



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: February 12, 2009

TO: Members of the Community Planners Committee (CPC)

FROM: Kelly G. Broughton, Director, Development Services

SUBJECT: Amateur Radio Communication Amendments

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Amateur radio is a form of non-commercial radio communication. Participants are well represented by numerous stakeholder groups. Amateur radio operators trained in emergency response can fill an important role by providing communication assistance during an emergency.

Amateur radio operators are licensed and regulated by the Federal Communication Commission. The Land Development Code does not contain specific regulations related to amateur radio communication. To date, requests have been reviewed on a case-by-case basis in consultation with the City Attorney. Amateur radio antennas have been allowed to exceed the maximum height of the underlying base zone, which in some cases has resulted in conflict with the surrounding neighborhood, legal challenge, and expense to the City's general fund.

The draft amateur radio communication amendments were widely distributed November 18, 2008, in an effort to identify interested persons and obtain feedback. Amateur radio operators generally felt that the draft regulations were in conflict with applicable law, particularly with respect to a base zone height limit (30 feet in some cases), and with respect to requirements for placement of the antenna in the least visible location, screening from the public right-of-way and adjacent properties, and lowering of the antenna during periods of non-operation. The draft was revised accordingly in order to accommodate a majority of amateur radio operators through a ministerial process.

As proposed, amateur radio antennas may exceed the base zone height up to a maximum height of 45 feet above grade. The proposal would also allow licensed amateur radio operators, trained and certified in public emergency response, to install and operate an antenna up to a maximum height of 70 feet above grade without a discretionary permit. Additional site specific needs could be requested with a Process Two Neighborhood Development Permit. Staff requests that the Community Planners Committee make a recommendation on the proposed Amateur Radio Communication Amendments, which will ultimately be considered for approval by the Planning Commission and City Council.