

Technology may curb cell tower angst

San Marcos may give incentives to providers who use new, smaller antennas

By [David Garrick \(/staff/david-garrick/\)](/staff/david-garrick/) 6 a.m. March 9, 2014

SAN MARCOS — Aiming to limit so-called “cell tower farms” in San Marcos, city officials say they’re exploring new legislation that could give telecommunications companies incentives to use groups of smaller, less conspicuous antennas instead of large towers.

San Marcos would be the first city in San Diego County to have a cell tower ordinance that embraces a relatively new technology called a “distributed antenna system.” In such a system, a group of smaller antennas transmits the same data as one large antenna would.

Ventura County adopted an ordinance last fall that makes the approval process for cell antennas faster and cheaper if companies propose the smaller antennas, which are typically less than 4 feet tall.

Approvals are already typically quicker for smaller antennas in most cities and counties, because they can more easily be installed on existing infrastructure, such as street lights. That usually makes the permitting process quicker than for large towers, which can be 50 feet tall or even higher.

But Jonathan Kramer, an attorney working on cell tower legislation with San Marcos and dozens of other cities, said only Ventura has legislation that creates specific incentives for small antennas.

In that city, companies that opt for the smaller antennas can avoid the public hearings required for large towers and the fees that come with seeking a more comprehensive permit needed for them.

Kramer said he’s spent the last few weeks exploring how to help San Marcos follow suit in an ordinance the city plans to unveil next month.

A group of San Marcos residents who’ve been lobbying the city to limit larger cell tower farms say creating incentives for the new technology would be a key step toward solving the problem.

The residents banded together in protest last fall when AT&T proposed adding a 35-foot tower to a rural property where a 30-foot cell tower already stands.

“Cities need to encourage small cell tower technology to reduce the negative impact of the larger cell sites and avoid cell farms in residential areas,” said resident Eric Clifton, who’s been researching the smaller towers for months. “We want the cell companies to fill coverage gaps without damaging the character of our community.”

San Marcos officials say they’re not sure if that’s possible, but that they’re open-minded.

“We are learning about them as we write the ordinance,” Deputy City Manager Lydia Romero said this week. “We want to know how they complement the bigger ones.”

Mayor Jim Desmond said this week that he’d support including the smaller towers in the new ordinance as long as they close coverage gaps effectively.

“We’d have more of them, but they’d be less intrusive,” he said. “I’m all for the small ones if they work and give people coverage.”

Concerns about the ability of cell companies to close coverage gaps prompted the San Marcos City Council to back away in January from a proposed cell tower ordinance that would have been among the county’s strictest.

Council members said some parts of the proposed law were too restrictive. In particular, they objected to requirements that all towers be at least 1,000 feet apart and that only one tower be allowed per property, no matter how many acres.

So instead they put a 45-day moratorium on cell tower approvals while city officials revised the ordinance. Next Tuesday, the council is scheduled to approve extending that ban for another 10 months, Romero said.

But Desmond and Romero said they expect the new ordinance to be approved by the Planning Commission and council by this summer, allowing the city to lift the moratorium before it expires. The city plans to unveil the proposed new law at public workshops in early April, Romero said.

A spokesman for AT&T declined to say whether the company would support the city including incentives for small towers in the ordinance. But the spokesman, Jaime Moore, said in an email that AT&T sometimes uses smaller towers.

“Distributed Antenna Systems technology may be used in some locations to complement ‘macro’ cell sites,” Moore said. “AT&T has several methods for connecting customers wirelessly to the network. Which technology we use in a given location depends on a variety of factors.”

Clifton, one of the residents lobbying for smaller antennas, said the main objection he’s heard cell companies raise is that small antennas cost more to maintain because more of them are needed. But he said the city could provide incentives that would outweigh that.

Kramer, the attorney helping San Marcos, said the Federal Communications Commission, which limits how cities can regulate cell towers, plans to address the smaller antennas in new legislation expected to be proposed this summer.

He said the industry is lobbying for slightly different standards than adopted by Ventura County.

In Ventura, companies get easier and cheaper approvals if the towers are less than 4 feet tall and the overall telecommunications structure is less than 8.2 cubic feet.

Kramer said the industry has proposed an even stricter height limit of 3 feet, but they want the maximum size of the structure to be 17 cubic feet.

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