



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: December 8, 2015

SUBJECT: Design Overlay No. 1591-15 and Conditional Use  
Conditional Use Permit No. 989-15

APPLICANT: Verizon  
Attention: Peter Blied of PlanCom Inc.  
250 El Camino Real, Suite 117  
Tustin, CA 92780

REQUEST: To approve a 64-foot-high major communications  
facility designed to resemble a eucalyptus tree  
(mono-eucalyptus), an equipment shelter, and  
general site improvement in the ML-D  
(Manufacturing, Light – Design Overlay) zoning  
district.

PROPERTY INVOLVED: 17210 Main Street

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#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Diaz			Mitoma
		Madrigal			Pimentel
		Andrews			Post
		Fe'esago			Thomas
		Guidry			

## **I. Introduction**

### *Applicant*

Verizon Wireless

Peter Blied of PlanCom Inc., 250 El Camino Real, Suite 117, Tustin, CA 92780

[peter.blied@plancominc.com](mailto:peter.blied@plancominc.com)

### *Property Owner*

Heger Realty Corporation

Jeff Roebuck, 495 E. Rincon Street, No. 204, Corona, CA 92879

### *Project Address*

17210 Main Street, Carson, CA 90745

### *Project Description*

The applicant, Peter Blied of PlanCom Inc., represents Verizon and is requesting approval of Design Overlay Review (DOR) No. 1591-15 and Conditional Use Permit (CUP) No. 989-15 to construct a 64-foot high, major communications facility disguised as a eucalyptus tree (mono-eucalyptus), an equipment shelter, related equipment and new landscaped planter within a designated lease area.

Additionally, the applicant requests approval of a major height exception which allows a 30% height increase for construction of the 64-foot-high mono-eucalyptus consisting of three sectors with twelve, 8-foot-tall antennas, twelve (12) remote radio units, three (3) recap boxes, and two (2) microwave dishes.

### *Previously Approved Discretionary Permits*

None.

### *Public Safety Issues*

None.

## **II. Project Site and Surrounding Land Uses**

The one-story, 29,717-square-foot concrete block building on the 4.7-acre site was developed in 1963. The property is located near the 91 Freeway within a predominantly industrial area on Main Street between Walnut Street and Albertoni Street. A 120-foot-wide utility corridor with a nursery is located adjacent to the rear of the project site. Further east, across the utility corridor, is a residential neighborhood that was developed in the 1960's. The residential neighborhood is about 145 feet from the proposed mono-eucalyptus.

## **III. Background and Analysis**

This project was initiated because the original 150-foot-tall Verizon Wireless lattice tower located at the adjacent site (17120 S. Main Street) was removed to accommodate the new FedEx warehouse building. As a result, Verizon Wireless requires the new

communications facility to meet service demands from customers located within the area (Exhibit No. 2).

#### Site Plan

The 1600-square-foot designated lease area is located at the rear of the subject property consisting of the proposed 64-foot-high mono-eucalyptus, 240-square-foot equipment shelter, generator and landscape planter.

The mono-eucalyptus consists of three sectors with twelve, 8-foot-tall antennas, twelve (12) remote radio units, three (3) recap boxes, and two (2) microwave dishes. The equipment shelter houses related utilities and equipment and the generator is surrounded by a sound wall.

#### Major Exception - Height

The maximum allowable height for a major communications facility is fifty (50) feet within industrial zones. The proposed height of the mono-eucalyptus is 64 feet. The zoning ordinance provides for a thirty percent increase in the maximum height with a conditional use permit or up to sixty-five (65) feet if certain findings can be made. The required findings can be made in accordance with CMC Section 9138.16.G.1.b. (Exhibit No. 3).

#### Major Communications Facility

The mono-eucalyptus is designed to integrate with the surrounding area and provide co-location opportunities. The proposed project is designed to resemble a eucalyptus tree to complement the on-site trees and the adjacent nursery. In addition, a new landscape planter will have three new 15 gallon Brisbane trees for additional screening.

### **IV. Environmental Review**

Pursuant to Section 15303 (New Construction of Small Structures) of the California Environmental Quality Act (CEQA), the proposed project is categorically exempt since the project site is located within a developed area and would not impose any impacts to biological or archeological resources.

### **V. Public Notice**

Notices were mailed to the property owners and occupants within 500 feet on November 16, 2015. In addition, public notice was posted to the project site on November 17, 2015.

### **VI. Recommendation**

That the Planning Commission:

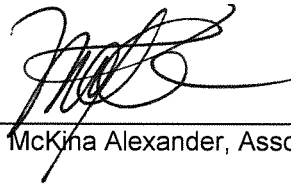
- **APPROVE** Design Overlay No. 1591-15 and Conditional Use Permit No. 989-15 subject to conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and ADOPT Resolution No. \_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1591-15, AND CONDITIONAL USE PERMIT NO. 989-15 FOR A MAJOR EXCEPTION TO BUILD A 64-FOOT-HIGH MAJOR COMMUNICATIONS FACILITY DISGUISED TO RESEMBLE A EUCALYPTUS TREE (MONO-EUCALYPTUS), CONSTRUCT AN EQUIPMENT

SHELTER AND PROVIDE GENERAL SITE IMPROVEMENT TO A PROPERTY  
LOCATED AT 17210 MAIN STREET."

