TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT

MEETING DATE: 11/12/2026

ITEM NO: 3

DATE: November 6, 2026

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider a Request for Approval of a Conditional Use Permit Application to Install a New 76-Foot-Tall Wireless Telecommunication Facility on Property Zoned R-M:5-12. **Located at 42 Miles Avenue.** APN 529-05-043. Categorically Exempt Pursuant to California Environmental Quality Act Guidelines Section 15303: New Construction or Conversion of Small Structures. Conditional Use Permit Application U-26-002. Applicant: Jacob Hamilton, SBA Monarch Towers III, LLC. Property Owner: Ashley Van, Pacific Gas & Electric Company. Project Planner: Samina Merchant.

RECOMMENDATION:

Consider a request for approval of a Conditional Use Permit (CUP) to install a new 76-foot-tall wireless telecommunications facility on property zoned R-M:5-12, located at 42 Miles Avenue.

PROJECT DATA:

General Plan Designation: Public
Zoning Designation: R-M:5-12 (Multi-Family Residential)
Applicable Plans & Standards: Town Code, Town Standards for Wireless Telecommunications Facilities
Parcel Size: 1.8 acres
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Highway 9	N/A	N/A
South	Multifamily residential and Town buildings	Medium Density Residential and Public	R-M:5-12:LHP
East	Caltrans ROW	N/A	N/A
West	Los Gatos Creek	N/A	N/A

PREPARED BY: Samina Merchant
Associate Planner

Reviewed by: Planning Manager, Community Development Director, and Town Attorney

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

FINDINGS:

- As required, pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, this project is Categorically Exempt under Section 15303: New Construction or Conversion of Small Structures.
- As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit.
- That the proposed project complies with the Town's Standards for Wireless Telecommunications Facilities.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is approximately 1.8 acres and is located adjacent to the Highway 17/Highway 9 interchange (Exhibit 1). The site contains a Pacific Gas & Electric (PG&E) substation and an existing wireless facility consisting of a 70-foot-tall wood monopole with antennas and associated ground equipment on a raised wood platform.

On February 26, 2026, Jacob Hamilton of Virtual Site Walk LLC, agent for SBA Monarch Towers III, LLC (SBA), filed CUP Application U-26-002 for the replacement of the existing pole with a new steel stealth monopole to support T-Mobile's modernized antenna configuration. The project is also referred to in the application materials as "Hwy 17 & Bell Vista Relo" and "Bella Vista CA27386." The submittal includes a Letter of Justification (Exhibit 4), an Alternative Site Analysis and Propagation Schematic (Exhibit 5), Photo Simulations (Exhibit 6), RF Emissions Compliance Report dated December 2, 2025 (Exhibit 7), and the Development Plans (Exhibit 8).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The project site is a PG&E owned parcel located at 42 Miles Avenue, at the terminus of the street. The existing wireless pole is in the east portion of the parcel near Miles Avenue and Highway 17. A PG&E electric substation occupies much of the parcel.

The site is bordered by Highway 9 to the north, Highway 17 and its interchange ramps to the east, Parks and Public Works building and an apartment complex along Miles Avenue to the southwest of the site.

B. Project Summary

The applicant is requesting a CUP to construct a new wireless telecommunications facility structure to support T-Mobile's modernized antenna configuration and allow future carriers' co-location. The project would remove the existing 70-foot-tall wood pole and construct a new steel stealth faux tree behind the existing generator. The applicant states that the new stealth monopole would be installed first so that antennas can be moved to the new structure and tested before the old pole is removed. The applicant estimates construction for four to six weeks. The project consists of the following:

	Existing	**Proposed**
Structure	70-foot-tall wood pole	Stealth monopole: a 70-foot-tall steel pole with about a six-foot top of faux branch; 76 feet overall to the uppermost branch.
Location	PG&E utility parcel, existing SBA lease area	Same utility parcel; new pole adjacent to the existing pole
Antennas and radios	Three panel antennas and a microwave dish	Six panel antennas, six radios, and the relocated microwave dish
Antenna elevations (radiation centers)	58 feet and 50 feet	58 feet and 52 feet
Appearance	Exposed wood pole with visible antennas and cables	Faux branches and bark conceal the antennas and mounts; hybrid cables run inside the pole
Structural capacity	Applicant states it cannot support T-Mobile's proposed equipment loading	New steel structure designed for the proposed loading and, per the applicant, future carriers
Ground equipment	RBS 6102 cabinet, wood equipment platform, wood fence, and hydrogen fuel cell	RBS 6102 cabinet remains; new battery and equipment cabinets; wood fence replaced with fiber composite fencing; platform painted with fire-retardant paint; fuel cell removed
Lighting, noise, trees	No tower lighting	No new lighting, generator, or noise-generating equipment; no tree removal

