

AGENDA
ITEM

16



CITY COUNCIL AGENDA STAFF REPORT

DATE: December 17, 2025
TO: Mayor and City Council
APPROVED BY: Benjamin A. Martinez, City Manager *Bm*
PREPARED BY: Michael Coyne, Planning & Building Director *MC*
SUBJECT: Introduction and First Reading by Title Only of an Ordinance of the City Council of the City of Calexico, California, Adding Chapter 17.22 to the City of Calexico Municipal Code Regulating Wireless Telecommunications Facilities

=====

Recommendation:

Introduce and Waive First Reading by Title Only of an Ordinance of the City Council of the City of Calexico, California, Adding Chapter 17.22 to the City of Calexico Municipal Code Regulating Wireless Telecommunications Facilities.

Background:

The proposed ordinance will amend the Zoning Ordinance, Title 17 of the Calexico Municipal Code, to establish regulations pertaining to the placement or expansion of wireless telecommunications facilities throughout the City. The City currently lacks a wireless telecommunications facilities ordinance. The proposed ordinance will provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunication facilities and antennas throughout the City with a clear processing framework. The regulations contained in the proposed ordinance are designed to protect and promote the public health, safety and welfare and the aesthetic quality of the City as set forth within the goals, objectives and policies of the General Plan, while at the same time providing for managed development of wireless telecommunications infrastructure in accordance with Federal and State laws that govern wireless telecommunications facilities.

Discussion and Analysis:

The wireless telecommunications industry is rapidly expanding due to a significant increase in public demand for bandwidth and data consumption. Mobile data traffic is rising rapidly year-over-year, driven by applications such as video streaming and social media platforms. Wireless internet access is now considered a necessity of modern life, pushing for universal availability. In response, both Federal and State governments are implementing a range of legislative and regulatory measures to facilitate telecommunications infrastructure expansion, particularly to unserved and underserved areas.

The Federal Telecommunications Act of 1996 and subsequent Federal actions have shaped the regulatory framework governing the placement of wireless telecommunications facilities. Major amendments to the Act and FCC rulings have progressively streamlined wireless infrastructure deployment, particularly in response to evolving technologies such as 5G and beyond.

Telecommunications Act of 1996

The Telecommunications Act of 1996 (Act) was enacted to foster competition, reduce regulatory barriers, and accelerate the deployment of advanced telecommunications services throughout the United States. The Act specifically addresses the siting of personal wireless service facilities. While the Act preserves local zoning authority over the placement, construction, and modification of wireless facilities, it imposes significant limitations to prevent local actions from impeding national telecommunications objectives. These limitations include prohibitions against unreasonable discrimination among providers of functionally equivalent services and against local regulations that effectively prohibit the provision of wireless services. Additionally, local governments are required to act on telecommunications applications within a reasonable period of time and provide written denials supported by substantial evidence. Importantly, the Act preempts local regulation based on environmental or health concerns related to radiofrequency emissions, provided facilities comply with Federal Communications Commission (FCC) standards.

Since the passage of the Act, Congress and the FCC have adopted measures that further streamline wireless facility deployment. In 2009, the FCC issued a Declaratory Ruling establishing presumptive “shot clocks” for local review: 90 days for collocation applications and 150 days for new tower applications. These timelines aim to prevent unreasonable delays in infrastructure deployment. Furthermore, the Middle Class Tax Relief and Job Creation Act of 2012 includes wireless facility regulations that require local governments to approve eligible facility modification requests that do not substantially change the physical dimensions of existing towers or base stations within 60 days.

Subsequent FCC orders between 2014 and 2020 are meant to support the rapid development of wireless telecommunications infrastructure. The 2014 Wireless Infrastructure Report and Order expands categorical exclusions from environmental and historic preservation reviews for certain collocations and small cell sites. The 2018 Small Cell Order imposes stricter shot clocks for small wireless facilities and limits local aesthetic requirements and fees deemed to inhibit deployment. In 2020, the FCC adopted the 5G Upgrade Order, clarifying timelines and definitions for eligible facility requests and addressing disputes over concealment elements and aesthetic conditions. More recently, under the Build America Initiative, the FCC proposes additional rulemaking to tighten shot clocks, consider automatic approval for missed deadlines, and impose further limits on local fees and conditions. These proposals underscore the Federal government’s focus on reducing regulatory constraints on the wireless industry to support continued development and expansion of wireless telecommunications infrastructure.

Proposed Ordinance

The proposed ordinance was drafted in accordance with the Telecommunications Act of 1996, subsequent statutes and amendments, and FCC orders to date. To provide clarity and predictability, the ordinance outlines detailed application requirements, including visual impact analyses, radio frequency emission reports, and documentation of compliance with FCC and FAA requirements. Applicants must also demonstrate efforts to use preferred locations and mounting techniques, such as collocation on existing structures and stealth designs, to minimize visual impacts. Design standards require facilities to blend in with their surroundings through camouflage, non-reflective materials, stealthing techniques, and architectural integration, preserving the aesthetic quality of neighborhoods and commercial areas.