**VII. Exhibits**

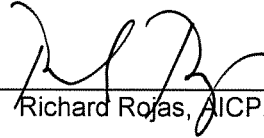
1. Land Use Map
2. Capacity Maps
3. Major Exception Justification Study
4. Draft Resolution
5. Development Plans (Submitted under separate cover)

**Prepared by:**



McKina Alexander, Associate Planner

**Reviewed by:**

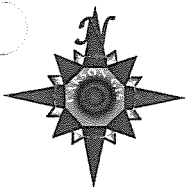
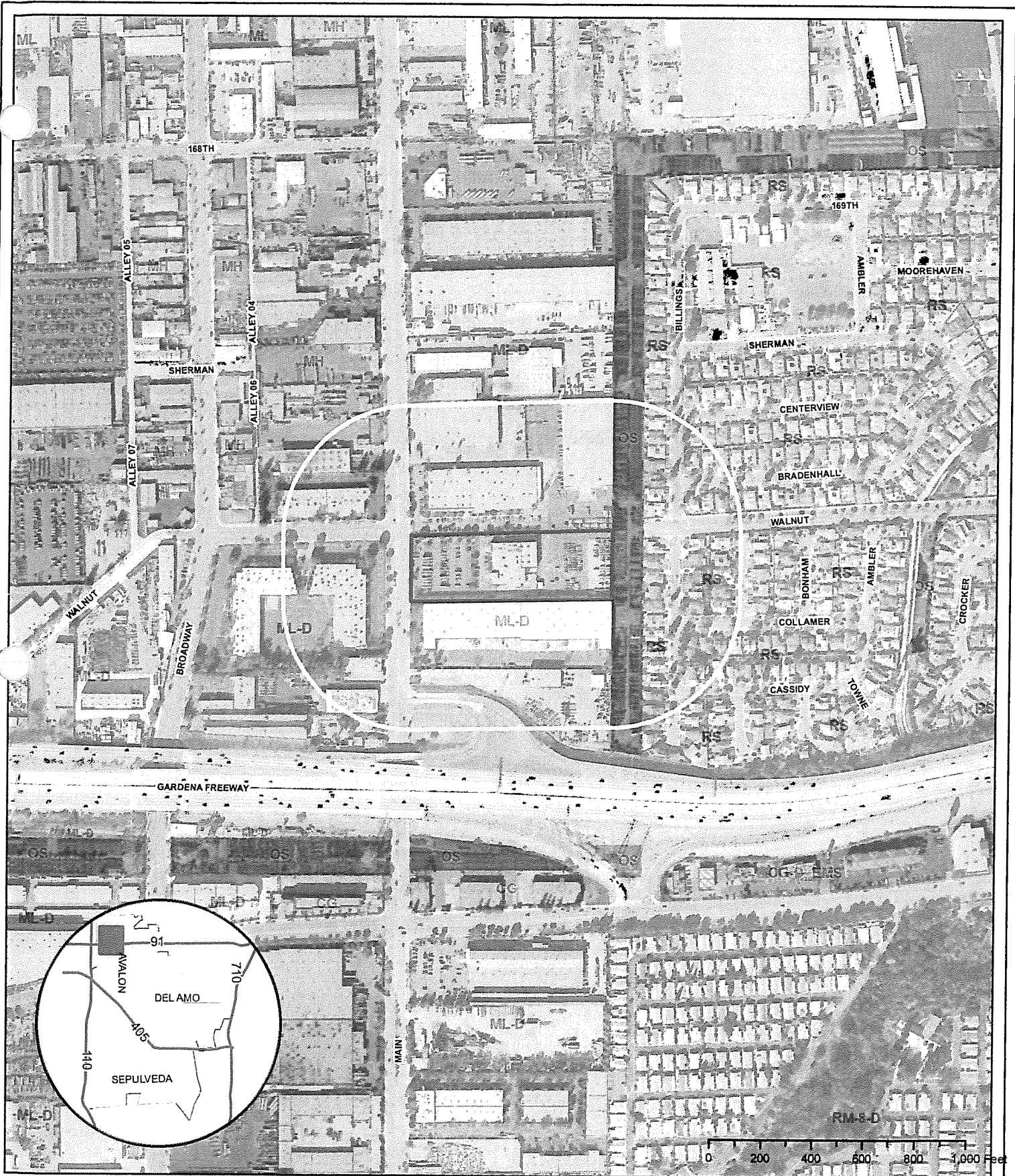


