

City of Piedmont
CALIFORNIA



MEMORANDUM

DATE: September 13, 2021

TO: Planning Commission

FROM: Kevin Jackson, Director of Planning & Building
Steven Lizzarago, Assistant Planner

SUBJECT: Amendments to the Piedmont Design Guidelines, adding
Chapter 8, Wireless Communication Facilities

AGENDA ITEM NUMBER 6

RECOMMENDATION:

Open the public hearing on the consideration of amendments to the Piedmont Design Guidelines, adding a new chapter entitled “Wireless Communication Facilities.” Receive public comment, provide comments and direction to City staff, and continue the hearing to a later Planning Commission date, at which time staff will prepare a draft resolution for the consideration of the Planning Commission

EXECUTIVE SUMMARY:

In 2018, the City of Piedmont began to develop design standards for wireless communication facilities (WCF) in response to changes to telecommunications law at the state and federal level, as well as pressure from wireless service providers wishing to locate facilities in Piedmont. Over the last few years, staff has researched telecom facilities, performed community outreach, followed closely various federal court rulings, and collaborated with experts and advisors about WCF. The City of Piedmont has developed a set of comprehensive design standards for wireless communications facilities (WCF). The WCF standards are proposed to be located in a new chapter of the Piedmont Design Guidelines, entitled “Chapter 8. - Wireless Communication Facilities.” This staff report and Planning Commission hearing begin the public comment period on the draft WCF design standards prepared by staff. Public comment will be accepted up to an including the City Council consideration of the WCF design standards, this fall.

BACKGROUND:

During the development of the Piedmont Design Guidelines in 2018 and 2019, staff anticipated the future inclusion of guidelines for wireless communication facilities (WCF). Over the last few years, staff has researched telecom facilities, performed community outreach, followed closely various federal court rulings, and collaborated with experts and advisors about WCF. The City of Piedmont has developed a set of comprehensive design standards for WCF. The WCF standards are proposed to be located in a new chapter, entitled “Chapter 8. – Wireless Communication Facilities” of the Piedmont Design Guidelines.

Piedmont's current Design Guidelines, chapters 1 to 7, were adopted by the City Council on June 3, 2019. The Piedmont Design Guidelines implement General Plan policies related to design and appearance, as well as implement Chapter 17 of the Piedmont City Code. The Piedmont Design Guidelines have been an integral part of city planning in Piedmont since 1988 and have helped the City retain its character.

At the May 10, 2021 Planning Commission meeting, City staff presented a staff report introducing the project to the Commission and Piedmont community. The Commission was introduced to the goals that staff are attempting to accomplish with WCF guidelines, including:

- Stealth design (a concealment strategy);
- Develop objective design standards for size, height, volume, and other finishes; and
- Establish standards for WCF located both inside and outside the public right-of-way.

The City Council is the decision-making body for the adoption of amendments to the Piedmont Design Guidelines, as described in Chapter 17.66.020 of the City Code. However, given the document's focus on construction and design, the Planning Commission is the primary vetting body, and the Commission's role is to make a recommendation to the City Council. The intent of the September 13, 2021 meeting is to introduce the draft WCF design standards at a public hearing, allow for public comment, and provide Commissioners with a chance to discuss and comment on the draft WCF Standards. The public review period will continue through a future Planning Commission meeting, at which time staff will prepare a draft resolution for the consideration of the Planning Commission. The draft resolution will include a recommendation to the City Council. At a subsequent City Council meeting, the Council will receive the Commission's recommendation and considered the draft WCF design standards for adoption.

DISCUSSION:

Organization:

Chapter 8 is proposed to be formatted to be consistent with the existing Piedmont Design Guidelines. Like the other chapters of the Guidelines, Chapter 8 will provide short statements providing direction on particular aspects of WCF construction and design. Throughout the chapter, photos are used to show examples of WCF that the City has identified as successful facilities, as well as examples of WCF that would not be appropriate in Piedmont. The WCF design standards address objective design and location standards as considerations for new WCF. The intention of the proposed amendments is to provide a user-friendly document for both professionals and the general public alike to understand Piedmont's preferred standards for WCF. The WCF design standards are not "guidelines" because the proposed standards are meant to be quantifiable and objective.

