



PUBLIC WORKS DEPARTMENT STATEMENT OF OFFICIAL ACTION

PROJECT OVERVIEW

City ID	19WIR-0028	Application Date	June 18, 2019
Applicant	Verizon Wireless 15505 Sand Canyon Road Irvine, CA 92618	Applicant ID	SCL SMP5 20
Carrier	Verizon		
Case Engineer	Thomas Check, PE, Civil Engineering Associate		
Request	The applicant requests to install a personal wireless service facility in the public right-of-way at the location identified below.		

LOCATION INFORMATION

Installation Medium	The personal wireless service facility is proposed to be installed on a wooden utility pole.
Nearest Legal Address	476 26 th Street
Installation street/alley	Marguerita Avenue (See Attachment A for additional location information)

CEQA STATUS

The proposed small cell site is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303, which permits the installation of small new equipment and facilities in small structures.

PUBLIC WORKS DEPARTMENT ACTION

Action	Application Denied
Determination Date/Effective Date of Action	January 28, 2020

Each and all of the findings and determinations are based on the competent and substantial evidence contained in the entire record relating to the application. All summaries of information contained herein or in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact. Each finding is independent of every other finding.

FINDINGS

The Wireless Facility Permit application proposes a new personal wireless service facility in front of the Marguerita Avenue frontage of 476 26th Street and as more particularly shown in Attachment A of this Statement of Official Action (the “Proposed Location”).

Chapter 7.70 of the Santa Monica Municipal Code (SMMC) regulates personal wireless service facilities within the public right-of-way. Pursuant to SMMC 7.70.040, “[t]he City Council authorizes the Public Works Director to develop and publish a Public Right-of-Way Personal Wireless Service Facility Standards and Regulations document to supplement the regulations set forth in this Chapter” (hereinafter referred to as the “Standards” unless used in quoted text). Further, SMMC 7.70.260(b), states “[f]or Wireless Facility Permit applications, the applicant shall provide to the City a site justification report pursuant to the requirements set forth in the Personal Wireless Service Facility Standards and Regulations.”

The Wireless Facility Permit application was submitted on June 18, 2019. The Standards in effect at the time of application were published on June 17, 2019. Chapter 11 of the Standards sets forth the site justification requirements authorized by SMMC 7.70.260(b). Chapter 11 states that “[i]n addition to the proposed location, an applicant must provide a minimum of three (3) nearby alternative locations for the proposed project including at least one location at an intersection or away from residential uses. All of the locations shall be shown on a street map of the City and bounded by a circle or oval.”

The applicant furnished an alternative sites report as part of the Wireless Facility Permit application materials that satisfied the site justification report requirements pursuant to SMMC 7.70.260(b) and Chapter 11 of the Standards. On October 24, 2019, the City notified the applicant that Alternative 2 and Alternative 3 identified in the applicant’s report were considered less intrusive than the Proposed Location, and the City requested further analysis into those alternatives. The applicant responded with a supplemental alternative sites report. After thorough review of all sites presented, the City has determined that the siting location presented in Alternative 2 is least intrusive as required in Chapter 11 and Chapter 12 of the Standards.

Chapter 11 and Chapter 12 of the Standards require the applicant to use the least intrusive location and design possible. Chapter 11 states that:

Personal wireless service facilities shall be sited in locations that are least intrusive to the surrounding community uses. In general, the City prefers that personal wireless service facilities be sited at intersections, away from residential uses, and at locations that preserve scenic views.

Standards at Section 10.2. Chapter 12 further provides that “[t]he personal wireless service facility shall be of the least intrusive design possible and occupy the least amount of space in the right-of-way possible...” Standards at Section 12.1.3.

Alternative 2 is a wooden utility pole located in front of 13099 Baltic Street.¹ While both the Proposed Location and Alternative 2 are both wooden utility poles in front of residential uses, Alternative 2's mass is screened by the presence of a nearby street tree. By contrast, the Proposed Location is afforded no screening by nearby street trees or other elements. The lack of screening adversely impacts the surrounding community and its uses. The installation of a personal wireless service facility at Alternative 2 would be better and more adequately camouflaged by the street tree—and therefore less intrusive—than if it were installed at the Proposed Location.

The alternative sites report offers a few reasons why the applicant does not prefer Alternative 2. However, none are persuasive.

First, the alternative sites report states that Alternative 2 “is directly in front of a house while the [Proposed Location] candidate near 476 26th Street is to the side of the house.” This analysis is incorrect as both the Proposed Location and Alternative 2 are on the frontage of the respective residential structures. Moreover, as explained above, the Proposed Location is completely unshielded by surrounding landscape features, which makes it more intrusive on *all* the surrounding residences.

Second, the alternative sites report states that Alternative 2 “is currently located between [a] storm drain and tree, which will make it extremely difficult to install the pull boxes.” However, the Proposed Location is also located between a storm drain and a tree. Given this similarity between the Proposed Location and Alternative 2, the City finds no basis that installing adjacent to the tree and storm drain at Alternative 2 would be more challenging than installing adjacent to the tree and storm drain at the Proposed Location. A review of the surrounding area adjacent to Alternative 2 finds that there is ample public right-of-way space (e.g., parkway and sidewalk) in which infrastructure may be deployed. Moreover, the applicant failed to consider that a potential replacement pole could be placed on the opposite side of the tree at Alternative 2, which would maintain concealment and eliminate concerns about proximity to the storm drain.

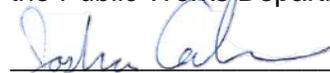
¹ The alternative sites report submitted by the applicant identifies the address of Alternative 2 as 13099 Baltic Street while Los Angeles County Office of the Assessor identifies the adjacent property address as 13025 Baltic Street (Assessor Parcel Number 4264-004-012). For consistency with the application materials, the applicant supplied address of 13099 Baltic Street is used in this Statement of Official Action.

Finally, the alternative sites report states that “[t]here may be structural problems...such as possible foundation issues if the pole cannot support the wireless facility attachment’s weight.” Yet the pole at Alternative 2 is virtually identical to the pole at the Proposed Location. Both are communications-only wood poles directly buried in the earth (rather than concrete). Both support a single communications line. Both are flanked by existing surface-mounted and below-grade improvements. Despite these similarities, the applicant does not find the attachments to the existing pole, or the replacement of the existing pole, at the Proposed Location problematic.

In sum, the City cannot make the findings required for approval because the Proposed Location does not comply with the Standards. Alternative 2 offers the same type of pole, with the same type of existing attachment, on the same type of foundation at the same intersection, but with better natural screening.

PUBLIC WORKS DIRECTOR CERTIFICATION

I hereby certify that this Statement of Official Action accurately reflects the final determination of the Public Works Department of the City of Santa Monica.



Joshua Carvalho, PE for
Susan Cline, Public Works Director

01/28/2020

Date

ATTACHMENT A: ADDITIONAL LOCATION INFORMATION

Latitude, Longitude (NAD 83; approximate)	34.044072, -118.487225
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Vicinity map of proposed installation location (denoted by red pin; location is approximate)



Street view of proposed installation location (looking west on Marguerita Avenue)