

# Town of Tiburon

## STAFF REPORT



AGENDA ITEM \_\_\_\_\_

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TO: **PLANNING COMMISSION**

FROM: **SCOTT ANDERSON, DIRECTOR OF COMMUNITY DEVELOPMENT**  
**DANIEL M. WATROUS, PLANNING MANAGER**

SUBJECT: **Z 2005-02: TOWN-INITIATED ZONING ORDINANCE AMENDMENT TO**  
**ADD A SECTION REGULATING ANTENNAS AND WIRELESS**  
**COMMUNICATION FACILITIES; CONSIDERATION OF WIRELESS**  
**COMMUNICATION FACILITIES STANDARDS**

MEETING DATE: **SEPTEMBER 28, 2005** \_\_\_\_\_

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### BACKGROUND

At its meeting of September 14, 2005, the Planning Commission held a public hearing, provided initial comments, and continued this item to the meeting of September 28, 2005. Subsequent to the hearing, Commissioners Collins and Kunzweiler submitted written comments on the draft ordinance and *Standards* document. Staff has responded to these comments and made numerous revisions to both draft documents.

The revisions are shown on redlined versions of the ordinance and *Standards* attached to the draft resolution (**Exhibit 1**). New text is double underlined, while deleted text is ~~struck through~~. In addition, the diagram showing the Tiburon Planning Area and Tiburon Ridge (Appendix D of the *Standards*) has been modified to include all of Angel Island.

### ISSUES

One issue that the Commission directed should receive further consideration is the advisory standard stating that "WCFs should avoid locations within or near residential areas, hospitals, child care centers, or schools." [Section IV. B. 1. f. of the *Standards*].

This provision was originally written with the intent that the Commission would use reasonable discretion, on a case-by-case basis, in determining whether a proposed WCF would be too close to those sensitive uses, based on the totality of the application.

Staff has conducted a review of the Town's zoning map and concluded that except for large open spaces (where WCF's would be prohibited) and a small corridor in the center of Downtown, there is essentially no land within Tiburon where WCFs could be located that would not be "near" residential dwellings. None of the nine WCF installations approved by the Town to date could meet a 300 foot distance requirement from residential property, and less than half could meet a 100 foot distance requirement. Staff therefore suggests that a numerical distance standard may have little practical application for WCFs in the Town of Tiburon. Instead, Staff suggests that the standard be modified to read as follows:

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“WCFs should avoid locations within, or in very close proximity to, the following uses: dwelling units, hospitals, child care centers, and schools.”

### ENVIRONMENTAL REVIEW

Staff concludes that the zoning text amendment and adoption of standards has no potential to result in an adverse environmental impact and is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

### RECOMMENDATION

Staff recommends that the Planning Commission take any additional public testimony on this item, close the public hearing, deliberate upon the revised draft WCF ordinance and *Standards*, make any desired modifications, and adopt the attached resolution recommending approval of both documents to the Town Council.

### EXHIBITS

1. Draft Resolution with redlined draft ordinance and *Standards* attached.
2. Correspondence between Commissioners and Staff since 9/14/2005 meeting.