Public health and safety are protected through strict adherence to FCC Maximum Permissible Exposure limits for radio frequency emissions, ongoing compliance monitoring, and prohibitions against interference with City emergency communication systems. Facilities that fail to meet these standards are subject to permit revocation. Additionally, providers must indemnify the City against liability and remove abandoned facilities within 180 days of abandonment to prevent blight.

Telecommunications facilities that consist of facade-mounted antennas integrated into existing structures and roof-mounted antennas that are not readily visible are subject to administrative review through a Site Plan Review Application. For certain telecommunications modifications categorized as "eligible facilities" under the Middle Class Tax Relief and Job Creation Act of 2012, an Antenna Permit that is processed administratively is required to ensure that the proposed removal, modification, or collocation of the facility is eligible for ministerial approval pursuant to Federal law. An Antenna Permit Application Form has been drafted to facilitate the approval process for these modifications (Attachment No. 1). Pursuant to Federal law, a fee would not be assessed for processing an Antenna Permit Application. Once a proposed telecommunications facility has been deemed to be an eligible facility by City staff, the applicant would be able to move forward with a building permit application, for which standard building permit fees would apply. As a requirement of the Antenna Permit Application, applicants must provide detailed documentation illustrating the current and proposed conditions, demonstrating that the project qualifies as an eligible facility under Federal regulations.

A key provision of the ordinance is that all new telecommunications facilities with freestanding towers must obtain a Conditional Use Permit (CUP) with final approval by the City Council. This requirement ensures that such projects include public input and undergo a thorough review process for compliance with all design and safety standards. Through these measures, the proposed ordinance provides a clear process for wireless facility development while protecting community aesthetics and the health and safety of the public.

Environmental Review

Staff recommends that the City Council find that the proposed ordinance is not subject to the California Environmental Quality Act because the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, and because it has no potential for resulting in a direct or reasonably foreseeable indirect physical change in the environment (Sections 15060(c)(2) and (3)).

Fiscal Impact:

The proposed Ordinance will not have a direct fiscal impact on the City.

Coordinated With: Carlos Campos, City Attorney

Attachment(s):

1. Antenna Permit Application Form
2. Draft Ordinance

ATTACHMENT NO. 1



ANTENNA PERMIT

PLANNING & BUILDING DEPARTMENT
608 Heber Avenue
Calexico, CA 92231
760.768.2105

An antenna permit is allowed for an “eligible facility” removal, modification or colocation as defined in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455(a)).

PURPOSE:

To determine if an eligible facilities request causes a substantial change to an existing wireless facility on private property per the Federal Communications Commission’s (FCC) criteria on Page 2 (47 CFR §1.6100).

PROCESS:

Complete the Antenna Permit Application and provide the submittal requirements below to the Planning Division. The Planning Division will provide a written notice to the applicant within 30 days of application submittal whether or not the proposed modification can move forward with a building permit. If the proposed request involves the modifications on page 2, the project would be considered a substantial change and a Modification of Conditional Use Application may be required in accordance with CMC Section 17.01.560.

MINIMUM APPLICATION SUBMITTAL REQUIREMENTS:

____ Provide a detailed narrative response to the FCC’s criteria as applicable to the proposed project to determine if the project causes a substantial change. Describe the location and type of antenna installations and location of the base transceiver station(s), equipment cabinets and/or buildings. Include the number and dimensions of existing and proposed antennas and base transceiver stations and/or equipment cabinets and any existing facilities on the site.

____ A radio frequency emissions report listing the effective radiated power generated by the proposed facility that identifies exposure levels for both controlled and uncontrolled areas where the levels are projected to be highest. The power rating for all existing and proposed backup equipment; The total number of watts per installation and the total number of watts for all installations on the building (roof or side); The number and types of wireless telecommunications within 100 feet of the proposed site and estimates of the cumulative electromagnetic radiation emissions at the proposed site.

____ Provide documentation certifying all applicable licenses or other approvals required by the Federal Communications Commission to provide the services proposed, have been obtained.

____ Provide noise and acoustical information for equipment such as air conditioning units and back-up generators.

____ One set of 11” x 17” plans with detailed drawings of existing and proposed wireless telecommunications facilities and appurtenances to support the determination that the change to an existing wireless facility is not substantial in nature.

