

November 15, 2022



## AGENDA ITEM SUMMARY

City Council

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### STAFF

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Rebecca Everette, Planning Manager  
Will Lindsey, City Planner  
Brad Yatabe, Legal

### SUBJECT

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**Second Reading of Ordinance No. 124, 2022, Authorizing an Extension of the Temporary Exception to the Land Use Code to Allow T-Mobile to Place a Temporary Wireless Telecommunication Facility at 1800 East Harmony Road to Replace Lost Wireless Service Coverage.**

### EXECUTIVE SUMMARY

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This Ordinance, unanimously adopted on First Reading on November 1, 2022, extends the authorization for a temporary wireless telecommunication facility known as a cell-on-wheels (COW), operated by T-Mobile, currently located at 1800 East Harmony. The current temporary authorization is set to expire on December 1, 2022. This temporary facility is in place to address a critical loss in T-Mobile's existing cellular coverage in south Fort Collins caused by T-Mobile's removal of wireless equipment from Platte River Power Authority ("PRPA") infrastructure and is to be used only until a permanent facility (proposed at 4518 Innovation Drive) is fully constructed in Spring 2023.

### STAFF RECOMMENDATION

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Staff recommends adoption of the Ordinance on Second Reading.

### BACKGROUND / DISCUSSION

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Ordinance No. 167, 2021, allowed T-Mobile to place a temporary cell-on-wheels (COW) at 1800 E. Harmony Road through June 7, 2022, to compensate for lost coverage when T-Mobile removed its equipment from the PRPA towers. In light of T-Mobile's delays in building its permanent facility, Council subsequently adopted Ordinance No. 055, 2022, allow the COW to remain until December 1, 2022.

A hearing for that permanent facility was held on January 24, 2022, with the Hearing Officer's determination being released on February 4th. A decision of approval with two conditions was made. Those conditions were that (1) a fall zone letter be provided by the applicant, and (2) the facility be redesigned from an unconcealed monopole to a concealed monopine. No appeal was filed against the decision within the required 14-day timeframe, and the decision was made final on February 18th. T-Mobile submitted Final Development Plan (FDP) documentation to the City on March 23rd, and the project was deemed complete and routed for staff review on April 1st. At the time of that routing it was estimated that final approval would be granted within 10 weeks at which point T-Mobile will be allowed to file for building permits and begin construction.

Due to the conditions or approval, the time needed for the redesign, and the time needed for final construction after final plan approval, T-Mobile is requesting that the current authorization for the COW be extended past December 1, 2022, as it is no longer feasible for the facility to be constructed by the December deadline as originally anticipated. Staff is supportive of the request due to T-Mobile's diligent and timely pursuit of final plan approval. To date, no public comments or complaints have been received regarding the temporary facility.

Staff recommends placing a final expiration date of June 1, 2023, for the temporary facility with no further options for extension. This should allow for ample time to complete the permanent site and exceeds the estimated completion date as outlined in T-Mobile's request.

## **PUBLIC OUTREACH**

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A mailed notice regarding the proposal and the Council date to review the Ordinance will be sent to all property owners of record with 800 feet of the site. That notice will mail on October 18, 2022, two weeks before the City Council Regular Session on November 1, 2022.

## **ATTACHMENTS**

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First Reading attachments not included.

1. Ordinance for Consideration