Richard Rojas, AICP, Senior Planner

**Approved by:**



Saied Naaseh, Planning Manager

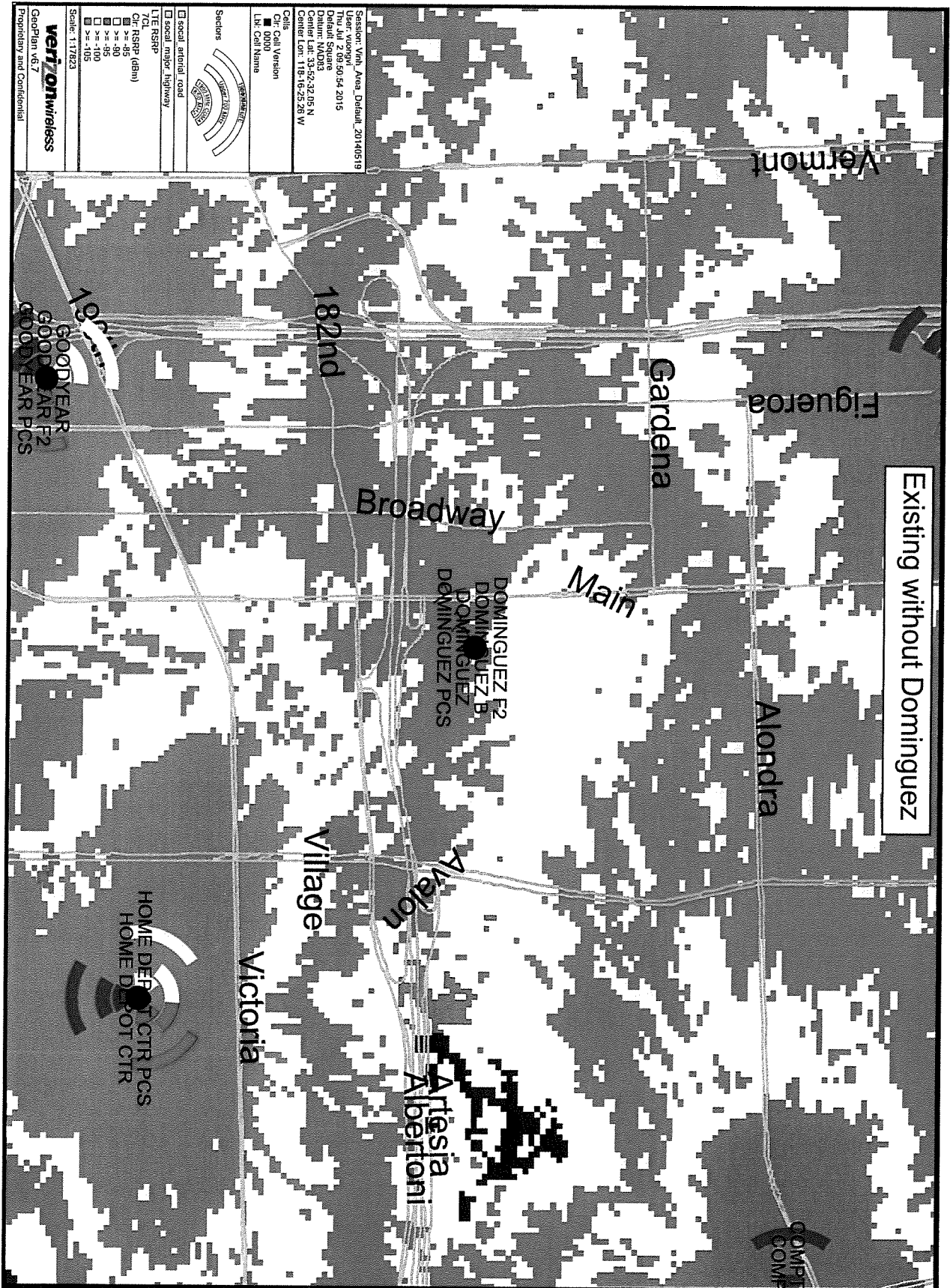


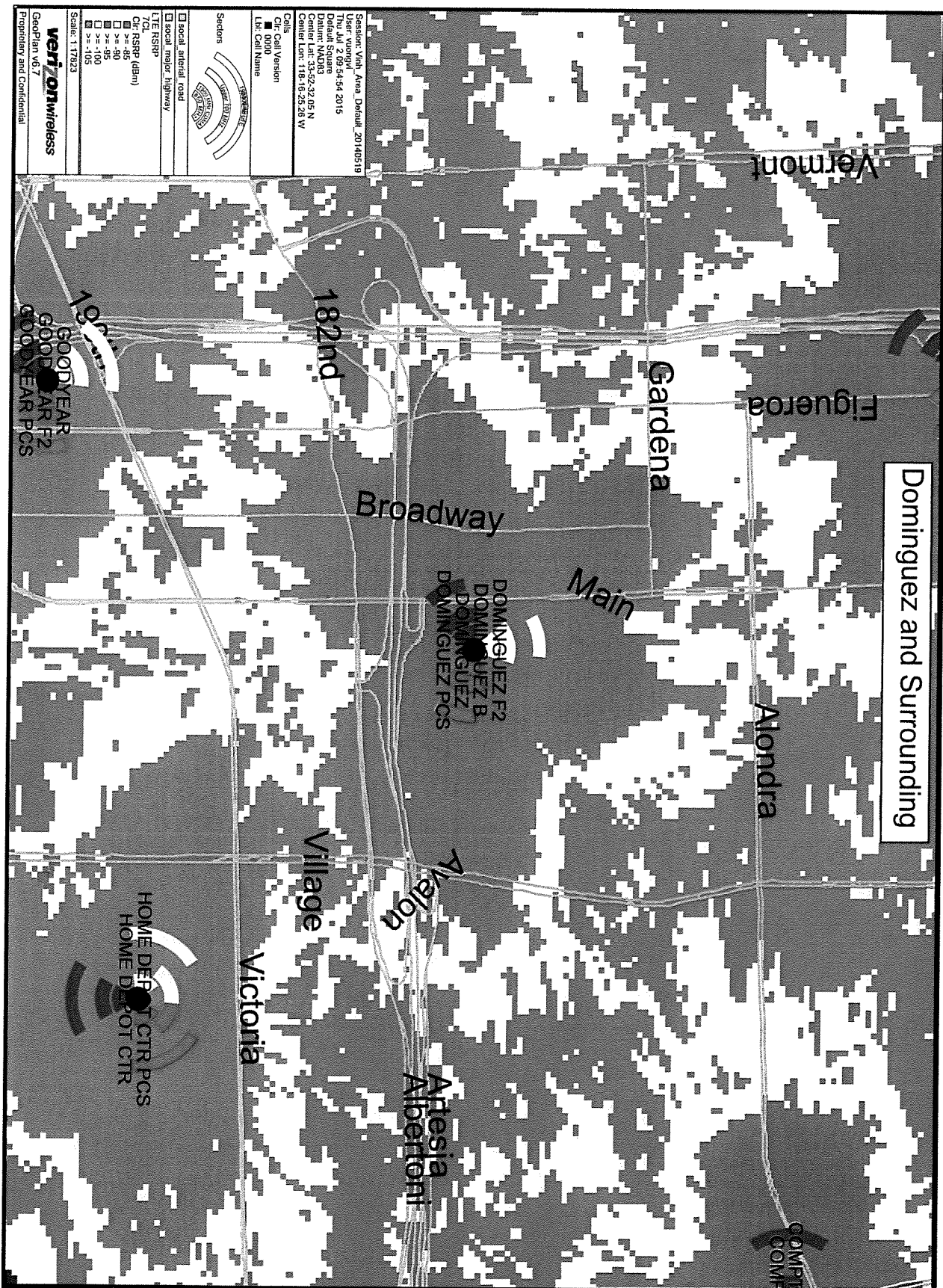
**City of Carson**  
**500 Foot Radius Map**  
**17210 Main Street**

