Staff Report Details (With Text)

File #:	19-701	**Version:**	1	**Name:**	
Type:	Presentation			**Status:**	Consent Agenda
File created:	12/18/2018			**In control:**	City Council Meeting Agenda
On agenda:	1/14/2019			**Final action:**	
Title:	CC - (1) Adoption of an Ordinance Amending Culver City Municipal Code Section 11.20.025 to Allow Applications for the Placement of Telecommunications Facilities in the Public Rights-of-Way to be Administratively Approved by the Public Works Director/City Engineer; and (2) Adoption of an Ordinance Adding Section 11.20.065, "Wireless Facilities in the Public Rights-of-Way" to Chapter 11.20 to Establish the Regulatory Framework for Permitting the Installation of Wireless Facilities Within the City's Public Rights-of-Way.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. 2019-01-14_ATT 1_Ordinance Amending 11.20.025.pdf, 2. 2019-01-14_ATT 2_Ordinance Adding 11.20.065.pdf				

Date	Ver.	Action By	Action	Result

CC - (1) Adoption of an Ordinance Amending Culver City Municipal Code Section 11.20.025 to Allow Applications for the Placement of Telecommunications Facilities in the Public Rights-of-Way to be Administratively Approved by the Public Works Director/City Engineer; and (2) Adoption of an Ordinance Adding Section 11.20.065, "Wireless Facilities in the Public Rights-of-Way" to Chapter 11.20 to Establish the Regulatory Framework for Permitting the Installation of Wireless Facilities Within the City's Public Rights-of-Way.

Meeting Date: January 14, 2019

Contact Person/Dept: Joe Susca/Public Works-Administration

Phone Number: (310) 253-5636

Fiscal Impact: Yes [] No [X] **General Fund:** Yes [] No [X]

Public Hearing: [] **Action Item:** [X] **Attachments:** [X]

Commission Action Required: Yes [] No [] **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (01/09/19); AT&T (12/28/18); Crown Castle (12/28/18); Mobilitie (12/28/18); Mobility (12/28/18); Verizon (12/28/18); New Cingular Wireless PCS (12/28/18); T-Mobile West (12/28/18); Sprint (12/28/18); Synergy (12/28/18); Extenet Systems (12/28/18); Ekon Group (12/28/18); all members of the public who submitted written or verbal comments on this item during the December 10, 2018 Council Meeting (12/28/18); a draft of the Design and Development Standards were distributed to the wireless infrastructure providers and

posted on the City's website (12/28/18)

Department Approval: Charles D. Herbertson (01/08/19)

RECOMMENDATION

Staff recommends the City Council (1) adopt an Ordinance amending Section 11.20.025 of the Culver City Municipal Code (CCMC) to allow the Public Works Director/City Engineer to administratively review and approve all encroachment permits involving the installation of telecommunications facilities in the public rights-of-way (PROW) rather than have the City Council review and approve these permits (Ordinance No. 1); and (2) adopt an Ordinance adding Section §11.20.065, *Wireless Facilities in the Public Rights-of-Way* to Chapter 11.20 of the CCMC to establish the regulatory framework necessary to permit the installation of wireless facilities within the City's PROW (Ordinance No. 2).

BACKGROUND/DISCUSSION:

Wireless Infrastructure Provider Networks

Traditionally, wireless infrastructure provider antennas and network equipment were primarily installed on large towers located on private property and on the rooftops of buildings that served devices within a 25 mile range. Demand for wireless services however, has substantially increased, and with it the number of wireless devices connected to the Internet. Accompanying the increase in wireless devices is the demand for ubiquitous and reliable high-speed connections. To supplement existing large cell towers, wireless infrastructure provider networks now incorporate additional small cell sites within the PROW to support devices located within smaller coverage areas than large cell sites.

Adoption of the two proposed ordinances establishes the regulatory framework necessary to review and approve permit applications for the placement of small cell sites in the PROW.

Ordinance No. 1 - Administrative Review of Encroachment Permits

Ordinance No. 1 allows the Public Works Director/City Engineer to administratively review all permit applications involving the installation of telecommunications facilities in the PROW rather than have this review done by the City Council. Ordinance No. 1 was introduced, by a unanimous vote, at the December 10, 2018 City Council meeting. Ordinance No. 1 is now presented for adoption. (See Attachment No. 1 -- Ordinance No. 1 *Amending CCMC Section 11.20.025*)

Ordinance No. 2 -- Wireless Facilities in the Public Rights-of-Way

Ordinance No. 2 establishes the regulatory framework necessary to permit the installation of wireless facilities within the City's PROW and was introduced (including changes addressing industry feedback read into the record during the City Council discussion of this item), by a unanimous vote, at the December 10, 2018 City Council meeting. Ordinance No. 2 is now presented for adoption.

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(See Attachment No. 2 -- Ordinance No. 2 *Adding CCMC Section 11.20.065*.)

Design and Development Standards for Wireless Facilities:

Staff has been working with the Smart City Infrastructure Guidelines Subcommittee comprised of Vice Mayor Meghan Sahli-Wells and Council Member Daniel Lee (the "Subcommittee") to create the proposed Design and Development Standards for Wireless Facilities in the PROW (the "Design Standards"). Interim Design Standards were posted on the City's webpage and distributed to the wireless infrastructure providers for review and comment. Staff is in the process evaluating those comments and will incorporate their input when preparing a final draft of the Design Standards for presentation to the City Council to consider adopting by Resolution in the future.

FISCAL ANALYSIS

Staff and consultant time required to process applications for wireless facilities in the PROW are covered by the encroachment permit application fees established in the City's Schedule of User Fees and Charges.

ATTACHMENTS

1. Proposed Ordinance No. 1 Amending CCMC Section 11.20.025
2. Proposed Ordinance No. 2 Adding CCMC Section 11.20.065

MOTIONS

That the City Council:

1. Adopt an Ordinance amending Culver City Municipal Code Section 11.20.025 to allow applications for the placement of telecommunications facilities in the public rights-of-way to be administratively approved by the Public Works Director/City Engineer; and

2. Adopt an Ordinance amending Chapter 11.20, Telecommunications Regulatory Requirements, of the Culver City Municipal Code to add Section 11.20.065, *Wireless Facilities in the Public Rights-of-Way*, to establish the regulatory framework necessary for permitting the installation of wireless facilities within the City's public rights-of-way.

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