City of Santa Monica

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

March 12, 2018

Frank Chatzipantsios
Mobilitie
On Behalf of Sprint
2955 Redhill Ave, Ste 200
Costa Mesa, CA 92626

SUBJECT: LETTER OF DETERMINATION FOR SMALL CELL WIRELESS PERMIT APPLICATION 17WIR-0080
LOCATION: CITY-OWNED STREETLIGHT POLE IN FRONT OF 951 OCEAN AVE (NORTHERN CORNER OF OCEAN AVE & WASHINGTON AVE)

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, City-owned streetlight pole in front of 951 Ocean Ave (northern corner of Ocean Ave & Washington Ave). This area is zoned R3 Medium Density Residential. The streetlight pole proposed for the installation has an overall height of approximately 30 ft. The installation of the small cell site will increase the overall pole height to approximately 33 ft 1 in. All equipment is proposed to be installed toward or on top of the existing streetlight pole or below 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 four public comments in response to this proposed installation. Public comments included:

- Health concerns;
- Opposition to adding more radiofrequency waves into the area;
- Concerns that the installation is being proposed on a decorative streetlight pole; and
- Concerns regarding proximity to residential buildings.

All public comments were considered in the course of the City's review of this application. 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.

The City-owned streetlight pole proposed for this installation is not decorative. City staff reached out to the commenter and was able to confirm with him that the pole is not decorative. The commenter originally believed the proposed pole was one up the street (on Washington Ave) that is, indeed, decorative, and not part of this application. Further, the pole under consideration is approximately 40 feet from the nearest residential building, which City staff consider appropriate for the proposed installation.

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 a tubular antenna shroud painted gray 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)).

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-0080** or your appeal request will not be processed.

Sincerely,

for Greg de Vries

Susan Cline
Director
Department of Public Works