Construction	Removal	Construct the new pole first, transfer and test the equipment, and then remove the wood pole (about 4 to 6 weeks); no service interruption planned

Proposed antenna radiation centers are 52 and 58 feet, compared with 50 and 58 feet existing. The site continues to provide T-Mobile service. The principal changes are a concealed monopole in place of an exposed wood pole, six additional feet of height for the faux branches that conceal the antennas, and a structure built for modern equipment and future additional carriers, per the applicant.

C. Zoning and Wireless Facility Standards Compliance

The project site is zoned R-M:5-12. The Town's Standards for Wireless Telecommunications Facilities establish an order of preference for locations, with co-location on an existing telecommunications structure being the first preference. The project replaces a pole at an existing wireless facility on a utility parcel rather than creating a new site, and the applicant contends this meets the first preference. The applicant states that the existing pole cannot structurally support T-Mobile's proposed equipment, so a new structure is proposed adjacent to it. Continued use of the established site is consistent with the intent of the standards to limit the proliferation of new towers.

The applicant's Letter of Justification and Alternative Site Analysis (Exhibit 4 and 5) address the remaining location and development standards. The applicant has acknowledged the draft conditions, including but not limited to signage, building code compliance, tree protection, non-reflective colors and materials, and proposes no compound or tower lighting. The following table summarizes the project's consistency with key zoning requirements and wireless standards.

Standard	Requirement	Proposed	Compliance
Height	30 feet (R-M principal structure); may be exceeded if the deciding body determines the antenna height will satisfy the coverage needs of multiple other antennas	76 feet overall (existing pole: 70 feet)	Requires Commission determination
Front yard setback	25 feet; deciding body may require an additional foot of setback per foot of height beyond the front yard setback	At least 25 feet away from the front and at least 8 feet away from the side property lines	Complies with the 25-foot setback; additional setback is discretionary.

Distance to residential property line	Wireless facilities within 50 feet of a residential property line require a CUP	At least 50 feet away	Complies
Stealth design	Architectural treatments and advanced screening to mitigate visual impacts	Stealth faux tree with branches and bark	Complies
Colors and materials	Non-reflective finish; blend with background	Non-reflective finish proposed	Compliance with COAs
Lighting	No artificial lighting unless required by another authority	None proposed	Complies
Noise	Compliance with the Town noise ordinance	No new generator or noise-generating equipment	Complies
RF exposure	Compliance with FCC limits; bi-annual RF exposure report	18.352 precent of FCC general population limit at ground level	Complies; certified by a California-registered professional engineer

DISCUSSION:

A. Alternative Site Analysis

The applicant's Alternative Site Analysis (Exhibit 5) considers nine alternatives, including no build, a lower height at the existing site, a new location elsewhere on the PG&E parcel, Los Gatos High School/Helm Field, downtown rooftops, commercial and hotel parcels east of Highway 17, residential parcels, and a separate new ground-mounted tower. The analysis concludes that replacement at the existing site is the least intrusive and most feasible option because it uses an established wireless and utility location, avoids a new site, maintains service during construction by building the new pole before removing the old one, and improves concealment.

B. Neighborhood Compatibility

The existing facility contains a visible 70-foot-tall wood pole with antennas, a microwave dish, and cables. The proposed stealth monopole conceals the antennas, radios, and cables within a tree form. The applicant submitted three photo simulations prepared by Artistic Engineering (Exhibit 6). Staff observations on each view are as follows:

1. View 1 (looking northwest from Highway 17): The stealth monopole appears as a small conifer above the tree line and is a minor element in the highway view.