SUPPORT STRUCTURES

TOWERS

| | |
|---|---|
| <p>1. It increases the height of the structure by more than 10 percent or more than 10 feet, whichever is greater.</p> | <p>1. It increases the height of the tower by more than 10 percent or by the height of one additional antenna array with separation from the nearest antenna not to exceed 20 feet, whichever is greater.</p> |
| <p>2. It involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than 6 feet.</p> | <p>2. It involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.</p> |
| <p>3. It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed 4 cabinets.</p> | <p>3. It involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10 percent larger in height or overall volume.</p> |
| <p>4. It entails any excavation or deployment outside the current site.</p> | <p>4. It entails any excavation or deployment outside the current site.</p> |
| <p>5. It would defeat the concealment elements of the eligible support structure.</p> | <p>5. It would defeat the concealment elements of the tower.</p> |
| <p>6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment.</p> | <p>6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment.</p> |



ANTENNA PERMIT APPLICATION

PLANNING & BUILDING DEPARTMENT
608 Heber Avenue
Calexico, CA 92231
760.768.2105

Site Address: _____

Assessor's Parcel Number(s): _____

Project Case Number: _____

Project Description: (List Equipment to be Collocated, Added, or Removed)

| | |
|-------------------------|---|
| Applicant: _____ | Property Owner: _____ |
| Address: _____ _____ | Address: _____ _____ |
| Phone: _____ | Phone: _____ |
| Email: _____ | Email: _____ |
| Signature: _____ | Signature: _____ (Authorizing Applicant to Submit Application) |
| Print Name: _____ | Print Name _____ |

I, the undersigned, under penalty of perjury, claim the information contained within this application is, to the best of my knowledge, correct.

Signed: _____
(applicant)

Please Print Name: _____

ATTACHMENT NO. 2

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA,
ADDING CHAPTER 17.22 TO THE CITY OF CALEXICO MUNICIPAL CODE
REGULATING WIRELESS TELECOMMUNICATIONS FACILITIES**

WHEREAS, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA,
FINDS THAT:

1. The City of Calexico, California (“City”) is a municipal corporation, duly organized under the laws of the State of California;
2. The Calexico Municipal Code presently contains limited regulations pertaining to the placement or expansion of wireless telecommunications facilities throughout the City and regulations are needed to provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunication facilities and antennas throughout the City with a clear processing framework; and
3. Regulations for wireless telecommunications facilities are necessary to protect and promote the public health, safety and welfare and the aesthetic quality of the City as set forth within the goals, objectives and policies of the General Plan, while at the same time providing for managed development of wireless telecommunications infrastructure in accordance with Federal and State laws that govern wireless telecommunications facilities; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Addition of Title 17, Chapter 17.22 “WIRELESS TELECOMMUNICATIONS
FACILITIES” – Chapter 17.22 of the Calexico Municipal Code is hereby added to read as follows:

“Chapter 17.22 – WIRELESS TELECOMMUNICATIONS FACILITIES

17.22.010 - Purpose and General Plan Consistency.

- A. The purpose and intent of this chapter is to provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunication facilities and antennas. The regulations contained herein are designed to protect and promote the public health, safety and welfare and the aesthetic quality of the City as set forth within the goals, objectives and policies of the General Plan, while at the same time providing for managed development of wireless telecommunications infrastructure in accordance with the guidelines and intent of the Telecommunications Act of 1996.
- B. Objectives. Recognizing the City's roles as regulator, service provider, facilitator and user, it is intended that the City shall apply these regulations in furtherance of the following goals and policy objectives, including, but not limited to:
 1. To retain control of private and public property within the confines of State and Federal legislation to regulate wireless telecommunications facilities;
 2. To facilitate the creation of an advanced wireless telecommunications infrastructure for citizens, businesses, industries and schools;

3. To protect the City from potential adverse effects of wireless telecommunications facility development; and
4. Ensure that the wireless telecommunications infrastructure is designed to enhance and not interfere with the City's emergency response network.

17.22.020 - Definitions.

For purposes of this chapter, the following words, terms, phrases and their derivations have the meanings given in this section. The word "shall" is always mandatory and not merely directory.

"Antenna" means a device for transmitting and receiving radiofrequency (RF) signals.

"Base station" means collectively all of the equipment and apparatus, excluding antennas, serving as components of an existing wireless telecommunications communications facility, including any antenna support structure.

"Collocation" or "collocated" means the location of multiple antennas which are either owned or operated by more than one service provider at a single location and mounted to a common support structure.

"Eligible facility" means an existing wireless tower or base station to be modified by: (1) the installation of new transmission equipment, including collocations; (2) removal of transmission equipment; or (3) replacement of transmission equipment, without a substantial change to the physical dimensions or replacement of the underlying structure.

"Equipment" means any apparatus serving as a component of a wireless communication facility including, but not limited to, a base station, cables/wires, air conditioning units, mounting brackets, equipment cabinets, generators, battery or other power supplies, pedestals, and meters, but excluding antennas and antenna support structures.

