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## Confronting the Growing Demand for Wireless

*By Cathy Tyson*

Let's make an ordinance! Turns out - that's easier said than done. In response to increasing requests for wireless communications facilities in the city, an expert was hired to give advice to the Planning Commission about the specifics of crafting an ordinance. With technology constantly changing, and an alphabet soup of regulations that govern wireless towers, the Planning Commission heard a complete review about everything from soup to nuts regarding wireless at a recent meeting.

Currently the City of Lafayette doesn't have a wireless ordinance, however there are existing rules about land use permits, but height limit rules don't apply to "devices for the transmission of telephone and telegraphic messages," according to a staff report on the subject.

Consultant Jonathan L. Kramer, Esquire is uniquely qualified to outline the dos and don'ts of a proposed ordinance. He splits his time between his telecommunications-focused law firm and his technology consulting firm. In addition, he has a background as a radio telecommunications engineer and holder of a General Radiotelephone Operator License from the Federal Communications Commission (FCC).

He promised right off the bat to not torture the Planning Commission and the audience with "death by Powerpoint." Instead, he delivered on his goal of providing a guide to help the Planning Commission find its way through the regulatory jungle.

He reviewed relevant case law, the role of the FCC, defining what a Joint Pole Authority is and how it functions, the amazing growth of technology, and Distributed Antenna Systems - all factors to consider in writing a wireless ordinance. He advises, "What you get out of the process is what you put in the ordinance" and suggested integrating design elements to come up with something "that's aesthetically appropriate for the community."

That nugget especially resonated with the many residents who turned out for the meeting and are concerned about living next door to an ugly cell tower.

The highlight of the presentation was a variety of photos of cell towers from around the country. Some were hiding in plain sight - like the fake mono-palm located near a group of real palm trees, or camouflaged in bell towers, or incorporated into a McDonald's structure, or the gigantic metal bison on a windswept hilltop in Colorado, that hid wireless equipment. But some were just plain ugly.

Comments from the audience were limited, but supported the concept. Angela Lucas said, "There are twelve ordinances for putting a satellite dish on your house, and nothing for cell towers."

Wireless technology is in everything - getting an electronic book for your Kindle, streaming Netflix movies, to the shoe department at Macy's, to vending machines sending messages about restocking soda and emptying the coin box. As Kramer pointed out, it took twenty-five years to build the first 200,000 wireless sites, and it's estimated the country will need 200,000 more in the next nine years to keep pace with demand. Writing an ordinance to control the process may hold some appeal for many Lafayette residents, but the complexity of the issue suggests this won't happen overnight.

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