

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.24
(ID # 12300)**

MEETING DATE:
Tuesday, April 21, 2020

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Initiation of an amendment to Article XIXg of Ordinance No. 348 – Wireless Communication Facilities. All Districts. [\$9,000 Total Cost – 100% General Fund]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Initiate an amendment to Ordinance No. 348 (Land Use), Article XIXg Wireless Communication Facilities, to include updated definitions, processing enhancements, and to address current State and Federal legislation.

ACTION: Policy

Charissa Leach, Assistant TLMA Director 4/13/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: April 21, 2020
xc: Planning

Kecia R. Harper
Clerk of the Board
By:
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 6,000	\$ 3,000	\$ 9,000	\$ 0
NET COUNTY COST	\$ 6,000	\$ 3,000	\$ 9,000	\$ 0
SOURCE OF FUNDS: Riverside County General Funds 100%			Budget Adjustment: No	
			For Fiscal Year: 19/20-20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On the February 4, 2020 Board of Supervisors hearing, Supervisor Manuel Perez and Sheriff Chad Bianco requested staff to review the Wireless Telecommunications Facilities Section of Riverside County Ordinance No. 348 (Land Use). The purpose of the action order was to solicit staff recommendations for amending the Ordinance to address any internal inconsistencies and update wireless telecommunication facilities entitlement processing, as well as ensuring legal compliance with current State and Federal law.

Planning Staff, in conjunction with County Counsel and some concerned members of the wireless telecommunication industry, reviewed the Wireless Telecommunication Facilities Section of Ordinance No. 348 and recommends addressing the following items through an ordinance amendment:

- Revise all definitions as needed, but specifically Concealed facilities vs. Disguised facilities.
- Clarify entitlement processing requirements.
- Remove the 10-year operating life-span.
- Remove application submittal requirements.
 - (This information is already found separately in the application submittal form).
- Clarify the role of the California Environmental Quality Act ("CEQA").
- Establish additional standards for wireless telecommunication facilities located in residential Zones.
- Include relevant current State and Federal law updates.

The action order further requested that staff review how the U.S. Department of Commerce's ("USDOC") FirstNet program could fit within the context of this ordinance amendment or provide a separate set of guidelines on how to process FirstNet related projects.

Recommendations were to be provided back to the Board of Supervisors, 60-days from the February 4, 2020 action order. As a result of staff's analysis, it is recommended that the Board of Supervisors initiate an amendment to Ordinance No. 348 (Land Use), Article XIXg Wireless

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Communication Facilities, in order to address each of these items. Staff will also continue to evaluate how to best integrate FirstNet services into the entitlement process.

Impact on Citizens and Businesses

This Ordinance amendment will update wireless telecommunication facilities entitlement processing, as well as ensuring legal compliance with current State and Federal law.

Additional Fiscal Information

County initiated Ordinance amendments are funded by the department's General Fund allocation. The funding for this amendment is included in the department's approved budget for FY 19/20 and 20/21. No new General Fund is requested for this project.

Contract History and Price Reasonableness

Not applicable, this work is being done by Planning and County Counsel staff.



Jason Farin, Senior Management Analyst

4/16/2020



Gregory L. Priarios, Director County Counsel

4/16/2020