"FAA" means the Federal Aviation Administration of the United States.

"FCC" means the Federal Communications Commission of the United States.

"Tower" includes any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

"Wireless telecommunication facility," "wireless facility," "telecommunications facility," or "facility" means any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information, including but not limited to, cellular telephone service, personal communication service, and paging service. A wireless telecommunication facility can consist of one or more antennas with associated equipment.

17.22.030 - Minimum Application Requirements.

In addition to meeting standard application submittal requirements for discretionary permits, detailed in other chapters in this title, all wireless telecommunications facility carriers or providers shall provide the information listed below. The Planning & Building Director (Director) may waive certain submittal requirements based on specific project factors. This section does not apply to wireless telecommunications facilities requiring an antenna permit as set forth in Section 17.22.100 of this chapter.

- A. Visual Impact Demonstration. A visual impact analysis shall be provided showing the maximum silhouette and proposed or required screening. The visual impact analysis shall photographic simulations (photosims) and any required photo overlays, scaled models or architectural renderings necessary to determine visual impact. A map depicting where the

photographs were taken from with information on the directional perspective shall be included.

B. Required Supplemental Information.

1. Antennas. List the number of proposed antennas and base transceiver stations and/or equipment cabinets and any existing facilities on the site.
2. Location. Describe the location and type of antenna installations (stand-alone rooftop, rooftop attached to a mechanical penthouse, or building façade) and location of the base transceiver station(s), equipment cabinets and/or buildings.
3. Height. List the height of the antenna installation. Carriers must provide documentation that establishes that the proposed facilities have been designed to the minimum height required from a technological standpoint for the proposed site. To this end, carriers must provide a minimum of three coverage maps, each with a different proposed height, with at least one map at the height limit of the base zone of the property where the antenna is proposed or 50 feet, whichever is less.
4. Radio Frequency. List the radio frequency range in megahertz and list the wattage output of the equipment.
5. Radio Frequency Emissions. A report listing the effective radiated power generated by the proposed facility, shall be submitted to the Director. The report shall identify exposure levels for both controlled and uncontrolled areas where the levels are projected to be highest.
6. FCC Compliance. Provide documentation certifying all applicable licenses or other approvals required by the Federal Communications Commission (FCC) to provide the services proposed, have been obtained.
7. FAA Compliance. Provide documentation certifying all applicable licenses or other approvals required by the Federal Aviation Administration (FAA), have been obtained, including, when applicable, a Determination of No Hazard to Air Navigation.
8. ALUC Compliance. When applicable, provide documentation from the County of Imperial Airport Land Use Commission (ALUC) that the proposed facility has been determined to be consistent with the Airport Land Use Compatibility Plan.
9. Maintenance. Describe the anticipated maintenance and monitoring program for the antennas and back-up equipment.
10. Noise/Acoustical Information. Provide noise and acoustical information for equipment such as air conditioning units and back-up generators.
11. Site Selection Process. Provide a map and narrative description explaining the site selection process including information about other sites considered and reason for their rejection.
12. Geographic Service Area. Identify the geographic service area with coverage maps for the proposed facility, including a map showing the site and the associated "next" cell sites within the network. Describe the distance between cell sites. Describe how this service area fits into and is necessary for the company's service network. Illustrate the geographic area in which the facility could be located showing all other sites that could

be used for antenna location.

13. Preferred Location Sites. Each application shall identify the location preference, listed in Section 17.22.040, that the proposed facility is meeting. If the proposed location is not a preferred location, the applicant shall provide a list (by address and/or assessor's parcel number) and a map at a one to 200 scale of all preferred location sites within the service area; what good faith efforts and measures were taken to secure each other of these preferred location sites; describe why each such site was not technologically, legally or economically feasible and why such efforts were unsuccessful; how and why the proposed site is essential to meet service demands for the geographic service area and the Citywide network.
 14. Preferred Mounting Technique. Each applicant shall identify the antenna mounting preference, listed in Section 17.22.050, the proposed facility is meeting. If the proposed mounting technique is not a preferred technique, the applicant shall provide a list (by address and assessor's parcel number) and a map at a one to 200 scale of all such buildings/sites within the service area; what good faith efforts and measures were taken to secure each of these preferred mounting location/sites; describe why each such site was not technologically, legally or economically feasible and why such efforts were unsuccessful; and how and why the proposed site is essential to meet service demands for the geographic service area and the Citywide network.
 15. Cumulative Effects. Identify the location of all the applicant's antennas and backup facilities and location of other wireless telecommunications facilities on and near the property; include the following:
 - a. Height. The height of all existing and proposed wireless telecommunications facilities on the property, shown in relation to the height limit for the zoning district or 50 feet if there is no established height limit;
 - b. Antennas. The dimension of each existing and proposed antenna, base transceiver station, equipment cabinet and associated building and backup equipment on the property;
 - c. Power Rating. The power rating for all existing and proposed backup equipment;
 - d. Total Watts. The total number of watts per installation and the total number of watts for all installations on the building (roof or side);
 - e. Facilities Within 100 Feet. The number and types of wireless telecommunications within 100 feet of the proposed site with estimates of the cumulative electromagnetic radiation emissions at the proposed site.
- C. Collocation Agreement. All wireless telecommunications carriers shall provide a letter stating their willingness to allow other carriers to co-locate on their facilities wherever technically and economically feasible and aesthetically desirable. When determined to be technically feasible and appropriate, the Director may require unutilized space to be made available for collocation of other wireless telecommunications facilities, including space for entities providing similar, competing services. Collocation is not required in cases where the addition of the new service or facilities would cause quality of service impairment to the existing facility or if it becomes necessary for the host to go off-line for a significant period of time.
- D. The applicant shall provide a list of planned or anticipated facilities within the City, and their

