



Department of Public Works
Civil Engineering Division
1685 Main Street, Room 116
Santa Monica, CA 90401

April 10, 2018

Robert Jystad
Crown Castle
On Behalf of AT&T
200 Spectrum Center Dr #1800
Irvine, CA 92618

**SUBJECT: LETTER OF DETERMINATION FOR SMALL CELL WIRELESS PERMIT
APPLICATION 17WIR-0142**
**LOCATION: WOODEN UTILITY POLE IN FRONT OF THE 10TH ST FRONTAGE OF 1002
SAN VICENTE BLVD (NORTHERN CORNER OF 10TH ST & GEORGINA PL N)**

DETERMINATION

The City of Santa Monica Department of Public Works, after reviewing the submitted application package and received public comments, finds that the proposed wireless facility complies with all applicable provisions of the Santa Monica Municipal Code and Federal Communications Commission rules. The application is therefore approved.

DISCUSSION

The City of Santa Monica received an application for the installation of a small cell site on an existing wooden utility pole in front of the 10th St frontage of 1002 San Vicente Blvd (northern corner of 10th St & Georgina Pl N). The adjacent land use is zoned R1 Single-Unit Residential. The utility pole currently has a height of 39 feet. The installation of the small cell site will result in no increase to the pole height. Equipment is proposed to be installed a minimum of 11 ft above grade, resulting in no effect on the public's use of the public right-of-way (SMMC 7.70.080(b)).

Pursuant to SMMC 7.70.020(t) and 7.70.060, the applicant sent a City-approved notice to all businesses and residents within a 500-ft radius of the proposed installation with information regarding how to submit a public comment to the City. As stated on the notice, public comments must be sent within 14 calendar days of receiving the notice.

The City received two public comments in response to this proposed installation. Public comments included:

- A question regarding why this installation was being performed in a residential neighborhood;
- A question regarding what alternative locations have been considered;
- A concern that the utility pole proposed for the installation is not structurally safe;
- A concern regarding the visual impact of the installation;
- A request for information regarding the radiofrequency emissions of the proposed site; and
- A health-related concern.

All public comments were considered in the course of the City's review of this application. Pursuant to federal law, the City cannot prohibit (or have the effect of prohibiting) the provision of

personal wireless services. Precluding installations in areas that are deemed “too residential” will have the effect of prohibiting the provision of personal wireless services in residentially-zoned areas and therefore contradicts federal law.

It is the responsibility of each carrier to deploy their network infrastructure in accordance with their coverage needs. Crown Castle, acting on behalf of AT&T, identified the proposed installation location in accordance with the network needs of the carrier. Crown Castle also provided narrative justification for this specific installation that was deemed acceptable to the City.

The use of this pole is regulated by the Southern California Joint Pole Committee (JPC), and the applicant was required to obtain approval for this installation from the JPC. Seeking this approval requires structural analysis to confirm that the proposed location is structurally sound.

Photosimulations before and after the installation were submitted as part of this application. The applicant has proposed to camouflage the equipment through the use of shrouds painted to match the existing pole. Further, all other equipment, where technically feasible, has been proposed to be painted to match the existing pole. City staff worked with the carrier to develop the aforementioned camouflage measures and have found them to be in compliance with the City’s camouflage requirements (SMMC 7.70.080(c)).

The proposed installation was found to be in compliance with all of the City’s requirements and standards for wireless communications facilities in the public right-of-way as stated in Santa Monica Municipal Code section 7.70. Further, the installation was found to comply with FCC requirements regarding radiofrequency emissions (SMMC 7.70.080(a)(d)). A copy of the radiofrequency emissions report is available at the Public Works Counter in City Hall for public review.

Through its review, the City of Santa Monica has exercised its jurisdiction over regulating the proposed wireless facility consistent with the limitations set forth in Title 47 US Code section 332(7)(B). Consistent with these limitations, the City did not (and cannot) regulate this proposed installation on the basis of the environmental effects of radiofrequency emissions, as the installation complies with FCC requirements regarding radiofrequency emissions.

APPEAL

Pursuant to SMMC 7.70.090, any person may appeal the Public Works Department's decision to the City Council within 14 calendar days after the determination has been published on the City's website. The publishing date can be found at the top of this letter. Appellants are encouraged to include in their appeals any supporting documentation as to how this installation does not comply with local, state, or federal law. Appeals may be filed online at www.santamonica.gov/wirelessappeals or mailed to:

City of Santa Monica
Attn: Wireless Appeal
1685 Main St, Rm 116
Santa Monica, CA 90401

In your correspondence, please include the wireless permit number **17WIR-0142** or your appeal request will not be processed.

Sincerely,

A handwritten signature in blue ink that reads "Greg deVinck".

Greg deVinck, PE for

Susan Cline

Director

Department of Public Works