EXHIBIT NO. 001

Date Printed: Tuesday, December 01, 2010









Telecommunications Project Management

September 11, 2015

Peter J. Blied  
PlanCom, Inc.  
250 El Camino Real, Ste 117  
Tustin, CA 92870

*Sent Via E-Mail to: malexand@carson.ca.us*

City of Carson Planning Department  
Attn: McKina Alexander  
701 E Carson Street  
Carson, CA 90745

RE: Letter of Explanation/Justification  
Site Name: Verizon Wireless Site "Dominguez Relo" – Carson  
17210 S Main Street - APN: 6126-009-018

Dear McKina:

This project has been initiated as the original site located at 17120 S Main Street on a lattice tower of 150 feet in height has been decommissioned due to property redevelopment and Verizon Wireless now requires a new location upon which to place our equipment and antennas in order to continue to provide the services that our customers have come to expect in the area. This particular site provides service to residential, business, and industrial tenants as well as the very busy freeway corridor to the south of this site. Attached please find the necessary application materials for a new wireless facility disguised as a eucalyptus tree (mono-euc) proposed at the address listed above. I am enclosing the required Application form, site pictures, simulations, the requested drawings, and this letter of explanation, as well as the other supplemental materials. Please review the attachments and confirm they are complete and satisfactory in order for City staff and Planning Commission to review and approve the requested wireless facility. The items included for your review are as follows:

1. Completed Case Application form
2. 8 sets of drawings including site plan and elevations
3. Justification Letter (see below)
4. Site photographs
5. Photo-simulations
6. RF Propagation Maps
7. EME/RF Safety Report
8. Application Fees of \$3,6000
9. Landlord Letter of Authorization
10. Spec sheets for antennas and pole-mounted support equipment.

250 EL CAMINO REAL, SUITE 117 TUSTIN, CA 92780 714-262-0651 714-731-2166 FAX

EXHIBIT NO. 03







## Telecommunications Project Management

### JUSTIFICATION:

As part of its ongoing dedication to system-wide maintenance and improvements, Verizon Wireless is proposing to replace a recently decommissioned communications tower that was at the neighboring property located at 17120 S Main Street. This new WCF is to be located at the northwesterly corner of the property in question, adjacent to the SCE right-of-way and landscape nursery. This site will be located on a developed industrial property and is currently bordered by industrial land uses in all directions with residential subdivisions approximately 120 feet to the east on the far side of the SCE ROW. The site proposed is a facility comprised of (1) mono-eucalyptus 64 feet in height, (12) 8' panel antennas, (12) RRU's, (12) RRU-A2's, (4) raycaps, (3) GPS antenna, (2) microwave dish antennas, (1) 12' x 20' pre-fabricated equipment shelter, and connections as required for power and telco services. All supporting equipment cabinets will be placed within the equipment shelter placed in close proximity to the footprint of the mono-eucalyptus itself. An emergency backup diesel generator is also proposed to the rear of the lease area compound. The entire WCF has been planned with the input of the City of Carson and the landlord to be consistent with the master plan for future development on the site. Please review the drawings, site photos, and photo-simulations included in this application package and contact me directly if you need any additional information.

This proposed WCF will benefit the community of Carson by preserving existing area coverage in the developing residential communities while also serving the highway and local roadways in the immediate area surrounding this site. This targeted geographic area has moderate coverage and this new WCF will strengthen coverage and provide a much-needed technology upgrade to the voice and data system already in use for indoor residential and mobile users alike. As the volume of users on the Verizon Wireless system steadily increase, the system needs support to properly handle the demands.