2. View 2 (looking southwest from Highway 9): The stealth monopole is barely discernible at a distance among the trees.
3. View 3 (looking northeast from Miles Avenue): This is the most visible location. The existing facility is a wood pole with exposed antennas, partly screened by trees. The stealth monopole has a tree form that conceals the antennas, although it is a larger element that rises above part of the adjacent canopy, and its conical form differs from the surrounding eucalyptus, willow, and other broadleaf trees.

The applicant states that the stealth monopole provides substantially greater visual concealment than the existing exposed wood pole and antennas, and that the site is surrounded by dense, mature vegetation. The applicant has stated that future carriers' co-location must conform to the stealth design and color and materials palette.

C. Building Height

The R-M zone limits principal structures to 30 feet in height. The Town Code defines height as the plumb vertical distance from existing natural or finished grade, whichever is lower and creates a lower profile, to the uppermost point of the structure, which here is the top of the monopole branches, stated by the applicant as 76 feet. The existing pole is 70 feet tall, and the replacement would be six feet taller. The Town Standards for Wireless Telecommunications Facilities provide that facilities should be located at the minimum possible height based on technical requirements and the Town's objective of full service coverage, and that the underlying height limit may be exceeded if the deciding body determines that the height of the antenna will satisfy the service coverage needs of multiple other antennas.

The existing 70-foot-tall pole already exceeds the 30-foot limit, so the project continues an existing condition rather than introducing a new one. The plans and the RF Emissions Report show proposed antenna radiation centers of 52 feet and 58 feet, while the existing antennas are at 50 and 58 feet. The additional structure height provides the tree form that conceals the antennas.

The applicant's coverage map shown in Exhibit 5 indicates that the site provides in-building coverage to 5,429 commercial population versus 4,617 without the site, and to 3,064 residential population versus 2,934 without the site. The applicant explains that the site is surrounded by dense mature trees and local terrain, and that lowering the antennas materially would place more of the signal path through the tree canopy.

The proposed facility would carry six T-Mobile panel antennas in three sectors. SBA, a neutral-host tower owner, states that the structure is intended to support future carriers where structurally and technically feasible, and that future antennas below T-Mobile would be screened.

D. Radio Frequency Emissions

The applicant submitted an RF Emissions Compliance Report by Waterford Consultants, LLC, dated December 2, 2025, certified by a California-registered professional engineer (Exhibit 7). It evaluates T-Mobile's 600 to 2500 MHz operations under FCC OET Bulletin 65 at maximum duty cycle and concludes that the facility complies with FCC limits. Ground-level exposure is 18.352 percent of the general population limit (3.670 percent occupational). Areas above the general population limit exist only at antenna height, extending 14 feet vertically and 80 feet horizontally, and the report recommends RF warning signage at the equipment cabinets and tower base. Further, the draft conditions require bi-annual RF exposure reports, a five-year RF emission report, and warning signage. The report analyzes only T-Mobile equipment at the 52-foot and 58-foot radiation centers. An updated RF report is required before any additional carrier is added or if any new antenna configuration or heights differ from those analyzed.

E. Tree Impacts

The applicant has indicated that no tree removal is proposed as part of the project. Existing mature trees surrounding the site are located outside the tower compound and are separated from the compound by an existing chain-link fence. The proposed foundation and underground conduits are to be installed adjacent to the existing generator, a draft condition requires a tree protection plan with the construction plans.

F. Federal Law Considerations

Federal law [47 U.S.C. Section 332 (c)(7)] preserves but limits local zoning authority over wireless facilities. The Town must act within a reasonable time; may not deny an application based on RF emissions if the facility complies with FCC standards; may not unreasonably discriminate among providers of functionally equivalent services; and may not take action that effectively prohibits personal wireless services. Any denial must be in writing and supported by substantial evidence in a written record.

G. Conditional Use Permit Findings

In order to grant approval of a CUP, the deciding body must make the following findings, which are followed by staff's analysis.

(1) The proposed uses of the property are essential to the public convenience or welfare.

The facility provides wireless coverage and capacity for T-Mobile customers in the Highway 17, Bell Vista, and Miles Avenue area. The applicant's coverage exhibit shows that removal of the site would reduce in-building coverage by 812 commercial and 130

residential population, and the replacement allows modern equipment that the existing pole cannot support.

