



Patrice Lattimore <patrice.lattimore@lacity.org>

---

**city attorney final report on placement of cell towers and related equipment  
CF09-2645**

1 message

---

**Allan Bernstein** <allbern@earthlink.net>

Sat, Sep 8, 2012 at 3:03 PM

To: june.lagmay@lacity.org

Cc: patrice.lattimore@lacity.org

I strongly support revision of the city's above ground facilities ordinance, as recommended by the city attorney to the PLUM and Public Works Committees in Council File 09-2645, and as approved by both committees, in the following respects: expansion of the notice requirements; enhancement of the aesthetic provisions; elimination of the utility pole exemption; and imposition of permit duration limits.

In addition, I support expansion of appeal rights to all interested and/or aggrieved persons.

Thank you for your consideration.

Sincerely,

Allan Bernstein

September 8, 2012

Hon. Herb J Wessen, Jr. President

President Pro Tempore Hon Jose Huizar

Assistant President Hon. Paul Koretz

Hon.Councilmembers: Eric Garceti. Ed P. Reyes,

Tom La Bonge, Richard Alarcon, Bernard C. Parks,

Joe Buscaino, Jan Perry, Jose Cardenas,

Bill Rosendahl, Mitchell Englander, Dennis P. Zine

Los Angeles City Council

Los Angeles City Hall

200 North Spring Street

Los Angeles, CA 90012 Via email attn: Patrice [Lattimore@lacity.org](mailto:Lattimore@lacity.org)

**Re: File No. 09-2645/ Proposed Amendment to “Above Ground  
Facilities” Ordinance, LAMC Sec. 63.03.2 (“AGF Ordinance”)-  
City Council Agenda 9/11/12**

Honorable Councilmembers:

Our family lives between Pico and Olympic Boulevards and just west of Beverly Glen Blvd. We have participated in previous hearings regarding AGF regulations. It is our sincere hope that you, the Council, take action to resolve longstanding problems that we and others have faced due to the vacuum created by not having a much-needed AGF regulatory framework.

We support the reports of the PLUM & Public Works Committies' reports which

recommend that the AGF regulation be amended to:

1. Eliminate the utility pole exemption
2. Expand notice provisions
3. Impose permit duration limits
4. Enhance the aesthetic provisions

We also request:

1. The right of appeal to "all aggrieved persons." This would conform with LA Zoning Code for CUPS re. private property installations.
2. The provision for a special purpose hearing prior to permit issuance.
3. Requirement for the applicant to bear the expense of an independent expert to assist the City with analysis of issues such as coverage gap claims and the feasibility of alternative locations.
5. Require the applicant to map all existing wireless facilities and project anticipated future needs in the area served by the proposed facility.

Also, many municipalities in California have included quite a few and sometimes **ALL** of the above provisions in their ordinances re. PROW installations. Also, while being drafted, many other cities have called a moratorium or ICO pending enactment of the amended AGF Ordinance. We feel we would be protected during this interim period.

Thank you so much for your consideration in this matter.

Sincerely,

Dr. and Mrs. Robert Tobias

Cc: Ted Jordan, Assistant City Attorney

June Lagmay, City Clerk