

## Los Angeles WTF Working Group Position Paper on WTF Regulation

The Los Angeles WTF Working Group supports enactment of a *comprehensive new WTF ordinance that provides protection to residential neighborhoods (both in the public right of way/PROW and on private property) to the fullest extent of the law*. The following is a broad outline of effective WTF regulation (based on regulations that have been successfully enacted in other localities, including Glendale):

- A **“tiered” regulatory scheme**, encouraging WTF siting in “preferred” zones with fewer permit requirements (in commercial, industrial zones), and discouraging siting in “non-preferred” zones/locations with greater permit requirements (in residential, school, scenic corridor, open space, historic preservation and specific plan zones, and near residences, schools, day care centers and parks in all zones);
- **Clear definitions** as to the various types of WTF/antenna installations and **clear standards** for height, dimensions, appearance, landscaping, camouflage/screening and set-backs specifically related to each type of WTF/antenna (in all zones);
- **Regulation of WTF/antenna installations mounted on utility poles** as well as monopoles (i.e., requirement of WTF permits for all WTF PROW pole installations and elimination of any exemption for so-called utility pole WTF installations);
- **Expanded notice** of WTF permit applications/public hearings, including written, 30 days notice to residents within 1000 feet of the proposed installation and to all homeowners’/residents’ organizations, neighborhood councils and community councils within the area of the installation; and notice prominently posted on-site (in or near non-preferred zones/locations);
- **Public hearings and written findings** prior to permit issuance, with conditions imposed at the hearing officer’s discretion (in or near non-preferred zones/locations);
- **Meaningful design, aesthetic, environmental (CEQA) and safety reviews** prior to permit issuance, including visual impact analysis and pole height justification (in or near non-preferred zones/locations);
- **Expanded set-back (distance) requirements** for WTF installations located near residences, schools, day care centers and parks in all zones;
- **Noise level restrictions** on all WTF installations on or near residences;
- **Reasonable safety requirements**, including as needed structural engineering analyses of wind and earthquake resistance; RF emissions analysis/certification; and on-site posting of operator identification and contact information (in all zones);
- Application of **“significant coverage gap”** and **“least intrusive means”** tests as required under cases interpreting the federal Telecommunications Act (in or near non-preferred zones/locations);
- **Meaningful “alternative site analysis”** (in or near non-preferred zones/locations), including encouragement of the use of street light poles and co-location on existing WTF installations whenever technically feasible and aesthetically desirable;
- Consideration of **community input/impact** (in or near non-preferred zones/locations);
- **Right of appeal to all aggrieved persons** (in or near non-preferred zones/locations);
- **Reporting and mapping** by WTF permit applicants of the location of all of their WTF installations in the City, with periodic status updates, so that a current and accurate central inventory of all such installations can be maintained;
- **Projections of anticipated future siting needs** by WTF permit applicants, to be used by the City to formulate a master plan for future WTF siting;
- **Independent evaluation/reporting of RF emission levels** of all WTF installations in the City, upon installation and periodically thereafter, with costs borne by WTF permit applicants, to ensure continuing compliance with FCC standards;
- WTF permit applicants’ **payment of adequate usage fees** (in addition to permit application fees) for the continuing use of the PROW for WTF installations.
- A moratorium on all WTF PROW installations until a new ordinance is in force and effect.

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