

PNC Pasadena Neighborhood Coalition

P.O. BOX 51022 Pasadena, California 91115
Uniting Pasadena Neighborhood Associations on Issues of Livability City-wide

July 16, 2008

Bill Bogaard, Mayor
Members of the Pasadena City Council
ATTN: City Clerk
175 North Garfield Avenue
Pasadena, California 91109

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CITY CLERK

Dear Mayor Bogaard and City Council Members:

The Pasadena Neighborhood Coalition believes that all light post and utility post cell antennas in residential zones should be included in the current Wireless Facilities Moratorium.

In recent email correspondence with Sr. Planner, Jennifer Paige-Saeki and City Engineer, Dan Rix both responded to an inquiry about the future T-Mobile light post / cell antenna at Oak Knoll Ave and Alpine St. They both indicated that the Oak Knoll / T-Mobile wireless installation was exempt from the current Wireless Moratorium and would start construction soon, when the encroachment permit is issued.

The T-Mobile / Oak Knoll cell tower case precipitated the moratorium and the new ordinance and the public concluded that the proposed Oak Knoll cell tower was covered by the current moratorium.

Since there is no existing wireless facility at the proposed site for the T-Mobile installation on the corner of Oak Knoll Avenue and Alpine St., the T-Mobile project should be included in the current Wireless Moratorium. T-Mobile will increase the height of the light post by 5 feet and will also build a new underground mechanical vault that is the size of a parking space. The proposed T-Mobile / Oak Knoll site is not replacing an existing facility but creating a new facility with a different function, size and shape.

The Pasadena Neighborhood Coalition requests that the City Attorney formally answer these questions:

1. Why is the proposed T-Mobile light post at Oak Knoll exempt from the current Wireless Moratorium when the new facility is substantially different in function, size and shape?"
2. Are all the other light posts and utility posts in residentially zoned Pasadena also exempt from the current Wireless Moratorium?

As written and approved by the Pasadena City Council on June 9, 2008:

**AN EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY
OF PASADENA TEMPORARILY PROHIBITING THE ISSUANCE OF
OF GROUND-MOUNTED COMMERCIAL WIRELESS FACILITIES IN RESIDENTIAL ZONING
DISTRICTS**

"SUMMARY

The provisions of this ordinance extend the temporary prohibition on the issuance of permits for the placement, construction, and modification of "Ground-Mounted Commercial Wireless Facilities" in residential zoning districts pursuant to Title 17 of the Pasadena Municipal Code. "Ground-Mounted Commercial Wireless Facilities" is defined as ground-mounted and partially above-ground commercial wireless facilities, including, but not limited to, fixtures, devices, and appurtenances necessary to support wireless antennas. Ordinance No. shall take effect upon publication."

SECTION 2. The provisions of this ordinance shall not apply to:

1. **New Ground-Mounted Commercial Wireless Facilities in the same location as existing facilities,**

07/28/2008
Public Comment

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which are required to repair, replace, or maintain such facilities, provided that the new facilities are substantially similar in size, shape, color, and exterior material.

The PNC is opposed to the interpretation of section 2 of the Pasadena Wireless Facilities Moratorium that apparently is being adopted. The proposed T-Mobile cell antenna at Oak Knoll is 5 feet taller than the original light post, with a large underground mechanical vault. The new facility is **not** substantially similar in function, size and shape and therefore **should be included** in the current Wireless Facilities Moratorium. Please have the City Attorney officially respond to these questions about the Wireless Facilities Moratorium. A PNC representative will speak at an upcoming City Council meeting regarding this letter during the public comments section.

The PNC questions the exemption status of the future T-Mobile / Oak Knoll wireless facility and its underground mechanical vault as well as all other proposed light post and utility post / cell antenna installations during the current Wireless Facilities Moratorium.

There is strong public opposition to unregulated cell antenna proliferation in the City of Pasadena. The Wireless Moratorium becomes meaningless in light of the T-Mobile / Oak Knoll cell antenna exemption and similar cell antenna installations in residential zones and is not consistent with the public's perception and the City Council's intentions of initiating the Wireless Facilities Moratorium.

Very truly yours,

R. Henry Sherrod, Chair
Pasadena Neighborhood Coalition

Cc: Bernard Melekian, Acting City Manager
Javan Rad, City Attorney
Jennifer Paige-Saeki, Sr. Planner
Dan Rix, City Engineer