



CITY OF NOVATO
CALIFORNIA

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City Manager
Adam McGill

May 9, 2022

Modus, LLC
Attn: Caroline Styc
240 Stockton Street
San Francisco, CA 94108

Via email: cstyc@modusllc.com

Re: AT&T Small Cell Wireless Facilities
P2022-021; Public Right-of-Way near 7123 Redwood Blvd
P2022-022; Public Right-of-Way near 1553 S. Novato Blvd
P2022-023; Public Right-of-Way near 10 Pico Vista
P2022-024; Public Right-of-Way near 625 Arthur St

Dear Ms. Styc:

I am writing regarding the status of the four (4) small cell wireless facilities applications referenced above that were submitted to the City of Novato ("City") on February 25, 2022. The City deemed these applications incomplete by written notice delivered to Modus, LLC on March 7, 2022.

As Modus, LLC is aware, the City processes applications for small cell wireless facilities pursuant to the requirements of Novato City Council Ordinance No. 1654. In particular, Section 3.F. of Ordinance No. 1654 addresses circumstances where such an application has been incomplete for a period of 60-days and no substantive response has been received from the applicant. Specifically, Section 3.F., states,

"Applications Deemed Withdrawn. To promote efficient review and timely decisions, and to mitigate unreasonable delays or barriers to entry caused by chronically incomplete applications, any application governed under this Ordinance will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the Director within 60 calendar days after the Director deems the application incomplete in a written notice to the applicant. As used in this subsection (D), a "substantive response" must include the materials identified as incomplete in the Director's notice [emphasis added]."

The Community Development Department did not receive a response from Modus, LLC regarding the City's incomplete notice for any of the four (4) referenced applications as of May 7, 2022. Based on this circumstance, these applications are automatically deemed withdrawn pursuant to Section 3.F. of Ordinance No. 1654.

Sincerely,

PP *Steve Marshall*
Planning Manager for.

Vicki Parker
Community and Economic Development Director