The WCF design standards are subdivided into various sections including:

- Background information on WCF
- Examples of WCF in Piedmont
- Stealth design considerations
- Information on WCF application processing

- Design standards for WCF located in the public right-of-way,
- Standards for WCF located outside the right-of-way (including macro towers)
- Definitions of commonly used terms
- Preferred design typology

In section 8.06.01, the proposed WCF design standards introduce a new type of WCF project application, called the “preferred design typology.” As drafted, the preferred design typology would include a number of incentives to wireless service providers, such as AT&T, T-Mobile, and Verizon, to propose the smallest and least obtrusive WCF designs available today. Revisions to the City Code will be required in order to implement this part of the proposed Chapter 8. – Wireless Communication Facilities design standards. Information about this new type of WCF application is provided below.

Goals and Approach

The goal of the standards is to ensure that WCF are integrated within existing and new infrastructure, and have a limited impact on Piedmont’s built and natural environment to maintain the City’s unique setting.

Stealth Facilities

A priority of the WCF design standards will be to encourage the implementation of “stealth” facilities. A stealth facility refers to a concealment element to ensure that a WCF is concealed to the extent that it appears to look like something other than a WCF installation. For example, a facility integrated within a bell tower to the extent that the antenna or radio equipment are not visible would be a stealth facility.

Some of the benefits of a stealth WCF include the reduction of equipment clutter throughout the City, the City’s ability to regulate aesthetic impacts of future expansion on new or existing WCF under FCC rules, and other community benefits (such as integration with a new streetlight or new public art). Stealth facilities include WCF integrated within a light post or hidden inside of a bell tower. Faux trees and WCF mounted on structures do not meet the stealth concealment requirements and are prohibited. Pursuant to the proposed WCF design standards, all WCF shall provide a concealment strategy unless located on a utility tower.

The new preferred design typology in the proposed WCF design standards incorporates stealth design requirements. Applicants who apply for a WCF project in the public right-of-way that meets standards for the proposed preferred design typology will qualify for an expedited ministerial permitting process.

General Standards

The design standards are subdivided into sections for WCF located within the public right-of-way and for WCF located outside the right-of-way. Examples of standards include:

- Details such as canister shroud sizes and antenna heights are outlined in the proposed amendments. Equipment dimensions were determined by studying examples of WCF that have been installed in both Piedmont and in other jurisdictions.
- As proposed in the WCF design standards, WCF as a whole shall not have exposed conduits, cabling, or radios. All shrouds and equipment shall be painted to match the structure on which they are mounted.
- The guidelines also outline standards in regards to equipment durability and construction, generator usage, and standards to avoid conflicts with surrounding infrastructure.
- All structures shall be built to withstand natural events (such as earthquakes) and meet all federal regulations.
- New WCF shall not block access to the right-of-way, adjacent properties, or create any other impediment for pedestrians or vehicles. New WCF shall comply with the Americans with Disabilities Act (ADA).
- WCF in the public right-of-way shall respect a minimum 25-foot separation between any new facility and a habitable structure.
- Collocation is encouraged, especially at macrocell sites.

Standards for Preferred Design Typology

The guidelines also identify certain design typologies that would allow for an expedited ministerial permit processing, if such a process is also established in the City Code. This option would be available for small cell sites in the public right-of-way only. Examples of the preferred design typology include:

- A decorative post-top streetlight or cobra head streetlight that has WCF antennas and equipment fully concealed and integrated into the streetlight and meeting City size standards;
- A cylindrical information kiosk that provides City of Piedmont bulletins, public notices, and other messaging, located in the right-of-way at entrances to public buildings and/or parks; and
- A bus stop shelter, located at existing bus stops that meets City size standards.

Projects eligible for ministerial review will be eligible for longer permit expiration time period (20 years) as an incentive to file WCF permit applications that comply with the preferred design typology.

More specific standards for the preferred design typology will be added as the City receives public comment.

Process

A brief section on WCF application processing is provided in the proposed amendments to the Piedmont Design Guidelines. This section shows the timelines in place for WCF applications in order to comply with state and federal law. WCF applications fall under “shot-clock” deadlines for the City to complete its review of a project. The shortest shot clock (60 days) is for new facilities in the public right-of-way and for modifications to existing facilities. In order to meet

these processing time limits while protecting the City's attractive and harmonious setting, staff recommends a preferred design typology process allowing ministerial review for WCF that meet certain City requirements.

