CITY OF RANCHO PALOS VERDES

COMMUNITY DEVELOPMENT DEPARTMENT

August 31, 2017

NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that on August 30, 2017, the Planning Commission of the City of Rancho Palos Verdes adopted P.C. Resolution No. 2017-25, denying, without prejudice, Wireless Telecommunications Facility ASG No. 33 for the installation of a 14' tall replacement stop sign pole to accommodate panel antenna encased in a 2' tall canister shroud with a 3.5' tall tapered canister sleeve at the top of the pole with related vaulted mechanical equipment at:

LOCATION:	**Northeast corner of Chartres Drive and Cartier Drive**
APPLICANT:	**Crown Castle**
PROPERTY OWNER:	**City of Rancho Palos Verdes**

Said decision is subject to P.C. Resolution No. 2017-25 in the attached Exhibit 'A.'

This decision may be appealed, in writing, to the City Council. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. Any appeal letter must be filed within fifteen (15) calendar days of the approval date, or by 5:30 PM on Thursday, September 14, 2017. A $2,275.00 appeal fee must accompany any appeal letter. If no appeal is filed in a timely manner, the Planning Commission's decision will be final at 5:30 PM on Thursday, September 14, 2017.

If you have any questions, or would like to discuss the project further in detail, please contact Art Bashmakian at (310) 544-5228 or via email at abashmakian@rpvca.gov. General inquires can be emailed to WirelessTF@rpvca.gov.

Ara Mihranian, AICP
Director of Community Development

Enclosure

cc: Crown Castle
Project File

P.C. RESOLUTION NO. 2017-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DENYING, WITHOUT PREJUDICE, WIRELESS TELECOMMUNICATIONS FACILITY ASG NO. 33 FOR THE INSTALLATION OF 14-FOOT TALL REPLACEMENT STOP SIGN POLE TO ACCOMMODATE PANEL ANTENNA ENCASED IN A 2' TALL CANISTER WITH A 3.5' TALL TAPERED CANISTER SHROUD AT THE TOP OF THE POLE WITH RELATED VAULTED MECHANICAL EQUIPMENT AT THE NORTHEAST CORNER OF CHARTRES DRIVE AND CARTIER DRIVE.

WHEREAS, Chapter 12.18 of the Rancho Palo Verde Municipal Code (RPVMC or Municipal Code) governs the permitting, development, siting, installation, design, operation and maintenance of wireless telecommunications facilities ("WTFs") in the City's public right-of-way ("PROW") (RPVMC § 12.18.010);

WHEREAS, beginning in May of 2016, Crown Castle (the "Applicant") applied to the City for an Wireless Telecommunications Facility Permit ("WTFP"), pursuant to Section 12.18.040(A) of the Municipal Code, to install 26 antennas in the public right-of-way (PROW) to service AT&T customers throughout the City (the "Project") including ASG No. 33 at the northeast corner of Chartres Drive and Cartier Drive;

WHEREAS, the original proposal called for a new 14-foot tall steel pole with 21.4-inch panel antennas;

WHEREAS, the alternative proposal calls for a replacement 14-foot tall stop sign pole measuring 12" in diameter with panel antennas encased in a 2' tall canister with a 3' tall tapered canister shroud;

WHEREAS, the Project also includes vaulted mechanical equipment including the radio and auxiliary equipment, as well as the SCE meter box in a secondary vault. The project consists of a total of three vaults measuring approximately 43 square feet;

WHEREAS, because the Project's location is within a residential zone and within the PROW of local streets as identified in the General Plan, approval of a WTFP also requires an Exception under Section 12.18.190 of the Municipal Code;

WHEREAS, the Project is exempt from review under the California Environmental Quality Act ("CEQA") because the Project constitutes a small scale installation of a new facility (14 CCR § 15303(d)).

WHEREAS, on July 25, 2017, the Planning Commission held a duly noticed public hearing, at which time all interested parties were given an opportunity to be heard and present evidence.

WHEREAS, on July 25, 2017, the Planning Commission continued the public hearing to August 8, 2017;

WHEREAS, on August 8, 2017, the Planning Commission continued the public hearing to August 22, 2017;

WHEREAS, on August 22, 2017, after considering testimony and evidence presented at the public hearings, the information and findings included in the Staff Report, and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes moved to deny, without prejudice, ASG No. 33 and directed Staff to come back with a denial resolution for adoption at its August 30, 2017 meeting;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: The proposed project is a request to:

A. Install a WTF at the northeast corner of Chartres Drive and Cartier Drive,

B. Replace an existing 11' tall stop sign pole with a 14' tall steel stop sign pole measuring 12" in diameter to be painted brown to visually blend with the surrounding environment. A 2' tall and 2' outside diameter cylinder-shaped canister with a 3' tall tapered canister shroud that encases the panel antennas and wires, will be placed at the top of the pole; and,

C. Install vaulted mechanical equipment including the radio and auxiliary equipment, as well as the SCE meter box in a secondary vault for a total of three vaults measuring approximately 43 square feet in surface area.