The proposed WCF will not be detrimental in any way to the health, safety, and welfare of the general public. It actually will serve to strengthen the ability of the public to access E-911 services in addition to providing better wireless access to data and voice services that have become a normal part of business and personal transactions and conversations on a weekly, daily, and hourly basis. The benefit of wireless telecommunications has been a tremendous asset to nearly every person in one way or another as our society advances towards new and diverse forms of communication and technology.



## Telecommunications Project Management

The proposed WCF (and all others to my knowledge) have proven to be materially benign to both property and improvements in the immediate vicinity of established WCF's. The WCF site often proves to be of value to individual landowners as an alternate income stream from generally unusable space on roofs, parapets, or in closets and utility room. There has been no proven link between WCF sites and negative financial impacts to host properties or their neighboring properties. Additionally, WCF construction is conducted in a professional and workman-like manner and suffers no ill-effects different than typical commercial or industrial construction projects due to natural hazards such as wind, rain, and sun exposure. In summary, these sites will not result in any negative impacts to their surroundings or be a detriment to the communities in which they are located.

### HEIGHT EXCEPTION:

As we have discussed at length, the previous site was a 150'-0" lattice tower which provided Verizon an antenna mounting location at 70'-0" above grade. In order to maintain approximately the same coverage as the prior site provided, Verizon is requesting a mono-euc of 64 feet in height with new antennas mounted at a 57'-0" antenna location. As designed, the total height of the requested mono-euc is 64 feet, 14 feet taller than the basic height limit of 50 feet for support structures. As such we are requesting approval of a Major Height Exception supported by the following findings:

- (1) If the applicant seeks the major exception in order to service the applicant's gap in service, the applicant shall submit an explanation and supporting engineering data establishing that a tower or antenna as proposed is technologically necessary.

*Verizon Wireless' prior existing facility located at 17120 S. Main Street in the City of Carson is located 0.2 miles north of the 91 Freeway and 0.6 miles east of the 110 Freeway. As per the radio coverage plots, the site provides mobile voice and data services, including 4G LTE and 4G VoLTE, to residential, industrial, commercial and transportation uses to an approximately five square mile area. The proposed mono-eucalyptus facility will attempt to mirror this existing geographic service area. Without the facility, this section of the City of Carson will experience a significant gap/loss of coverage with large portions in the affected area experiencing a total loss of Verizon network capabilities.*

- (2) If the applicant seeks the major exception in order to accommodate the establishment of a co-located facility, the applicant shall demonstrate that conformance with the code would require the installation of new freestanding communications facility or other less desirable facility.

*The proposed Wireless Facility does not seek to establish a co-located facility. Although it should be noted that the site has been designed such that a future second carrier could easily co-locate on the proposed mono-euc.*

- (3) If seeking a major exception from height standards set forth herein, the applicant shall demonstrate that the proposed height is designed at the minimum height necessary. The applicant shall specifically include an analysis comparing the operation of the facility at its proposed height with its operation at the maximum height permitted herein. The purpose of this analysis is to ensure that additional height is permitted only when technologically necessary for the provision of services. Further, the applicant shall certify that the facility shall not cause a hazard to aircraft.

*The proposed Wireless Communications Facility (WCF) is seeking a major exception to height. The height limit in the ML zone is unlimited; but per the City's Communications Facilities code, no support structure shall exceed 50'. In the present instance, Verizon is requesting a 28% height exception to the 50' height restriction, putting the facility at a 64' overall height. The WCF will accommodate 12 panel antennas, two microwave dishes and 12 tower mounted radios. In contrast, the prior Verizon lattice tower on the adjacent 17210 S. Main Street property was approximately 150' in height and consists of 18 panel type antennas, 10 microwave dishes and related tower mounted radios/amplifiers. The net result is a reduction in facility height of approximately 85' with a significant reduction in tower-mounted appurtenances.*

*The non-microwave antennas proposed on the mono-euc will in fact be approximately 13' lower than corresponding antennas at approximately on the prior existing communications facility. Thus, the major exception request to 64' is critical in maintaining the site's geographic coverage area with no further reductions in overall antenna height being technologically feasible or advisable.*

*Verizon has also provided certification that the facility is not a hazard to aircraft. A copy of the FAA Clearance letter is provided in the application package.*

- (4) Locating the antenna in conformance with the specifications of this Section would obstruct the antenna's reception window or otherwise excessively interfere with reception, and the obstruction or interference involves factors beyond the applicant's control and relocation is not an option.

*Because the existing facility is precisely engineered to work as part of a mesh network with surrounding sites, Verizon must maintain a height close to the*



*height of the existing antennas to assure quality network operations. If the proposed facility was limited to the height specified in Section 9138.16 F. 2.b., 50', it is anticipated that significant network degradation, dropped calls and areas of network dead spots would occur. Verizon must maintain a facility height that mirrors the current coverage footprint in order for the facility meet its performance objectives. Based on the above justification, strict conformance with the City's communications code specifications is not technically feasible.*

- (5) The visual impacts are negligible because the facility is designed to architecturally integrate with the surrounding environment.

