

Cell company representative asks for delay in cell tower appeal hearing

Contributed by Elizabeth Larson
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LAKEPORT – At the request of a cell phone company representative, the Lakeport City Council on Tuesday evening agreed to put off hearing an appeal of a cell tower project.

Last month the Lakeport Planning Commission approved an application from OmniPoint Communication/T-Mobile for an 85-foot-tall cell tower – that will be disguised to look like a large pine tree – at 280 Third St.

Ross Kauper, a downtown property owner and member of the Lakeport Planning Commission, filed an appeal of the May 13 decision, from which he recused himself.

City Planning Services Manager Andrew Britton introduced the appeal and the supporting documents to the council, with Mayor Ron Bertsch then opening up public testimony.

Sierra Club Lake Group Chair Victoria Brandon urged them to reconsider the project, noting that the Sierra Club is not against cell towers.

She said they supported a T-Mobile cell tower application for a Middletown location that went before the Lake County Planning Commission last month.

That tower was co-located with another tower; Brandon said T-Mobile representatives had stated the company was coming into the county but didn't mention it had another project in Lakeport that wasn't co-located.

Brandon said the proposed tower would be an eyesore in downtown Lakeport. The city's zoning allows for such towers – with a use permit – everywhere but in the business district as a way to preserve the city's character.

The tower, which will be located on the edge of the business district, will dominate the view from many parts of downtown Lakeport, Brandon argued.

“It's right across the street from the courthouse,” she said. “Everyone's going to see it in all its plastic glory.”

Brandon suggested an easy alternative – having it co-locate with a cell phone tower that's already located on the courthouse roof. The report noted an attempt to co-locate, but Brandon doubted it was a serious one.

She said she found out the co-location issue would be up to Public Services Director Kim Clymire, who said he was willing to consider a request to place T-Mobile's tower there. “Feel free to quote me on that!” his message to Brandon said.

Brandon said a good faith attempt should be made by T-Mobile to work with county, which is part of city's general plan. She added that the existing use permit on this site has conditions that haven't been met.

“This is a really easy way out,” she said of co-locating with the county facilities.

Allen Potter of Eagle Point, Ore.-based Eagle Consulting Group – representing T-Mobile – asked the council to delay the hearing until the full council was present. Three members were at the meeting – Suzanne Lyons, Bob Rumpfelt and Bertsch – and the meeting was 15 minutes late in getting started as they waited for Rumpfelt to appear to form a quorum.

Potter told the council he was surprised they took testimony from someone who wasn't the appellant.

The council was open to holding off on the hearing. In the mean time, Rumpfelt suggested that T-Mobile should contact the county to discuss the co-location issue.

Community Development and Utilities Director Mark Brannigan said such negotiations are separate from the decision before the council.

Potter said he would communicate the suggestion to T-Mobile, but that when he returns for the hearing the issue will be the appeal, not the co-location issue.

The council agreed to continue the item until July 21.

Kauper then came forward to give testimony, but City Attorney Steve Brookes told him to hold off until the July 21 meeting.

In other council news, the council held a hearing for a \$400,000 Community Development Block Grant to help with low-income housing rehabilitation. Following the brief public hearing, the council approved the application 3-0.

The council also approved a 15-percent reduction in a \$30,000 annual grazing lease on the City of Lakeport Municipal Sewer District property because lessee Lee Mora said he was having a hard time maintaining his herd numbers due to the dry conditions; issued a notice of completion on the South Main Street Drainage Improvement Project; and agreed to support Lake County Vector Control's benefit assessment, which will cost the city an additional \$481.02 annually on city-owned properties.

In one of its final actions of the night, the council gave unanimous approval to directing City Clerk Janel Chapman to send a letter to the state Legislature in support of AB 715.

The bill, which will be heard by a Senate committee on Wednesday, would save the city significant amounts of money, said Chapman. That's because it will allow the city to publish ordinances – within 15 days of passage – on the city's Web site and to mail notices in lieu of publishing the ordinances in the newspapers, as state law has required for decades. All other notices of hearings would still be published in newspapers, Chapman said.

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