Section 2: The findings required to be made by the Planning Commission for the approval of a WTF permit, as set forth in Chapter 12.18 of the RPVMC, have not been made as follows:

A. The Project does not meet the Findings required by Section 12.18.090, Subsection B, of the Municipal Code, which particularly requires that "[t]he proposed facility has been designed and located in compliance with all applicable provisions of this chapter," as follows:

12.18.080(A)(1)(a): *The applicant shall employ screening, undergrounding and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is as visually screened as possible, to prevent the facility from dominating the surrounding area and to minimize significant view impacts from surrounding properties all in a manner that achieves compatibility with the community and in compliance with Section 17.02.040 (View Preservation and Restoration) of this code.*

The immediate neighborhood does not have above ground utilities, with the exception of street regulation signs, and the proposed replacement pole with the antennas affixed to the top of the pole albeit contained in a canister shroud, at a height of 14', does not blend with the surrounding environment and would visually

impact the character of the neighborhood as experienced from the public right-of-way.

The proposed installation and support equipment does not meet the "non-dominant design" standard requiring a facility to be compatible with the surrounding environment. The overall size of the proposed antenna and canister shroud on top of a stop sign, in its proposed location, is a dominant feature that is out-of-character to the surrounding neighborhood as there are no other structures or natural features in the immediate area with a similar size and shape that would lend themselves to screening or blending the facility into the built environment. The proposed antenna design is of a size and shape that the stop sign itself would be dominated by said antenna, and there are no similar vertical elements in the neighborhood, thus making the proposed facility the dominant feature at this residential intersection. A preferred design would present equipment that is seamlessly integrated into the sign pole or a "slim-line" design that does not present the antenna nodes as the dominate feature on this stop sign.

12.18.080(A)(1)(b): *Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility's visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.*

The area in which this project is proposed consists of non-dense, upscale residential structures with well-maintained manicured landscaping and parkways. The proposed steel color and materials of the proposed replacement stop sign will not visually blend with the surrounding environment. The replacement stop sign pole, at a height of 14', is visually intrusive as there are no similar vertical elements in the neighborhood, thus making the proposed facility the dominant feature at this residential intersection. The "industrial-utility" looking style of the proposed facility is incompatible with the style and quality of the surrounding residential neighborhood. Additionally, the antenna shroud is much wider than the sign pole at the point of attachment. This has the effect of creating greater mass and bulk than now exists and will have the negative effect of being more visible. By drawing more attention, these facilities will reduce the desirability of this residential neighborhood.

The proposed installation and support equipment is not compatible with the surrounding environment. The overall size of the proposed antenna on top of a stop sign, in its proposed location, is a dominant feature that is out-of-character to the surrounding neighborhood as there are no other structures or natural features in the immediate area with a similar size and shape that would lend themselves to screening or blending the facility into the built environment. The City of Rancho Palos Verdes' streets, parkway- and median- landscaping, and public utilities

within the rights-of-way have been planned and constructed to achieve an attractive appearance which includes minimizing the number and appearance of utilities and related equipment, particularly in residential areas. In addition, the introduction of the antenna and underground equipment necessary for this project may lead to a proliferation of utility equipment that would otherwise not be located in the right-of-way. Therefore, this project will detract from the visual appearance of the streetscape. These incremental changes to the improvements in the right-of-way will lead to the deterioration of the City's well-maintained streetscapes, and will establish a precedent for additional facilities in the public right-of-way. Consequently, the proposed facility is not sufficiently compatible with matters of urban design and the long-term maturation of this residential neighborhood—especially in light of the fact that the Applicant did not establish the presence of a significant gap in coverage that would necessitate the proposed facility (discussed below).

12.18.080(A)(5): *Equipment. The applicant shall use the least visible equipment possible. Antenna elements shall be flush mounted, to the extent feasible. All antenna mounts shall be designed so as not to preclude possible future collocation by the same or other operators or carriers. Unless otherwise provided in this section, antennas shall be situated as close to the ground as possible.*

The record presented no evidence of the proposed antennas being situated as close to the ground as possible. The replacement stop sign pole will be 3' taller than the existing pole and approximately 12" wide in diameter, and has not been designed to resemble the existing pole to the maximum extent feasible. The proposed 14' tall stop sign pole that will house the panel antennas in a cylinder shaped canister measuring approximately 2' tall with a 3' tall tapered shroud sleeve has not been designed to be slim to an extent that maximally blends with the verticality of the pole, and is not the least intrusive design based on industry standards found for other antenna poles.