anticipated construction schedules. The Director may require concurrent processing of planned facilities.

- E. At the discretion of the Director the applicant may be required to provide an authorization waiver to permit the City to hire an independent, qualified consultant to evaluate any technical aspect of the proposed wireless telecommunications facility, including, but not limited to, compliance with applicable Federal emission standards, potential for interference with existing or planned public safety emergency response wireless telecommunications facilities, or analysis of feasibility of alternate sites, screening methods or devices. Any authorization for this purpose shall include an agreement by the applicant to reimburse the City for all reasonable costs associated with the consultation. Any proprietary information disclosed to the City or the consultant is hereby deemed not be a public record, shall remain confidential, and not be disclosed to any third party without the express consent of the applicant.
- F. Any other relevant information as required by the Director.

17.22.040 - General Requirements.

The following general requirements apply at all times to all wireless telecommunications facilities located in all zoning districts:

- A. Each facility must comply with any and all applicable provisions of the Calexico Municipal Code, including, but not limited to, provisions of the Building Code, as amended by the City, and any conditions of approval imposed as part of the approval process.
- B. Each facility must comply with any and all applicable regulations and standards promulgated or imposed by any State or Federal agency, including, but not limited to, the Federal Communications Commission and the Federal Aviation Administration.
- C. The facility must at all times comply with all applicable health requirements and standards pertaining to RFR emissions.
- D. Interference with City communications systems is prohibited. All proposed facility applications shall include reports, as required by the Fire Department and/or Police Department, to evaluate potential interference. The applicant shall be responsible for any costs incurred by the City, including the costs of retaining consultants, to review and analyze the reports.
- E. Without limitation, the provisions of this chapter do not permit placement of wireless telecommunications facilities in the public right-of-way without an encroachment permit authorizing such placement issued by the City, or permit placement of wireless telecommunications facilities on private property without the permission of the property owner.

17.22.050 - Location.

Location preference for wireless telecommunications facilities should be given to:

- A. Collocation Sites. Collocated and multiple-user wireless telecommunications facilities may be required when, in the determination of the Director, it is technically feasible and appropriate and will minimize overall visual impact to the community.
- B. Property designated industrial, open space, or commercial, unless otherwise prohibited pursuant to this chapter.

- C. Facilities Attached or Sited Adjacent to Existing Structures. Appropriate types of existing structures may include, but are not limited to: buildings, water tanks, telephone and utility poles, sign standards, traffic signals, light standards and roadway overpasses.
- D. Sites that are not highly visible from adjacent roadways.

17.22.060 - Preferred Antenna Siting and Mounting Techniques.

The following antenna and equipment siting and mounting techniques are preferred:

- A. Façade mounted antennas that meet the visual requirements specified in this chapter;
- B. Roof mounted antennas that are not visible to the public; and
- C. Monopoles or freestanding towers that utilize stealthing techniques and that do not exceed the height limit of the applicable zoning district or are under 50 feet in height, whichever is less.

17.22.070 - Design Requirements.

In addition to all other requirements set forth in this chapter, all wireless telecommunications facilities shall meet the following design requirements:

- A. All facilities shall be designed to minimize the visual impact to the greatest extent feasible by means of placement, screening, camouflage, and stealthing techniques and to be compatible with existing architectural elements, building materials and other site characteristics. The applicant shall use the smallest and least visible antennas possible to accomplish the coverage objectives.
- B. Colors and materials for facilities shall be nonreflective and chosen to minimize visibility. Facilities, including support equipment and buildings, shall be painted or textured using colors to match or blend with the primary background.
- C. Wireless support structures and base stations shall be illuminated as required by the FCC and/or the Federal Aviation Administration (FAA). If allowed under FAA and other governmental regulations, alternatives to strobe lighting shall be used at night and lighting shall be shielded to ensure that lighting is focused toward the top of the wireless support structure or base station. Lightning arresters and beacon lights shall not be included in the design of facilities unless required by the FAA and shall be included when calculating the height of facilities such as lattice towers and monopoles.
- D. Façade-mounted equipment shall be architecturally integrated into the building design and otherwise made as unobtrusive as possible. Antennas must be located entirely within an existing or newly created architectural feature so as to be completely screened from view.
- E. Satellite dish or parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function.
- F. Where appropriate, facilities shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs, whether or not utilized for screening.
- G. All monopoles and lattice towers shall be designed to be the minimum functional height and width required to support the proposed antenna installation. Freestanding monopoles shall incorporate stealth techniques to minimize their prominence.

- H. Roof-mounted antennas shall be constructed at the minimum height possible to serve the operator's service area and shall be set back from the edge of the building or otherwise screened with the building parapet to minimize their visibility.
- I. Support equipment pads, cabinets, shelters and buildings require architectural, landscape, color, and/or other camouflage treatment to minimize visual impact. Equipment shelters and buildings shall not be used for the storage of any excess equipment or hazardous waste (e.g., discarded batteries). No outdoor storage yards shall be allowed in an equipment compound. Equipment compounds shall not be used as habitable space.
- J. No freestanding facility such as a monopole, lattice tower, or similar structure including ancillary support equipment may be located in a front or exterior side yard setback area between the façade of a building and a street.
- K. The City shall retain the authority to limit the number of antennas with related equipment and providers to be located at any site and adjacent sites in order to prevent negative visual impact associated with multiple facilities.
- L. Freestanding facilities, including towers, lattice towers, and monopoles, shall not exceed the maximum height of the base district or 50 feet, whichever is less, by more than 15 feet. The height of a freestanding facility shall be measured from the natural undisturbed ground surface below the center of the base of the tower itself to the tip of the highest antenna or piece of equipment attached thereto. In the case of roof-mounted towers, the height of the tower includes the height of the portion of the building on which it is mounted.

17.22.080 - Exempt wireless telecommunications facilities.

- A. Installation of the following antennas and/or appurtenant equipment which complies with all applicable health requirements and standards pertaining to RF emissions is exempt from the provisions of this chapter subject to the conditions below:
 - 1. Antennas designed to receive video programming signals from direct broadcast satellite (DBS) services, residential fixed wireless telecommunications, multi-channel multi-point distribution providers (MMD) or television broadcast stations in all zoning districts are exempted, provided that all of the following conditions are met:
 - a. The antenna is accessory to an existing use and measures 39 inches (one meter) or less in diameter; and
 - b. To the extent feasible, the antenna is installed in a location where it is not readily visible from the public right-of-way.
 - 2. Ground-mounted satellite receive-only parabolic antennas or dishes greater than 39 inches and up to 12 feet in diameter and 15 feet in height in residential, commercial, industrial, and open space zones are exempted if the following conditions are met:
 - a. The antenna is for the sole use of the project site tenants;
 - b. The antenna is located only within the rear or interior side yard area of the property;
 - c. The antenna shall not be located within a required setback area, driveway or parking space;
 - d. A maximum of one antenna per residential lot is permitted. In commercial, industrial, or open space zones, no more than one antenna per lot is permitted unless

there is more than one use on a lot which cannot feasibly be served by a single antenna;

- e. In residential and open space zones, the antenna shall be screened from adjacent properties and public view on all sides to the satisfaction of the Director;
 - f. In commercial or industrial zones, the antenna should be screened by on-site structures and the antenna's location to minimize the antenna's visibility from the public right-of way; and
 - g. Screening materials may include walls, fences, other material substantially compatible with the principal on-site buildings, trees, shrubs, earthen berms or depressions or a combination of the above. The color of the antenna shall blend with its background or the surrounding area.
3. Roof-mounted satellite receive-only parabolic antennas or dishes greater than 39 inches and up to 12 feet in diameter on properties zoned commercial or industrial are exempted if the following conditions are met:
- a. The antenna is for the sole use of the project site tenants; and
 - b. The antenna should be screened by on-site structures and the antenna's location to minimize the antenna's visibility from the public right-of-way.
4. Amateur radio antenna (including ham and short wave) provided the antenna does not exceed the maximum building height for the zoning district in which it is located by more than 15 feet.
5. Wireless telecommunications facilities exempt from the provisions of this chapter by operation of State or Federal law.
6. Wireless telecommunications facilities located within the public right-of-way, except as otherwise expressly regulated in this chapter.
- B. The determination of whether or not a proposed facility meets the requirements for exemption is at the discretion of the Director. The Director may require that the application be processed as a site plan review permit or conditional use permit if the requirements of this section cannot be met unless the application is an eligible facilities request subject to Section 17.22.100.