(2) The proposed uses will not impair the existing uses of the zone.

The facility replaces an existing wireless facility installation on a utility parcel. No new lighting, noise-generating equipment, generator, or tree removal is proposed, and the nearest residences are separated from the site by the PG&E yard and mature vegetation.

(3) The proposed uses would not be detrimental to public health, safety, or general welfare.

The RF report shows compliance with FCC limits, with ground-level exposure at 18.352 percent of the general population limit. The conditions require compliance with the California Building Code, signage, and ongoing RF reporting.

(4) The proposed uses are in harmony with the general plan and the purposes of the chapter.

The proposed use is in harmony with the goals and policies of the General Plan and consistent with the purposes of the Town Code. The project continues an established wireless telecommunications use at an existing utility site and replaces an exposed wood pole with a concealed design, maintaining reliable wireless communications service while minimizing visual impacts and preserving community character. Although the General Plan does not contain goals or policies that directly reference telecommunications facilities, the Town Council-adopted Telecommunications Ordinance and Standards for Wireless Telecommunications Facilities, determined to be consistent with the General Plan, provide the applicable framework for evaluating such facilities. Relevant General Plan policies and Town standards include, but are not limited to:

- **Policy HAZ-4.9: Resilient Infrastructure.** Requires new public utilities, communication infrastructure, and transportation facilities to be located, designed, and constructed to minimize risk and maximize functionality during and after an earthquake.
- **Policy HAZ-1.1: Emergency Preparedness Planning.** Supports coordination and planning for emergency preparedness, including communications and emergency response capabilities.
- **Standards for Wireless Telecommunications Facilities.** Establish objectives for providing high-quality wireless communications infrastructure, improving wireless service coverage, supporting emergency-response communications, and encouraging efficient facility deployment and co-location.

- **Telecommunications Ordinance.** Establishes the regulatory framework for wireless telecommunications facilities to ensure appropriate siting and design while protecting community character.

The project is consistent with the Town's Telecommunications Ordinance and Standards for Wireless Telecommunications Facilities and, by reference, the General Plan.

The fifth finding (hazardous waste facilities) does not apply.

PUBLIC COMMENTS:

A project identification sign was installed on site consistent with Town policy and written notice was sent to property owners and occupants within 300 feet of the property. No comments were received at the time this report was published.

ENVIRONMENTAL REVIEW:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures. Given the established use and similar scale of the replacement structure, the project is not expected to result in significant environmental impacts.

CONCLUSION:

A. Summary

The applicant is requesting approval to replace an existing 70-foot-tall wood pole at an established wireless and utility site with a 76-foot-tall stealth monopole to accommodate modern wireless equipment and future carriers. The proposed antennas would be at 52 and 58 feet, compared with the existing 50 and 58 feet, and the faux tree design would conceal the antennas. RF Emissions Compliance Report indicates the project complies with FCC radiofrequency exposure limits and does not propose new lighting, noise-generating equipment, a generator, or tree removal.

If the CUP is approved, it will be subject to the conditions of approval, including compliance with applicable permitting requirements prior to construction.

B. Recommendation

Based on the analysis above, staff recommends approval of the CUP application subject to the recommended conditions of approval (Exhibit 3). If the Planning Commission finds merit with the proposed project, it should:

1. Find that the proposed project is categorically exempt, pursuant to Section 15303 of the California Environmental Quality Act as adopted by the Town (Exhibit 2);
2. Make the findings as required by Section 29.20.190 of the Town Code for granting approval of a CUP (Exhibit 2);
3. Determine that the height of the antenna will satisfy the service coverage needs of multiple other antennas, allowing the facility to exceed the 30-foot height limit of the R-M:5-12 zone; and
4. Approve CUP application U-26-002 with the recommended conditions of approval contained in Exhibit 3.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction; or
2. Approve the application with additional and/or modified conditions.

EXHIBITS:

1. Location Map
2. Required Findings for Conditional Use Permit
3. Recommended Conditions of Approval
4. Letter of Justification
5. Alternative Site Analysis and Propagation Schematic Exhibit
6. Photo Simulations
7. RF Emissions Compliance Report (December 2, 2025)
8. Development Plans