12.18.080(A)(6)(e): *Replacement Poles. If an applicant proposes to replace a pole in order to accommodate a proposed facility, the pole shall be designed to resemble the appearance and dimensions of existing poles near the proposed location, including size, height, color, materials and style to the maximum extent feasible.*

The immediate neighborhood does not have above ground utilities, with the exception of street regulation signs, and the proposed replacement pole with the panel antennas affixed to the top of the pole albeit encased within a canister, at a height of 14', does not blend with the surrounding environment and would visually impact the character of the neighborhood as experienced from the public right-of-way.

The proposed installation and support equipment does not meet the design standard requiring a facility to be compatible with the surrounding environment. The overall size of the proposed antenna on top of a stop sign, in its proposed location, is a dominant feature that does not resemble in appearance or dimension any other features in the surrounding neighborhood because there are no other structures or natural features in the immediate area with a similar size and shape that would lend themselves to screening or blending the facility into the built environment. The proposed antenna design is of a size and shape that the stop sign itself would be dominated by said antenna, the intersection at which the pole is proposed would be dominated by the antenna, and there are no similar vertical elements in the neighborhood, thus making the proposed facility a non-conforming feature in appearance and dimension. A preferred design would present equipment that is fully integrated into the sign pole or a "slim-line" design that much more closely resembles an actual residential street sign, as opposed to a sign topped with a utility transformer.

12.18.080(A)(7): *Space. Each facility shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.*

The replacement pole would take up much more right-of-way space compared to the existing street sign/stop sign pole, with the antennas on top of the replacement pole occupying much more air space above the right-of-way than other feasible "slim-line" or pole-integrated designs found in the industry.

12.18.080(9): *Obstructions. Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, incommode the public's use of the right-of-way, or safety hazards to pedestrians and motorists and in compliance with Section 17.48.070 (Intersection Visibility) so as not to obstruct the intersection visibility triangle.*

The proposed stop sign pole design may cause an obstruction to the public's use of the PROW, constitute a safety hazard, and/or interfere with a City-defined intersection visibility triangle. Specifically, the proposed antenna design is of a size and shape that the stop sign itself would be dominated by said antenna, detracting from the visibility and discernibility of the stop and directional signage, thus making the proposed facility a potential distraction to drivers.

B. The Project does not meet the Findings required by Section 12.18.190, Subsection B.2, of the Municipal Code, which particularly requires that "[t]he applicant has provided the city with a clearly defined technical service objective and a clearly defined potential site search area," as follows:

The "technical service objective" identified by the Applicant in all application documents is the coverage of a "significant gap" in coverage. The wireless

service area to be served by the proposed facility only encompasses about 20-30 homes and is not located upon a major highway or thoroughfare serving many in-vehicle users. To the extent any dead zone or dropped-call area was found to exist, such area was found to be very small, possibly no larger than the size of the street intersection itself. The Applicant is not entitled to seamless or perfect coverage in every area it serves, and the existence of a small "dead spot" in coverage is hereby found to be an insignificant deficiency in Applicant's existing coverage in the area.

C. The Project does not meet the Findings required by Section 12.18.090, Subsection E, of the Municipal Code, which particularly requires that "[t]he applicant has provided the city with a meaningful comparative analysis that includes the factual reasons why the proposed location and design is the least noncompliant location and design necessary to reasonably achieve the applicant's reasonable technical service objectives," as follows:

The Applicant has not provided a meaningful alternative comparative analysis and the proposed project is not found to be the preferred design. See above discussions in regards to RPVMC §12.18.080 for further detail, which discussions are incorporated here.

Furthermore, there is inadequate documentation to support a conclusion that no other design alternative exists that might better conceal the proposed facilities from public view and/or minimize the addition of vaulted equipment within the PROW. Opportunities to locate wireless facilities in remote locations deserve greater consideration as an alternative. This could result in the identification of remote wireless installations that provide adequate coverage to homes in this residential neighborhood.

Section 3: Pursuant to Section 12.18.060 of the Municipal Code (referencing Chapter 17.80 of the Municipal Code), any interested person aggrieved by this decision or any portion of this decision may appeal to the City Council. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. Any appeal letter must be filed within fifteen (15) calendar days of the date of this decision, or by 5:30 PM on Thursday, September 14, 2017. The Council-approved appeal fee must accompany any appeal letter. If no appeal is filed timely, the Planning Commission's decision will be final at 5:30 PM on Thursday, September 14, 2017.

Section 7: For the foregoing reasons and based on testimony and evidence presented at the public hearings, the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby denies, without prejudice, ASG No. 33 for the proposed wireless telecommunication facility installation at the northeast corner of Chartres Drive and Cartier Drive.

PASSED, APPROVED AND ADOPTED this 30th day of AUGUST 2017, by the following vote:

AYES: **Commissioners Bradley, Nelson, Emenhiser, and Chairman Cruikshank**

NOES: **None**

ABSTENTIONS: **None**

RECUSALS: **None**

ABSENT: **Commissioners Leon and Tomblin, and Vice-Chair James**

John M. Cruikshank
Chairman

Ara Mihranian, AICP
Community Development Director; and,
Secretary of the Planning Commission