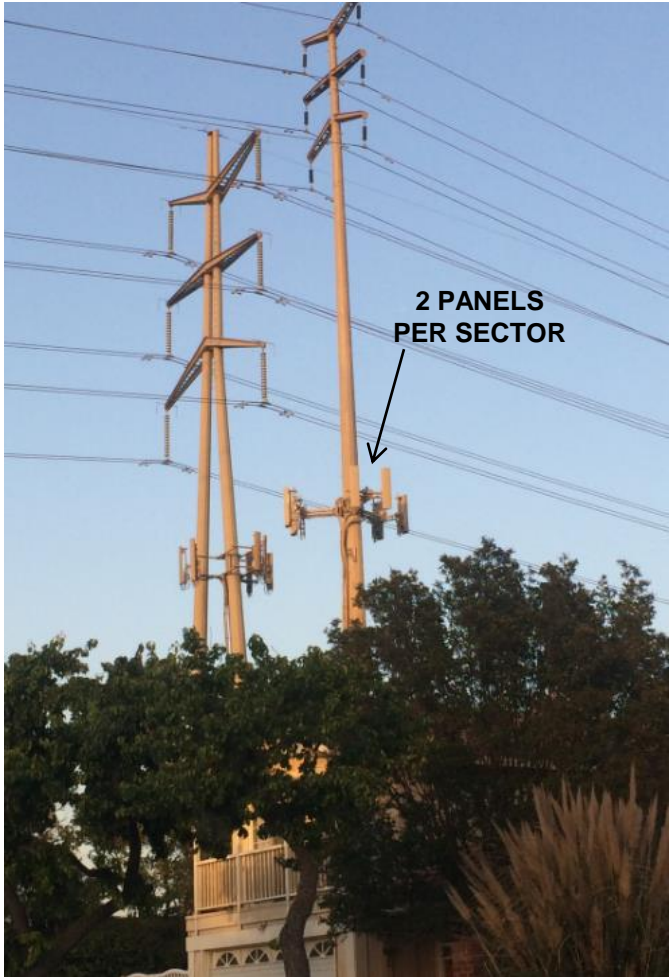


Some not so good...

BEFORE



AFTER



2014 FCC ORDER | Still challenging...

THE ORDER PROVIDED MORE CLARITY AND DEFINITION BUT STILL OPEN TO **INTERPRETATION** ON MANY LEVELS.

CHALLENGES:

1. SHOT CLOCK
2. INCOMPLETE SUBMITTALS
3. INCONSISTENCIES BETWEEN DOCUMENTS
4. PERMIT SUBMITTALS W/ NO PRIOR APPROVALS
5. BATCH SUBMITTALS
6. REQUESTS THAT CHANGE THE ANTENNA CLASSIFICATION
7. MAINTAINING AESTHETICS/CONCEALMENT
8. LACK OF STRUCTURE



GETTING STARTED | City priorities

CITY STAFF

Shot Clock

Streamline Processing

PLANNING COMMISSION

Aesthetics

APPROACH | Administrative Procedures

NEW SET OF **ADMINISTRATIVE PROCEDURES** ESTABLISHED FOR PROCESSING 6409(a) APPLICATIONS, INCLUDING:



Findings and criteria for an eligible facility



Submittal requirements



Timing restrictions
(60-day shot clock)



Final approval body

APPROACH | Objective Standards

ESTABLISHED OBJECTIVE STANDARDS THAT DRAW UPON EXISTING CITY STANDARDS, POLICIES AND CONDITIONS FOR WIRELESS:

1. Pre-existing conditions of approval
2. Applicable zoning development standards
3. Applicable concealment measures
4. Applicable building, structural, electrical, and safety codes
5. The City's noise ordinance
6. The FCC's radio frequency emissions regulations
7. Regulations preventing conflict with the City's use of 800 MHz radio frequency
8. Conditions setting a permit time limit and requiring project re-evaluation upon permit expiration
9. Requirements for payment of AUP charges
10. Building permit and certificate of occupancy requirements

APPROACH | Concealment Measures

CONCEALMENT ELEMENTS INCLUDED FOR EACH ANTENNA CLASS TO ENSURE THAT ELIGIBLE FACILITIES ARE CAMOUFLAGED CONSISTENT WITH ORIGINAL DESIGN.

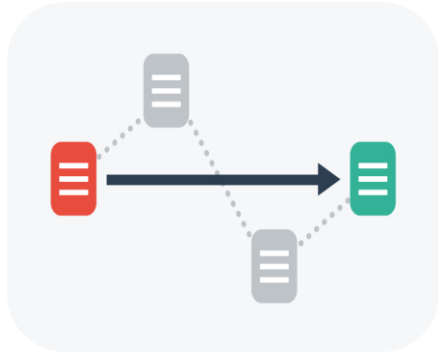
EXAMPLE: CLASS 6 – Visible Field Lights/Utility Towers

- The radome shall be painted or otherwise coated to be visually compatible with lighting and signal equipment (right-of-way facilities only).
- Antenna panels matching in size and scale of the existing antenna panels on the tower.
- Antenna panels and accessory equipment shall be located and arranged on the structure so as to replicate the existing appearance of the installation and any equipment already mounted to the structure.
- Antenna panels or other equipment shall be wired in a manner minimizing exposed cables. The use of 90-degree connectors may be used to prevent dangling cables.



STREAMLINING THE APPROVAL PROCESS

CREATED A **CHECKLIST FORM** FOR 6409(a) APPROVALS TO EXPEDITE THE PROCESS, RESULTING IN:



Reduced
paperwork



Timely processing



Check-the-box
line items



Project
Information



Director
Signature

COLLABORATION | Engaging the stakeholders

- Carriers provided with advance notice of October PC Study Session
- Received staff report for PC Study Session
- Held individual meetings with multiple carriers to gather feedback
- Gave opportunity to provide written feedback on the draft
- Holding an additional group meeting with all interested carriers for further input



CHALLENGES



Difficulty reaching consensus with carriers.
Disagree on approach.



PC and CC handcuffed on appeal
or call-up



Looking ahead towards 6409. Defining
site area with original approval.

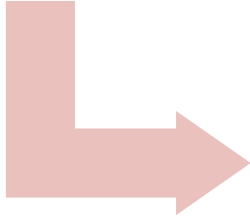
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Maintaining Classification System

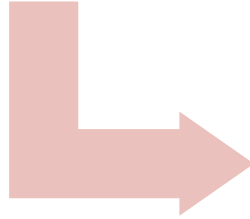
NEXT STEPS



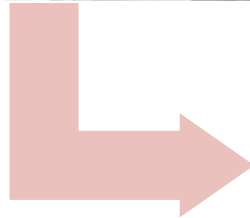
Group meeting with carriers to gather further feedback



Refine and finalize draft ordinance



Planning Commission for recommendation



City Council for final approval

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