*The proposed WCF will be designed to be 85' lower than the tower that it is replacing, resulting in a significantly reduced visual silhouette. The mono-euc design also represents the very latest in stealth faux tree technology. We have successfully deployed these in widely varying demographic, geographic, and zoning areas. The faux tree, with the nursery and SCE lattice tower backdrop, will seamlessly integrate with the surrounding mix of industrial and commercial buildings while not conflicting with the established residential subdivisions 120 feet to the east which contains many mature trees of widely varying heights. Our proposed mono-euc will still be dwarfed by the SCE towers which are approximately 116 feet tall and dominate the skyline when viewed from many directions.*

- (6) Granting the major exception shall conform to the spirit and intent of this zoning code.

*The proposed Wireless facility conforms to the spirit and intent of Section 9138.16 of the City of Carson Zoning Code for the following reasons:*

- a. The facility is designed at the minimum height necessary to achieve reliable and consistent network operations. By reducing the height of the WCF by almost 85' from that of the existing tower, the facility is minimizing visual impacts to surrounding view corridors.*
- b. Implementation of the proposed WCF would not unduly restrict Verizon's ability to provide wireless service because the facility will be engineered to mirror the existing coverage footprint and continue to provide the services the community is accustomed to receiving from Verizon Wireless.*

- (7) Granting the major exception will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.



**Telecommunications Project Management**

*The granting of the major exception will not be materially detrimental to the public welfare or injurious to properties or improvement in the vicinity because:*

- a. The Verizon network will continue to provide reliable voice and data services in the geographic coverage area. At present the CDC estimates that over 41% of all U.S. households rely on wireless only home phone service. This figure is expected to increase steadily in the coming years.*
- b. The WCF will continue to provide wireless E911 functionality to residences, businesses and motorists.*
- c. The WCF is designed to meet all FCC guidelines related to radio frequency public exposure safety requirements as confirmed by the report from Dtech.*
- d. The WCF will be located on an industrially zoned/utilized parcel and designed not to interfere with the orderly use or development of the subject property. No impacts to adjacent properties are anticipated and the site will be approximately 120 feet from the closest residential neighbors.*

In closing, the current proposed design and height is the best location option and design efforts including the landlord, architect, and RF Engineer have resulted in the current design depicted in our application materials. The findings for a Major Height Exception can be reasonably made and we request the support of staff and the approval of the Carson Planning Commission. I look forward to working with you to make this a timely and effective process for all involved. If you should have any questions, please call me at (714) 262-0651 or e-mail at [peter.bljed@plancominc.com](mailto:peter.bljed@plancominc.com). As always, thank you for your time and consideration.

Warmest Regards,

A handwritten signature in black ink, appearing to read "Peter J. Bljed", is written over a light gray grid background.

Peter J. Bljed  
Project Manager  
PlanCom, Inc.  
For Verizon Wireless

Encl. Spec sheets  
RF Maps



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1591-15, AND CONDITIONAL USE PERMIT NO. 989-15 FOR A MAJOR EXCEPTION TO BUILD A 64-FOOT-HIGH MAJOR COMMUNICATIONS FACILITY DESIGNED TO RESEMBLE A EUCALYPTUS TREE, CONSTRUCT AN EQUIPMENT SHELTER AND PROVIDE GENERAL SITE IMPROVEMENT TO A PROPERTY LOCATED AT 17210 MAIN STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**Section 1.** An application was duly filed by the applicant, Peter Blied of PlanCom, Inc. for Verizon Wireless, with respect to real property located at 17210 Main Street and described in Exhibit "A" attached hereto, requesting approval to construct a 64-foot-high, major communications facility designed to resemble a Eucalyptus tree (mono-eucalyptus) on a 4.70-acre lot in the ML-D (Manufacturing, Light – Design Overlay) zoning district. The request includes:

- Design Overlay Review No. 1591-15 for the construction of a new wireless facility within a design overlay;
- Conditional Use Permit No. 989-15 to allow for a major communications facility within the ML-D (Manufacturing, Light – Design Overlay) zoning district

A public hearing was duly held on December 8, 2015, at 6:30 P.M. at the Carson City Hall Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

**Section 2.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** In regards to CMC Sections 9172.23(D), Site Plan and Design Review, the Planning Commission finds that:

- a) The subject property is approximately 205,917 square feet and is designated as Light Industrial within the Land Use Element of the General Plan. The project site is located in the northwest area of the City of Carson near the 91 Freeway, facing Main Street between Walnut Street and Albertoni Street. There are no specific plans for the area. The properties to the north, south and west have a General Plan designation of Light and Heavy Industrial, to the east is Open Space. Further east about 146-feet away from the proposed mono-eucalyptus is a residential single-family neighborhood. The proposed use is a permitted use in the ML-D zoning district and will be compatible with these surrounding uses in that it will not significantly impact the adjacent properties, in terms of noise, dust, odor, aesthetics or other environmental considerations.
- b) An existing driveway approach for egress and ingress and a new 12-foot-wide access path located from Main Street to the wireless communications facility's lease area provides a convenient and safe circulation for pedestrians and vehicles.

- c) The proposed major communications facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore, all of the required findings pursuant to Section 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision can be made in the affirmative.

