



**City of Davis**  
**Planning Commission Meeting Minutes**  
**Community Chambers, 23 Russell Boulevard, Davis, CA 95616**  
**Wednesday, October 23, 2019**  
**7:00 P.M.**

Commissioners present: Herman Boschken, Cheryl Essex (Vice Chair), Stephen Mikesell, David Robertson, Darryl Rutherford, Stephen Streeter (Chair), Greg Rowe, Emily Shandy (Alternate)

1. **Call to Order.** Chair Streeter called the meeting to order at 7:02 p.m.
2. **Approval of Agenda.** D. Robertson moved, seconded by G. Rowe to approve the agenda. Motion passed unanimously.
3. **Brief Announcements from Staff, Commissioners, and Liaisons.** None.
4. **Public Comment.** None.
5. **Regular Items**
  - A. **Continued Public Hearing: Zoning Ordinance Amendment—Wireless Communication Facilities**

Sherri Metzker: Proposed amendment to the Davis Municipal Code to bring the City's regulation into compliance with Federal and State laws. The proposed ordinance addresses the type of wireless facilities that are exempt, permitted, conditionally permitted, and prohibited. Further, it outlines the procedure for permit approval, design standards, and abandonment procedures.

Trisha Ortiz, Assistant City Attorney: FCC Order has two main parts: The first part contains an interpretation of existing Federal limits on local regulations, and the second is new "shot clock" rules. The FCC order was intended to promote small wireless facilities, but applies to small and large wireless facilities. Key limitations on local regulations: Local regulations must be reasonable, no more burdensome than other types of infrastructure, objective and published in advance. Currently the Federal rules prohibit regulating wireless facilities on the basis of environmental effects of RF emissions to the extent that such facilities comply with current FCC regulations.

Commissioner comments included: Encourage staff to look at what other cities have done. Data is inconclusive, interested in more research. Suggest city publish map of cell towers that are approved within the city, including permits issued.

Chair Streeter opened the public hearing.

Catherine McBride, Noah Davidson, Eric Windheim, Karen Blumquist, Mark Graham, Martha, Ellen Cohen, James Rask, Larry Rollins, Dean Johansen, Lauren Heirs, Robert Emery, Meredith Herman, Lena Pu: Opposed. Exposure poses serious health threats, not

only for humans but animals and plant-life as well; Misconception that there's nothing cities can do to keep this technology out; Exposure from small cells is much higher than exposure from previous generation antennas; Inherent right to safety given in the Constitution.

Raj Mather, Hammett and Edison Engineering: Completed thousands of RF exposure assessments. Exponential drop with distance. With small cells, levels are well below the FCC limit. Three reasons these levels are so low: 1) Extremely low power facilities; 2) Antennas employed are directional in a narrow beam; 3) Energy from the antennas falls with a square of the distance- meaning the levels drop exponentially with distance.

Karen McPherson: Stealthing the towers and antennas may not be technically feasible with 5G technology. Request Planning Commission postpone vote and city work with all carriers.

Dante Williams, Verizon: 76% of emergency calls go through cell phones. Information currently flowing on broadband is overwhelming the networks, so small cells fill in that need. Operating sites are many times below what FCC has deemed safe.

Chair Streeter closed the public hearing.

C. Essex moved, seconded by H. Boschken, to continue the public hearing to December 11, 2019, and to request staff provide analysis of what other cities have previously done, as well as analyzing data provided by Verizon and Ms. Lena Pu. Motion passed unanimously.

## **B. Public Hearing: Zoning Ordinance Amendment—Omnibus Zoning Ordinance Amendment 2019**

Sherri Metzker: Proposed update to the Zoning Ordinance. The topics of the proposed amendments include additional and amended definitions, clarification language to provisions that do not ultimately change the nature of the provision, changing certain uses from conditional to permitted, clarifying standards for accessory buildings, the approval process of a public convenience and necessity determination, and the addition to a tolling provision to entitlements that could potentially expire under a legal challenge.

S. Mikesell moved, seconded by G. Rowe, to continue the public hearing to November 13, 2019. Motion passed unanimously.

## **6. Commission and Staff Updates**

- a. Recap of October 22, 2019 Joint Discussion with City Council
- b. Davis Downtown Liaison Update
  - C. Essex: Presentation tomorrow night from Opticos; 7 p.m. in Community Chambers
- c. Upcoming Meeting Dates/Long Range Calendar. D. Rutherford and D. Robertson will be absent on November 13, 2019.

## **7. Adjournment.** Meeting adjourned at 10:11 p.m.