

## EXHIBIT B

### SUMMARY OF THE ORDINANCE

## Title 22 Wireless Facilities Ordinance – As Proposed Zoning Summary

**Applicability.** All macro wireless facilities, which are facilities that do not qualify as small cell facilities, to be located on private and public properties and in the public right of way (highway) are subject to Title 22 regulations. Small cell facilities (non-macros) on private and public properties but NOT in the public right of way are also subject to Title 22 regulations. Only small cell facilities in the public right of way (highway) will NOT be subject to Title 22.

**Definitions.** Definitions are proposed for 17 terms associated with wireless facilities.

**Zones.** Wireless facilities will be allowed in all zones, except Zones B-1 and B-2.

**Exemptions.** The following facilities are exempt from this Ordinance:

- Single ground- or building-mounted satellite and non-satellite dish antennas up to 39.37 inches in diameter
- Amateur radio antennas
- “Like kind” (same or substantially the same) equipment replacements, exchanges, or upgrades for an existing facility
- Temporary facilities that will be placed for less than seven consecutive days, for large-scale events, temporary coverage when a permanent facility is off-line, and for emergency use

**Applications.** Depending on the type of facility and the nature of the modifications, the following applications will be required:

Type of Facility	Required Applications
New macro facilities	Conditional Use Permit
Existing facilities that are modified and streamlined to meet all development standards	Ministerial Site Plan Review
Existing facilities that do NOT meet all development standards	Conditional Use Permit (renewal) OR Revised Exhibit “A” (if CUP is still active)
Eligible Facilities Requests (including Colocations) -Modifications that will meet all standards -Modifications that will not meet standards	Ministerial Site Plan Review Revised Exhibit “A”
Small cell facilities	Ministerial Site Plan Review
Macro facilities in the Coastal Zone	Coastal Development Permit

### **Development Standards for All Facilities (except small cell facilities).**

- All facilities shall comply with all federal and state laws. Facilities shall also comply with other Title 22 regulations on development within an SEA, Santa Monica Mountains Coastal Zone, and any applicable CSDs and Specific Plans that specifically regulate wireless facilities.
- No facility may encroach into required setbacks.
- In Residential Zones, facilities shall be within 5 feet from a common property line with adjoining lots and be concealed.
- Facilities may not be placed on historically significant buildings or structures. They may be placed elsewhere on the property containing historic buildings or structures, provided a Historic Resource Assessment is prepared and submitted.
- Height for non-building-mounted facilities:

- Industrial zones: 75 feet
- Zones R-1, R-2, and R-3: 35 feet and camouflaged. Small Cell facilities: 50 feet and camouflaged.
- All other zones: 65 feet
- Design:
  - Cables are to be inside a structure, sheathed, or hidden.
  - Facility should match the color and texture of either the visual background or existing architectural elements (i.e. building).
  - Associated equipment shall be hidden from view through camouflaged, screening, or underground.
  - No barbed wire fencing will be allowed for screening.
- For Monopoles:
  - Streamline design with short mounting equipment of up to 2 feet per arm.
  - Cannot be disguised as flagpoles.
- For facilities mounted on structures other than towers or buildings:
  - Includes but not limited to an architectural tower, bridge, pole sign, lamppost, monumental sign, outdoor advertising sign, stadium light, utility pole, water tank or windmill.
  - Equipment shall be shrouded and contained within the structure.
  - Cables shall be flush-mounted or fully sheathed to the structure to prevent visible gaps.
  - Shroud and cables shall color-match the structure's exterior.
  - Architectural towers shall completely conceal the facility and blend in with surrounding environment or architecture.
- For roof-mounted facilities:
  - Facilities to be completely concealed and not visible from the public right of way at ground level. Concealment includes screening or architectural features such as parapets, penthouses, cupolas, steeples, chimneys, or architectural towers finished to match the building exterior (in color and texture).
  - Faux chimneys should not be used on commercial buildings.
- For façade-mounted facilities:
  - All equipment shall be flush-mounted, architecturally integrated, or completely screened.
  - Architecturally integrated and screening elements shall match the color and texture of the building exterior.

#### **Development Standards for Small Cell Facilities (SCF).**

- SCF shall not encroach into any required setbacks.
- On private property in Residential Zones, SCF shall be within 5 feet from a common property line with adjoining lots.
- Height and dimensions shall not exceed those specified by FCC (50 feet height, and 28 cubic feet in volume).
- Design standards:
  - All antennas, cables, and equipment shall be concealed and located within the antenna shrouds, pole, conduits, and other stealthing apparatus.
  - SCF shall be finished with matching colors to blend in with the structure.

**Development Standards for Facilities subject to CUP:** Facilities that are subject to CUP must comply with these standards. Facilities that cannot meet these CUP standards may apply for waivers.

- Wireless facilities should minimize visual impacts to scenic highways, ridgelines, adjacent residences, and historic resources.
- Monopoles:

- Use existing natural or man-made features in the environment for visual screening.
- Maximum mounting arm should be 8 feet.
- Faux trees:
  - Should be located near an existing grove of at least 2 similar live trees.
  - Antennas should be hidden within fronds or branches and not stick outward.
  - The tree species should be appropriate for the location.
- Faux rock outcroppings:
  - Should be considered only in locations with existing natural rock outcroppings.
- Architectural towers:
  - Fully conceal equipment and antennas.
  - Blend in with building architecture.

**CUP Findings:** Additional findings in addition to standard CUP findings:

- Facility complies with applicable standards in this Ordinance.
- Design of the facility is the least visually intrusive that is technically feasible and appropriate for the location.
- Facility does not create a safety hazard.

**Conditions of Approval:** For CUPs, the RPC or Hearing Officer may impose additional conditions to ensure facilities are in compliance with the Ordinance. Conditions may involve the establishment, operation or maintenance of the facility, and may require a RF emission report every five years. The CUP may be for a term of up to 15 years.

**Waivers.** If a proposed facility cannot meet any of the development standards with a CUP, a waiver from one or more development standards may be applied, and the RPC or Hearing Officer may consider the waiver only to the extent that the waiver will mitigate the following issue without compromising public safety:

- Prohibit or effectively prohibit the provision of personal wireless services,
- Otherwise violate applicable laws or regulations, or
- Require a technically infeasible design or installation of a wireless facility.

**Fees for Wireless Facilities.**

Type of facility	Application	Fee (Approximate, may be adjusted annually)
Small cell facility	Ministerial Site Plan Review	\$500 for the first batch of five SCFs, \$100 each SCF thereafter <b>(NEW, fixed)</b>
Macro facility*	Ministerial Site Plan Review	Over \$900 for each facility
Macro facility	Conditional Use Permit	Over \$10,000
	SEA Conditional Use Permit	Over \$20,000
Macro facility*	Revised Exhibit A	Over \$1,700
Macro facility in Coastal Zone	Minor Coastal Development Permit	Over \$11,000
	CDP Exemption	Over \$1,400

\*Includes Colocations and Eligible Facilities Requests