



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember  
Donald Rocha

**SUBJECT:** UNION AVE. MONOPOLE

**DATE:** September 23, 2014

Approved

*Don Rocha*

Date

*9/23/14*

## RECOMMENDATION

That the Council approve the staff recommendation with the following amendments:

1. Provide that the permit shall expire ten years from the date on which it is issued. The use would be able to continue on the site after the expiration of this permit if a new permit is obtained.
2. Make the following amendments to the provision concerning co-location:
  - a. Delete Permit Condition 12, which requires that the applicant allow co-location of antennas for other providers at the proposed monopole facility, as well as allow additional at-grade equipment to facilitate co-location.
  - b. Replace the deleted condition with a new condition that prohibits co-location on the site.

## ANALYSIS

I'd like to start by expressing my thanks and admiration for the community members who have worked so hard to make their voices heard through the decision-making process for this project. Our process works best when members of the public put forward knowledgeable and well-considered arguments as they have in this case.

This project has changed significantly since it was first proposed, in part because to the advocacy from the community. The project site is on the small side, but I believe the changes, including the elimination of the on-site generator and efforts to reduce the visual impact of the monopole, do make the project consistent with our policy. I would, however, like to propose two additional changes.

### **Time Limit**

Policy 6-20, Land Use Policy for Wireless Communication Facilities, states on page 5 that “The City may include a time limit condition in use Permits to provide the future review of the subject antenna installation.” It goes on to suggest an expiration timeline of either 5 or 10 years. Given the legitimate concerns raised by members of the public that the proposed monopole may not be compatible with the urban village planned for the surrounding area, it seems appropriate to be guided by our policy and set the permit to expire in 10 years. It would always be possible for the applicant to apply for a new permit at that time, but the public process for approval of such permit would provide and opportunity to discuss whether the circumstances in the surrounding area or wireless technology has changed substantially.

### **Co-Location**

It is the City’s standard practice to encourage co-location of antennas for multiple wireless providers on one monopole. Members of the public have pointed out that, given the small size of the site for this particular project, co-location may not be appropriate—especially given that additional antennas will likely require additional at-grade equipment enclosures that would sit near neighboring property lines. Thus, I recommend that we modify the permit to prohibit instead of encourage co-location.

### **Small-Cell Technology**

I appreciate Councilmember Liccardo’s suggestion that the applicant may wish to pursue small-cell technology instead of a monopole in order to reduce the visual impact of the project. I don’t disagree that small-cell technology would have many advantages, but I’m not quite ready to start making decisions based on the proposition that monopole technology is outdated, especially given that that principle is not currently established in City policy.

As technology changes, it would certainly be appropriate to revise City policy to promote the best possible technological solution. If it is true that monopole technology is becoming outdated, then we may want to revise Policy 6-20 at some point in the future. I believe policy development—as opposed to case-by-case decision-making—would be a better approach to this issue because it will establish appropriate expectations for telecommunications companies and ensure that all cellular projects will be treated equally, whether they are decided by the Planning Director, the Planning Commission, or the City Council.