COMMUNITY ENGAGEMENT:

As a part of developing design standards for WCF that are appropriate for the Piedmont community, the City has hosted multiple forums to receive input from the public, including a gallery event held in 2018, and booths about wireless facility design operated by City staff at the Harvest Festival and other local events (2018 and 2019). Online surveys, email blasts, presentations to City committees and commissions, and announcements in local media about the development of new WCF standards engaged thousands of households throughout the City.

Overwhelmingly, Piedmont residents prefer designs that incorporate stealth strategies that hide antennas and equipment within existing structures, decorative lampposts, or other landscape or streetscape features. Exposed antennas and wires were most disliked by participants.

Please see Attachment A for a detailed report on public outreach.



Public outreach included a gallery walk event held in October 2018 (left) and a booth at the Piedmont Harvest Festival in September 2018 and 2019 (right).

GENERAL PLAN AND MUNICIPAL CODE CONFORMANCE:

The draft WCF design guidelines will meet the policies outlined in the Piedmont General Plan. The draft WCF design guidelines will be consistent with the following General Plan policies:

- General Plan Land Use Element Policy 1.3 - Development shall be harmonious and consistent with the surrounding neighborhood and public realm to preserve the character of the City.
- General Plan Design and Preservation Element Policy 28.8 - Construct facilities with a stealth design in order to preserve acoustical and visual privacy.
- General Plan Policy 35.8, Telecommunication Services: Collaborate with telecommunication service providers to foster access to emerging communication and information technology for Piedmont residents.

- Policy 37.4, Siting and Design of Infrastructure: Ensure that the siting and design of infrastructure facilities, including water tanks and telecommunication towers, mitigate the potential for adverse visual impacts and are consistent with policies in the Design and Preservation Element.

Public hearings for ordinances amending the City Code to bring the City's standards for WCF into conformance with state and federal law, as well as to establish a ministerial permit process for the WCF preferred design typology, described in this report, are planned for fall/winter 2021.

CEQA:

This item is categorically exempt from the California Environmental Quality Act (CEQA) because it is not a project, as defined in Public Resources Code section 21065 and CEQA Guidelines, 14 Cal. Code of Regulations section 15378, and would also be exempt under CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the consideration of design standards may have a significant effect on the environment.

NEXT STEPS:

Because the September 13, 2021 meeting will be the Planning Commission's first opportunity to review the proposed amendments to the Piedmont Design Guidelines, and the first opportunity for public comment, the Commission is not asked to take action at the meeting. Public hearings are tentatively scheduled for the Planning Commission and City Council later this fall. A Resolution will be provided with the agenda packet for a subsequent Planning Commission meeting, including a recommendation that the City Council adopt a new Chapter 8 of the Piedmont Design Guidelines, prepared by staff. It is expected that Chapter 8 will be revised in response to Commissioner's comments and direction and comments from members of the public. Staff is requesting that Commissioners and members of the public submit comments on the draft WCF standards in writing by October 4, 2021 in order to provide adequate time to revise the draft before the October 11, 2021 Planning Commission meeting. Public comment will be accepted up to and including the City Council meeting anticipated to occur in fall/winter 2021.

Report written by: Steven Lizzarago, Assistant Planner

ATTACHMENTS:

A	Weblink	Staff Report from May 10, 2021 Planning Commission Meeting Community Outreach Report: Wireless Communication Facilities Ordinance Update, February 2019 (Updated May 2021) https://p1cdn4static.civicle.com/UserFiles/Servers/Server_13659739/File/Government/Departments/Planning%20Division/Wireless/WCF%20Update%20-%20-%20Staff%20Report%20-%20-%20May%202021.pdf
B	Weblink	FCC Eligible Facilities Order, May 2020 is available at: https://docs.fcc.gov/public/attachments/DOC-364459A1.pdf
C	Weblink	Piedmont Public Works Standard Details https://piedmont.ca.gov/UserFiles/Servers/Server_13659739/File/Government/Departments/Public%20Works/public%20works%20standard%20details.pdf