**Section 4.** In regards to Section 9172.21(D), Conditional Use Permit; and Section 9143 – Conditional Use Criteria the Planning Commission finds that:

- a) The General Plan Land Use designation is Light Industrial. The proposed project is appropriate as it will not alter the intended industrial use of the subject property.
- b) The property is a rectangular shape in shape and has landscape areas located at the front and middle of the site. The balance of the property is paved, with off-street parking located throughout the site. No exposed soil on the site except in planters. Additional landscape screening is being proposed east of the mono-eucalyptus. As such, the aesthetic impacts will be lessened, thus helping to achieve a harmonious and attractive development of the area.
- c) The site is already developed for an industrial use. The site is located off of a major street and is surrounded by developed properties that are served by adequate infrastructure and utilities. Thus there are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power, telephone lines and other utilities.
- d) Access to the facility for routine maintenance or emergency repair is proposed from Main Street along a 12-foot easement for ingress and egress. The proposed facility will not impact traffic in the vicinity except possibly during the construction phase of the project and for the occasional maintenance vehicle. Safety and convenience of vehicular and pedestrian access will not be hindered by the proposed development.
- e) The Los Angeles County Fire Department has reviewed the proposed project. Their concern did not address water supply adequacy. Based on their review, it is assumed that water supply to the project site is adequate.
- f) The proposed use will not negatively impact the vicinity in terms of parking, traffic, noise and safety. The intended character of the area is for industrial activities which the proposed use is compatible.
- g) The equipment associated with the wireless communication facility operates quietly or virtually noise free and it does not emit fumes, smoke, or odors that could be considered objectionable.
- h) The proposed facility is generally compatible with the existing uses within the ML zoning district both in terms of use and aesthetics. This infrastructure will significantly improve communication service in the area in terms of allowing greater capacity opportunities for carriers and their customers, and further enhance the general welfare of the public by requiring a stealth co-locatable facility that will minimize the proliferation of single poles in the area.
- i) Like all electrical devices, wireless antennas produce electromagnetic fields (EMFs), the invisible lines of force that surround any electric current. We are exposed to a variety of such fields from natural and man-made sources. The wireless communications industry is designed to function using a number of very low-powered transmission facilities. All FCC licensed wireless service

providers are prohibited from maintaining any interference with exiting licensed communication uses, and must comply with all FCC emissions guidelines.

- j) The proposed major communications facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore, all of the required findings pursuant to Section 9172.21(D) – Commission Findings and Decision; and Section 9143 – Conditional Use Criteria of the Carson Municipal Code can be made in the affirmative.

**Section 5.** In regards to Section 9138.16(G)(1)(b), Major Exceptions - Height, the Planning Commission finds that:

- a) A major height exception is needed in order to preserve service coverage for the area. The project is initiated due to the decommissioned wireless communications facility located at the northern adjacent property that is being redeveloped. The subject site was chosen to continue its optimal capacity coverage and connectivity to surrounding network sites.
- d) The proposed height is critical since the facility is engineered to work as part of a mesh network with surrounding sites to assure quality network operations.
- e) The wireless communications facility is designed as a eucalyptus tree located in back of a large industrial building at the rear of a 4.72-acre site, adjacent to a nursery and SCE utility backdrop within 120-foot-wide open space strip. The lattice towers within the open space strip are about 116 feet high so the towers dominate the skyline views. Additionally, there are trees at varying heights located within the open space. The proposed mono-eucalyptus seamlessly integrates with the surrounding industrial uses while not conflicting with the existing residential uses located east of the utility strip.
- f) The 64-foot-high mono-eucalyptus tree and the proposed planter consisting of three trees minimize visual impacts to the surrounding viewing corridors and are designed to achieve reliable and consistent network operations. So granting the major exception conforms to the spirit and intent of the zoning code.
- g) The 64-foot-high mono-eucalyptus preserves reliable services within the geographic coverage area, provides E911 (emergency) functionality to the surrounding business, residents and motorists, designed to comply with FCC guidelines, and located on a large industrial property. The mono-eucalyptus is about 145 feet from the residential neighborhood located east of the project site. As such, the facility does not interfere with the use of the site and is not materially detrimental to the public welfare or injurious to properties or improvement in the vicinity.
- h) The proposed major communications facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore, all of the required findings pursuant to Section 9138.16(G)(1)(b), Major Exceptions (Height) of the Carson Municipal Code, can be made in the affirmative.

**Section 5.** In regards to CMC Sections Section 9138.16(H), the Planning Commission finds that:

- a) The proposed major communications facility is located and designed to minimize the visual impact on surrounding properties and from public streets. The proposed 64-foot-high mono-eucalyptus has a 24-foot wide diameter consisting of three

sectors, four, 8-foot-long antennas per sector (totaling 12 antennas), 12 remote radio heads, three recap boxes and two microwave dishes. The facility's design resembles a eucalyptus tree with synthetic tree branches, colored to simulate real branches, synthetic leaves, and the pole will be wrapped in a synthetic rubber material designed to resemble bark.

