



Wireless Telecommunication Facilities in the Public Right of Way - Design Criteria Update

City Council July 16, 2019

- Amended Telecom Act of 1996
 - ◆ Limited review authority
- Carriers have the right to use ROW
- City adopted Design Criteria (2013)
- FCC Order (Small Cell #18-133) (2019)
- Agreement with AT&T for City owned poles (2019)

Local and State governments ***may not***:

- Regulate based on RF emissions;
- Discriminate among providers;
- Extend application review beyond shot clock;
- Have the effect of prohibiting wireless services.

Local and State governments ***may***:

- Regulate facilities based on objective aesthetic criteria.

Examples

Telecom Facilities in ROW - Design Criteria Update



Pole Mounted - 1



Pole Mounted - 2



Ground Mounted

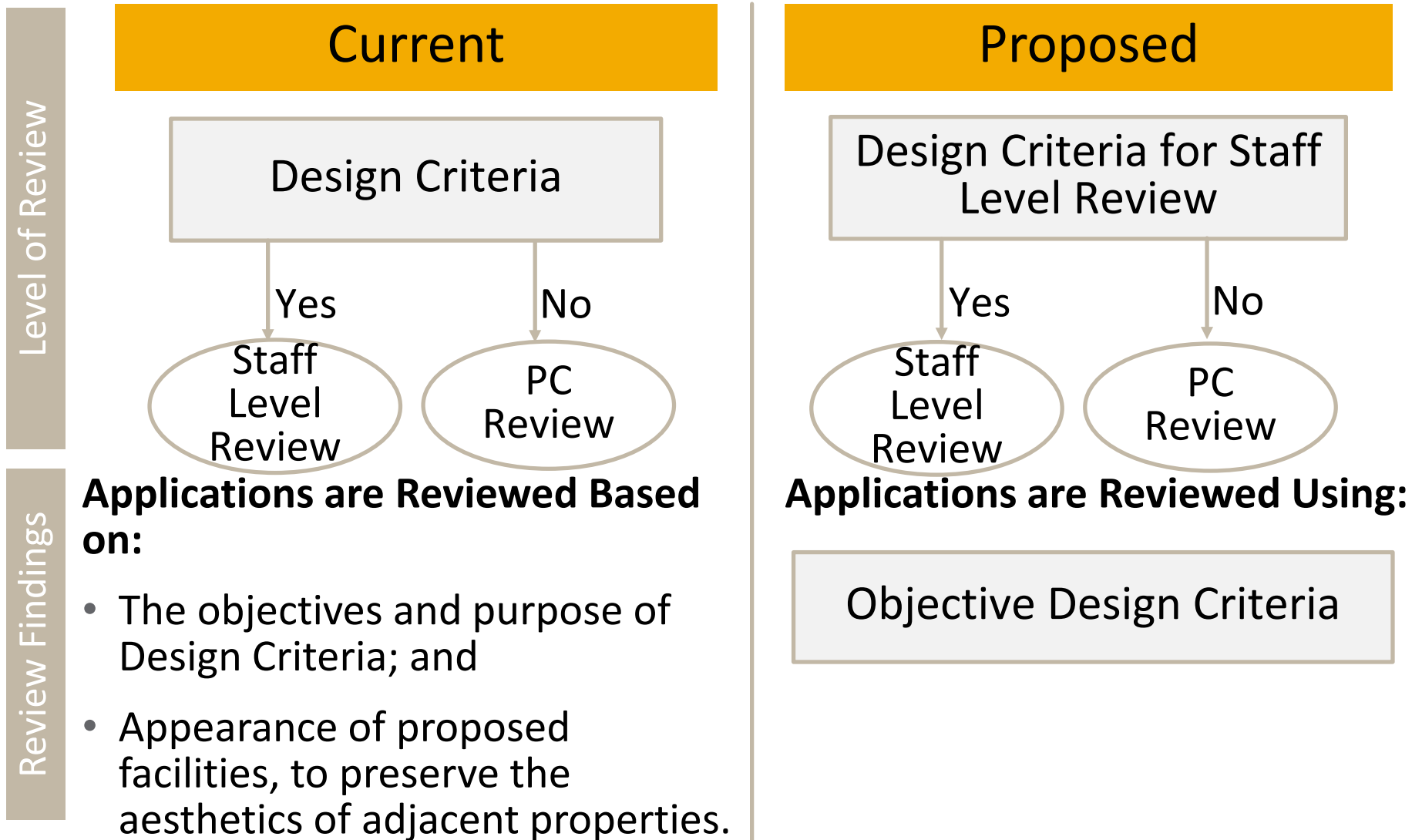
Goals of Updates:

- Minimize aesthetic impacts;
- Create objective and enforceable design criteria;
- Clarify terminology and criteria; and
- Clarify level of decision-making authority.

Update to Design Criteria for Telecom in ROW **Review Procedure**

Review Procedure

Telecom Facilities in ROW - Design Criteria Update





Sunnyvale

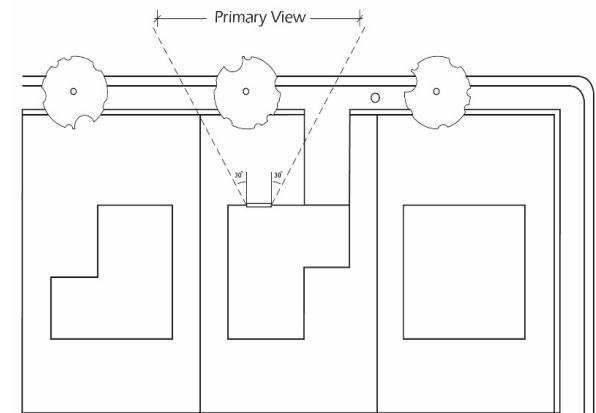
Update to Design Criteria for Telecom in ROW

Design Criteria

Design Criteria

Amendments Include:

- Defining “Primary Views”;
- Creating pole spacing standards; and
- Promotion of the “Least Intrusive” design for:
 - ◆ Pole Location;
 - ◆ Antennas;
 - ◆ Cabinet Location; and
 - ◆ Ground Mounted Equipment.



* Not Drawn To Scale

Recommendation

Considerations

- Recommend that the City Council:
 - ◆ Update the Design Criteria
 - ◆ Update the Design Criteria with Modifications
 - ◆ Take no action and maintain the existing Design Criteria

Staff Recommendation

- Recommend that the City Council Update the Design Criteria