



BRENTWOOD Community Council

149 S. Barrington Ave., Box 194, Los Angeles, CA 90049

www.brentwoodcommunitycouncil.org

May 8, 2012

LA City Council Public Works and Planning & Land Use Management
Committee

Public Works Chair Buscaino, Members Krekorian and Garcetti
ATTN: Michael Espinosa michael.espinosa@lacity.org

**RE: CF 09-2645; PWC Mtg. 5/9/12, Agenda Item 7
Revision to AGF Ordinance**

Honorable Members:

In 2009, the Brentwood Community Council¹ (“BCC”) passed a motion calling for revision of the City’s cell phone tower regulations. The BCC motion requested that the City Council and Mayor impose a moratorium on all public right-of-way installations to allow time for the City Attorney to study and craft a comprehensive revision of the AGF ordinance in order to better protect communities, especially residential neighborhoods and sensitive uses, to the fullest extent possible under the law. ALL members of the Westside Regional Alliance of Councils (WRAC) passed similar motions in Spring 2010.

Recently, a huge “replacement utility pole” with a nine-antenna array was proposed for installation on a scenic highway in Brentwood. The pole is situated between two residential neighborhoods, adjacent to a church, with a synagogue across the street, and in the midst of four schools. According to the applicant these large above ground facility (“AGF”) “upgrades” are only the first wave of a new generation of telecommunications facilities planned for installation throughout the City. Still larger installations are apparently planned.

While the applicant of this project decided to withdraw the application after a community meeting at which many stakeholders voiced their strong concerns, it

¹ The Brentwood Community Council is the broadest based Brentwood community organization, representing approximately 50,000 stakeholders of the 90049 community, including homeowner associations, multi-family residential dwellers, business organizations, schools, religious groups, volunteer service groups, public safety, and environmental organizations.

must be noted that under the existing permissive regulatory scheme the most offensive element of the project, the pole with the large nine-antenna array on top, would have been entirely exempt from regulation due to its location within the public right-of-way.

The City Attorney's Report on revision of the cell tower ordinance, completed in 2011, advised that revisions to the outdated ordinance may include: (1) elimination of the current utility and light pole exemptions; (2) expanded notice; and (3) enhanced aesthetic provisions. Nearly ten months ago, the City Attorney was jointly directed by the Public Works and Planning and Land Use Management Committees to report back within 60 days on the status of the revised ordinance.

Revisions to the AGF ordinance are needed as soon as possible in order to bring installations such as the one described above within a reasonable permitting process. In light of the ongoing proliferation of cell towers throughout the City, and based on our previous motion, BCC respectfully renews our request for the Public Works Committee to:

- (1) Direct the City Attorney to complete the revisions to the AGF ordinance as soon as possible;
- (2) Recommend that an Interim Control Ordinance be enacted by City Council to place a temporary moratorium on AGF permit applications for PROW installations involving wireless telecommunications until such time as the revised AGF ordinance is enacted.

Thank you for your consideration in the matter.

Sincerely,



Nancy Freedman
Chair, Brentwood Community Council

cc: Carmen Trutanich, City Attorney ctrutanich@lacity.org
Ted Jordan, Assistant City Attorney ted.jordan@lacity.org
Bill Rosendahl, Councilmember CD11 bill.rosendahl@lacity.org
Christina Spitz