

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** July 23, 2007

**FROM:** CITY MANAGER

**SUBJECT: AN EXTENSION OF THE URGENCY ORDINANCE TEMPORARILY ADOPTING A MORATORIUM ON PERMITS FOR GROUND-MOUNTED COMMERCIAL WIRELESS FACILITIES IN RESIDENTIAL ZONES**

## **RECOMMENDATION**

It is recommended that the City Council approve an extension of the urgency ordinance which temporarily prohibits the issuance of permits for ground-mounted commercial wireless facilities in residential zones.

## **BACKGROUND**

On June 21, 2007, Ordinance No. 7104, an interim urgency ordinance temporarily prohibiting the issuance of permits for Ground-Mounted Commercial Wireless Facilities in residential zones, was published and took effect. Since that time, staff has studied the city's land use regulations and means by which Ground-Mounted Commercial Wireless Facilities could be installed, constructed, or modified in residential zoning districts while conforming to the full intention to protect residential neighborhoods as set forth in the City's Land Use Element. Staff is in the process of drafting standards for the placement of Ground-Mounted Commercial Wireless Facilities in residential zones. However, staff has concluded that it needs additional time to complete its study, and to select and implement a solution.

This ordinance will extend Ordinance No. 7104 and will continue to prohibit the issuance of permits for Ground-Mounted Commercial Wireless Facilities in residential zones.

## **ENVIRONMENTAL DETERMINATION**

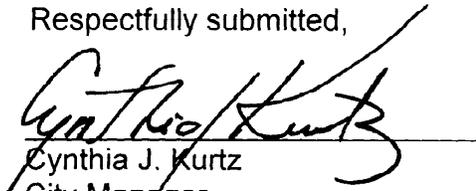
This ordinance is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15060(c)(2) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to State CEQA Guidelines Section 15262, because the ordinance involves only feasibility or planning studies for possible future actions which the City has not approved, adopted or funded,

and does not involve adoption of a plan that will have a legally binding effect on later activities.

**FISCAL IMPACT**

Other than staff time, there will not be an immediate fiscal impact as a result of this temporary moratorium.

Respectfully submitted,



Cynthia J. Kurtz  
City Manager

Approved by:



Richard Bruckner  
Director Planning and Development