17.22.090 – Site Plan Review Permit Required.

- A. The following types of telecommunications facilities are allowed, subject to the applicable provisions of this chapter and approval of a site plan review permit by the Director:
- 1. Residential zoning districts, and open space zoning districts:
 - a. Façade-mounted antennas located on nonresidential properties, which are architecturally integrated into an existing structure and not readily visible;
 - b. Roof-mounted antennas located on nonresidential properties, which are architecturally integrated into an existing structure and not readily visible;
 - c. Roof-mounted satellite receive-only parabolic antennas or dishes more than 39 inches and up to 12 feet in diameter, which are not readily visible.

2. Commercial and industrial zoning districts:
 - a. Façade-mounted antennas on nonresidential properties, which are architecturally integrated into an existing structure and not readily visible;
 - b. Roof-mounted antennas on nonresidential properties, which are architecturally integrated into an existing structure and not readily visible;
 - c. Ground-mounted antennas on nonresidential properties and mounted on a mast which does not exceed 15 feet in height and six inches in diameter and are not readily visible.
- B. The determination of whether or not a proposed facility meets the requirements for a site plan review permit is at the discretion of the Director. The Director may require that the application be processed as conditional use permit if the requirements of this section cannot be met.

17.22.100. Antenna Permit Required.

- A. The following types of telecommunications facilities are allowed, subject to the applicable provisions of this chapter and approval of an antenna permit by the Director:
 1. An "eligible facility" removal, modification or collocation as defined in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. Section 1455(a) as implemented in 47 C.F.R.1.610 as they may be amended.
- B. Applications for an antenna permit shall include the following information:
 1. A statement clearly indicating that the application is subject to this section and not any other portion of this chapter.
 2. A detailed narrative response to the FCC's criteria as applicable to the proposed project to determine if the project causes a substantial change. Describe the location and type of antenna installations and location of the base transceiver station(s), equipment cabinets and/or buildings. Include the number and dimensions of existing and proposed antennas and base transceiver stations and/or equipment cabinets and any existing facilities on the site.
 3. A radio frequency emissions report listing the effective radiated power generated by the proposed facility that identifies exposure levels for both controlled and uncontrolled areas where the levels are projected to be highest. The power rating for all existing and proposed backup equipment; The total number of watts per installation and the total number of watts for all installations on the building (roof or side); The number and types of wireless telecommunications within 100 feet of the proposed site and estimates of the cumulative electromagnetic radiation emissions at the proposed site.
 4. Documentation certifying all applicable licenses or other approvals required by the Federal Communications Commission to provide the services proposed, have been obtained.
 5. Noise and acoustical information for equipment such as air conditioning units and back-up generators.
 6. Plans with detailed drawings of existing and proposed wireless telecommunications facilities and appurtenances to support the determination that the change to an existing

wireless facility is not substantial in nature per FCC criteria.

The Director may develop a standard application form for applications subject to this section. In such event, applicants shall utilize the application form.

- C. Upon receipt of an application for approval of an eligible facilities request, the Director or his or her designee shall review such application to determine whether the application qualifies as an eligible facilities request under State and/or Federal law and is complete, and shall promptly notify applicant if the application is incomplete or is not an eligible facilities request. An application is incomplete if it omits or withholds any required information, or fails to provide information in sufficient detail to determine whether the application is for an eligible facilities request, or to determine whether the work will be performed in accordance with, and will result in a wireless telecommunications facility that complies with applicable safety codes.
- D. If the application is an eligible facilities request and the application is complete, the Director shall approve the application subject to this section. This section shall be so long as Federal law, 47 U.S.C. Section 1455, and implementing Federal Communications Commission regulations, 47 C.F.R. Section 1.610 regulations, require approval of an eligible facilities request as defined herein. By approval, the City solely intends to comply with a requirement of Federal law or State law not to grant any property rights or interests except as compelled by Federal or State law.
- E. If the application does not satisfy requirements for an eligible facilities request, or the application would otherwise result in a wireless telecommunications facility that does not comply with applicable Federal, State or local laws, the application shall be denied.
- F. If the applicant fails to respond to any City request for information or similar correspondence for more than 45 days, then the application shall expire. No application or permit fees will be refunded and should the applicant seek to pursue the proposed installation a new application and applicable fee shall be required.
- G. The Director may except particular applications from approval, or may condition approval, as appropriate, consistent with Federal and State law and the requirements of this chapter. Without limitation, approval does not exempt applicant from, or prevent City from, opposing a proposed modification that is subject to compliance under the National Historic Preservation Act or the National Environmental Policy Act.

17.22.110 - Conditional Use Permit Required.