- b) The 1,600-square-foot lease area is located behind the existing 29,717-square-foot industrial building in the northeast corner (rear) of the property. An 8-foot-high chain link fence with vinyl slats surrounds the perimeter of the lease area housing the mono-eucalyptus, an equipment shelter (12' x 20'), one generator within a 183.60-square-foot sound wall enclosure ("Acoustiblok"), associated equipment and a landscape planter with three Brisbane trees (15 gallon) are proposed for additional screening. These features provide a harmonious integration with the surrounding properties.
- c) The proposed wireless communications facility is not located on any residential dwelling or on any property which contains a residential dwelling, except as may be associated with a church, temple, or place or religious worship.
- d) The proposed wireless communications facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore, all of the required findings pursuant to Section 9138.16(H), Communications Facilities – Required Findings of the Carson Municipal Code.

The Planning Commission further finds that the proposed installation of a major communications facility on a developed industrial property is exempt, pursuant to Section 15303 (New Construction of Small Structures) of the California Environmental Quality Act (CEQA), since the project site is located within a developed area and would not impose any impacts to biological or archeological resources.

**Section 6.** Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1591-15, and Conditional Use Permit No. 989-15 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 7.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 8.** This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

**PASSED, APPROVED AND ADOPTED THIS 8<sup>th</sup> DAY OF DECEMBER, 2015.**

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**CHAIRMAN**

**ATTEST:**

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**SECRETARY**



EXHIBIT "A"

LEGAL DESCRIPTION

17210 MAIN STREET – APN: 6126-009-018

**Property Boundary Description**

\*TR=SOUTH GARDENA TR\*LOT\*(EX OF ST)\*

COM N ON W LINE OF LOT 4, 255 FT FROM

SW COR OF SD LOT TH N ON SD W LINE 255

FT TH S ON E LINE OF SD LOT 268 FT TO

... SEE MAPBOOK FOR MISSING PORTION ...

LOT 4



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**DESIGN OVERLAY REVIEW NO. 1591-15**  
**CONDITIONAL USE PERMIT NO. 989-15**

**GENERAL CONDITIONS**

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 1591-15, Conditional Use Permit No. 989-15 is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.

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7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
10. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the Planning Division in writing in the event that the use of the facility is discontinued for any reason. In the event the facility is discontinued or abandoned for a period of more than 180 days, then the owner(s) and/or operator(s) shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises as appropriate so as to be in conformance with applicable zoning codes at the owner's and/or operator's expense. All such removal, repair and restoration shall be completed within 90 days after the use is discontinued or abandoned, and shall be performed in accordance with all applicable health and safety requirements.
11. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
12. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the conditions. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
13. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.



14. Indemnification. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1591-15 and Conditional Use Permit No. 989-15. The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and City shall have no liability to the applicant.

### **PARKING**

15. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
16. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.

### **UTILITIES**

17. All utility lines shall be undergrounded.

### **AESTHETICS**

18. ***The facility's design shall resemble a eucalyptus tree with synthetic tree branches, colored to simulate real branches, synthetic leaves, and the pole wrapped in a synthetic rubber material designed to resemble bark.***
19. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.
20. The major communications facility shall not exceed 64 feet in height, up to and including the faux branches and leaves.
21. All electrical and Telco wiring shall be placed underground or concealed within the building or structure, as noted in the approved drawings.
22. The ground equipment enclosure(s) shall be compatible with the architectural design of the main building.
23. The main support structure (pole) for the major communications facility shall be coated with a synthetic rubber material resembling tree bark, subject to approval by the Planning Officer. All other supporting structure(s) shall be painted a non-glossy, neutral color, subject to approval by the Planning Officer.

24. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

### **SIGNS**

25. The display of any sign or any other graphic on a communications facility or on its screening is prohibited, except for signs for health, safety, and welfare purposes, which is required to be posted in case of an emergency. Emergency signs shall be visibly posted at the facility and shall include contact information including the phone number of the utility provider.

### **FENCES/WALLS**

26. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (industrial zones) of the Zoning Ordinance.

### **LANDSCAPING**

27. ***Build a new 7-foot x 24-foot planter consisting of three 15 gallon Brisbane trees and organic mulch ground cover adjacent to the proposed wireless communications facility.***

### **LIGHTING**

28. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (Industrial Zones) of the Zoning Ordinance.

### **NOISE**

29. All major communication facilities shall be constructed and operated in such a manner as to meet the requirements of the Noise Ordinance.
30. Backup generators shall only be operated during power outages and for testing and maintenance purposes.

### **BUILDING AND SAFETY**

31. Submit for plan check, obtain all building permits and have a final inspection conducted for proposed project.

### **FIRE DEPARTMENT - COUNTY OF LOS ANGELES**

32. Battery backup and storage areas shall be constructed and maintained in compliance with Article 64 of the uniform Fire Code (UFC).

## **ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON**

### ***General Conditions***

33. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson standard plan and to the satisfaction of the City Engineer.
34. A construction permit is required for any work to be done in the public right-of-way.
35. Compliance with the applicable National Pollutant Discharge Elimination System (NPDES) requirements including best management practices to control storm water pollution from construction activities and facility operations.

### ***Prior to the issuance of a Building Permit,***

36. Submit Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles county Building and Safety Department.

## **BUSINESS LICENSE DEPARTMENT - CITY OF CARSON**

37. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the mono-broadleaf telecommunication facility to be located at 17210 Main Street, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

### **OTHER**

38. Future modifications to the approved development plans, including the installation of additional panels and equipment cabinetry, shall be subject to Planning Division review and approval. If deemed to be major modifications, the Planning Commission shall be the approval authority.

