



Administrative Report

DISCUSSION ITEM

TO: CITY COUNCIL/PLANNING COMMISSION

FROM: Robert Clark, City Manager

DATE REPORT PREPARED: January 7, 2015

MEETING DATE: January 20, 2015

SUBJECT: Workshop: Wireless Communications Facilities Ordinance

Recommendation

Conduct a workshop on the proposed Telecommunications Facilities Ordinance.

Executive Summary

The current City code section dealing with telecommunications facilities (Section 10-2.1712) was adopted in 2004 and does not take into account changes in federal regulations that have occurred since that time. On April 8, 2014 the City Council adopted an urgency ordinance establishing a 45 day moratorium on new telecommunications pending development of new local regulations. The moratorium was extended on May 13, 2014 and expires on April 7, 2015.

Work on the proposed new Ordinance was on hold pending the issuance of new federal regulations. On October 17, 2014 the Federal Communications Commission adopted a draft order. The order was published in the Federal Register on January 8, 2015. Provisions relating to the "shot clock" take effect on April 9, 2015. All other provisions take effect on February 8, 2015. The "shot clock" provisions require that local agencies take action on most telecommunication facility applications within 60 days irrespective of any local moratorium.

The schedule for adopting a new local ordinance in Ojai is:

December 9, 2014: Meeting with industry representatives
January 20, 2015: City Council/Planning Commission workshop
February 3, 2015: Planning Commission hearing
February 27, 2015: City Council hearing
March 10, 2015: Second reading and adoption
April 10, 2015: Effective Date

At the workshop our special counsel for telecommunication facilities issues, Jonathan Kramer and Tripp May of Telecom Law Firm, PC, will review the federal regulations and the proposed Ordinance for the City of Ojai. No action by the City Council or Planning Commission is anticipated.

Fiscal Impact

The cost of special counsel for this matter is incorporated into the City Attorney budget.



Submitted by
Robert Clark, City Manager



Approved for forwarding
City Manager's Office

Attachments:

- A - Summary of Telecommunication Regulations
- B - Proposed Wireless Communications Facilities Ordinance