In all zoning districts, a conditional use permit shall be required for any wireless telecommunications facility not otherwise specifically enumerated, defined or otherwise exempted from a conditional use permit in this chapter. A conditional use permit application for such a facility shall be processed in accordance with the provisions of Chapter 17.01, Article V, and shall include the information required by this chapter. A wireless telecommunications facility subject to a conditional use permit shall be designed in accordance with the provisions of this chapter and any other applicable provisions of Federal law, State law, and/or the municipal code.

17.22.120. Indemnity and Liability for Damages.

- A. The wireless telecommunications facility provider shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees: (1) from any claim, action or proceeding against the City, its boards, commission, agents, officers, or

employees to attack, set aside, void, or annul, the approval of the project when such claim or action is brought within the time period provided for in applicable State and/or local statutes; and (2) from any damages, liabilities, claims, suits, or causes of action of any kind or form, whether for personal injury, death or property damage, arising out of or in connection with the activities or performance of the permittee or the land owner or any of each one's agents, employees, licensees, contractors, subcontractors, or independent contractors, pursuant to the approval issued by the City, when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the provider(s) of any such claim, action or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.

- B. Wireless telecommunications facility operators shall be strictly liable for interference caused by their facilities with City communications systems. The operator shall be responsible for costs for determining the source of the interference, all costs associated with eliminating the interference (including, but not limited to, filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the City attributable to the interference.

17.22.130 - Cessation of Use or Abandonment.

All improvements, including foundations and appurtenant ground wires, shall be removed from the property and the site restored to its original pre-installation condition within 180 days of cessation of operation or abandonment of the facility. A wireless telecommunications facility shall be considered abandoned if it fails to be utilized for its intended and permitted purpose for a period of 180 days, except in the event of damage to the structure and with notice of such damage to the Director. Should a permittee fail to remove all improvements within 30 days of abandonment, cessation of operation or notice from the City, then the City may remove the facility at the sole cost of the permittee.

17.22.140 - Radio Frequency Emission Exposure.

- A. No wireless telecommunications facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, no facility or combination of facilities shall produce at any time power densities in any inhabited area that exceed the FCC's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard subsequently adopted or promulgated by the City, County, the State of California or the Federal government.
- B. Failure to remain in continued compliance with the MPE limits shall be grounds for revocation of the applicable City permit.

17.22.150 - Permit, Review, and Revocation Procedure.

- A. At any time, the Director may initiate proceedings to revoke a permit issued pursuant to this chapter. Grounds for revocation shall be limited to a finding that the owner or operator has abandoned the facility, the facility is no longer in compliance with either the general requirements or design standards of this chapter and the owner or operator has failed to bring the facility into compliance within 180 days after a notice has been sent by the Director requiring the facility to be brought into compliance, the facility is no longer in compliance with applicable FCC or FAA regulations, the use is no longer permitted in the zoning district in which it is located, the facility has not been upgraded to reduce or minimize its impact to

the extent reasonably permitted by the technology available at the time of renewal, or if the Director determines that revocation would be in the best interest of the public health, safety, or welfare. Upon making a determination that the permit should be revoked, the Director may, at his or her discretion, initiate revocation proceedings pursuant to Section 17.01.565.

- B. All permits approved pursuant to this chapter shall run with the land and shall expire upon permit revocation and/or abandonment of the corresponding telecommunications facility. A new application shall be required for a revoked/expired permit.

17.22.160 - State or Federal Preemption.

Notwithstanding any other provision of this chapter to the contrary, the City may grant an exception to any of the requirements of this chapter, if the City makes a finding that the applicant has demonstrated that the refusal of the City to allow such a use would prohibit or have the effect of prohibiting the provision of personal wireless services within the meaning of 47 USC Section 332(c)(7), or otherwise is preempted or prohibited by State or Federal law.

17.22.170. Nonconforming uses.

Notwithstanding any other provision of this title, including Chapter 17.01, Article VIII, the following additions, modifications or changes shall be permitted at a wireless telecommunications facility that qualifies as a legal nonconforming use:

- A. Ordinary maintenance.
- B. A collocation or modification that constitutes an eligible facilities request.

Any of the above changes shall be subject to all applicable provisions of this chapter, including the receipt of an antenna permit as necessary.”

SECTION 2. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional. If for any reason any portion of this ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

SECTION 4. Certification. The City Clerk shall certify to the adoption of this Ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the City in a manner permitted under California Government Code Section 36933.

SECTION 5. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

PASSED, ADOPTED, AND APPROVED at a regular meeting of the City Council of the City of Calexico, California on the 21st day of January 2026, by the following vote:

Mayor

ATTEST:

Veronica Luna-Alvarado, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) ss
CITY OF CALEXICO)

I, Veronica Luna-Alvarado, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Calexico held on the 21st day of January 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Veronica Luna-Alvarado, City Clerk