

WESTWOOD NEIGHBORHOOD COUNCIL

September 12, 2012

Agenda Item #8

Re: CF 09-2645

Cell Towers/AGF Ordinance Revision – in Council on Sept. 11, 2012

Westwood Neighborhood Council strongly supports the revision of the Cell Towers/AGF Ordinance which governs cell towers and related equipment in the public right of way. A request for such towers and equipment has been a huge issue in our community and we applaud Chris Spitz and her team for the tremendous work they have done over the past three plus years.

Please **urge the City Attorney to draft a revised ordinance to include:**

- Expansion of the **right of appeal to “all aggrieved persons”** (i.e., consistent with appeal rights under L.A. Zoning Code for CUPs/private property installations; currently, appeal of AGF permits in the public right of way is only afforded to the limited number of occupants who received notice – a highly restrictive provision which stands alone among California cities).

We urge the following additional revisions:

- Provision for **public comment and/or a hearing prior to permit issuance, for all proposed installations in residential zones** (currently no such revisions are provided for).
- Requirement for the applicant to provide an **RF emissions analysis and/or a certification** of compliance with FCC requirements (again, no such provision in current ordinance).
- Requirement for the applicant to **map all existing wireless facilities and to project anticipated future needs** in the community served by the proposed facility (same).
- Requirement for the applicant to **bear the cost of a technical expert** to assist the city, as needed, with analysis of technical issues or claims such as coverage gaps, RF emissions and alternate location feasibility.

These types of provisions are common in many other California cities' ordinances. These are reasonable requirements and should be included.

An **Interim Control Ordinance (ICO) should be imposed** during the drafting of this ordinance so there is no “rush” to install such cell towers while revisions are under discussion.

The association supports the City Attorney's recommendations including:

- **Elimination of the utility pole exemption**
- **Expansion of the notice provisions** (to be determined, but currently limited to “adjoining/abutting/across the street” property owners/occupants)
- **Enhancement of the aesthetic provisions** (to be determined, but certainly any enhancement would be an improvement since there are virtually no such provisions related to towers in the current ordinance)
- **Imposition of permit duration limits** (to be determined, but currently there are none)

We applaud the City Attorney for an excellent report and recommendations for revisions in 2011 as well as PLUM and the Public Works Committees who approved the City Attorney's recommendations.

We urge City Council to support those revisions, including additional revisions detailed in this letter.