



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 09, 2019

SUBJECT: Site Plan and Design Review (DOR) No. 1757-18 and Conditional Use Permit (CUP) No. 1084-18

APPLICANT: Ben R. Johnson, AICP
 Mobilitie on behalf of Sprint
 2955 Redhill Avenue, Suite 200
 Costa Mesa, CA 92626

PROPERTY OWNER: City of Carson
 701 East Carson Street
 Carson, CA 90745

REQUEST: To construct a new small cell wireless communication facility on a streetlight pole in the public right-of-way in the Manufacturing, Light with Design Overlay (ML-D) zoning district

PROPERTY INVOLVED: Within the public right-of-way in proximity to 18037 South Broadway.

AYE	NO		AYE	NO	
		Chair Pimentel			Madrigal
		Vice-Chair Cainglet			Palmer
		Valdez			Rahman
		Fe'esago			Rashad
		Mitoma			Alt. Diaz Alt. Hellerud Alt. Zuniga

Item No. 7B

I. **Introduction**

Property Owner

City of Carson
701 East Carson Street
Carson, CA 90745

Applicant

Ben Johnson, AICP – Mobilitie on behalf of Sprint
2955 Redhill Avenue, Suite 200,
Costa Mesa, CA 92626
ben.rhodesjohnson@mobilitie.com

Representative

Ben Johnson, AICP – Mobilitie on behalf of Sprint
2955 Redhill Avenue, Suite 200,
Costa Mesa, CA 92626
(310) 334-9171
ben.rhodesjohnson@mobilitie.com

II. **Project Description**

The applicant requests approval of Site Plan and Design Review (DOR) No. 1757-18 and Conditional Use Permit (CUP) No. 1084-18 to construct a new small cell wireless communication facility on a Southern California Edison (SCE) streetlight pole within the public right-of-way in the Manufacturing Light with Design Overlay (ML-D) Zoning district in proximity to 18037 South Broadway . The new communication facility antenna and associated equipment and SCE streetlight pole will be approximately 32' 1" in height.

Current Improvements

The project site contains an existing SCE streetlight pole that is approximately three feet away from the proposed new pole.

Public Safety Issues

None.

III. **Project Site and Surrounding Land Uses**

The project site is located in the North Western part of the City in proximity to 18037 S Broadway. Surrounding land uses include Light Industrial to the North, West and South side and Heavy Industrial to the East.

The following provides a summary of the site information:

Site Information	
General Plan Land Use	Light Industrial
Zone District	ML-D (Manufacturing Light with Design Overlay)
Site Size	
Present Use and Development	Southern California Edison pole in public right-of-way
Surrounding Uses/Zoning	North: Light Industrial / ML-D South: Light Industrial / ML-D East: Heavy Industrial / MH-D West: Light Industrial / ML-D
Access	Ingress/Egress: Broadway



IV. Analysis

Use

The proposed project is a major communication facility and located in the Manufacturing Light with Design Overlay (ML-D) zoning district. Major wireless telecommunication facilities are conditionally permitted, and subject to the requirements of CMC 9138.16. Major wireless communication facilities also require a Site Plan and Design Review.

To meet capacity demands for cellphone coverage and data demand, wireless carriers are adding small cell communication facilities closer to the users to provide reliable service. The City has thus far processed several wireless facilities applications and discussions with wireless carrier industry revealed that many more requests will be submitted in the upcoming months.

Staff has determined the proposed use is consistent with the character of the area, will be compatible with the existing uses in the vicinity, and provide improved wireless coverage to the area.

Site Plan

The new small cell wireless communication ground-mounted facility will be attached to a new SCE streetlight pole within the public right-of-way. The existing streetlight pole will be removed, and a new street light pole placed approximately three feet from existing pole.

Design

The applicant proposes to attach antennas and associated equipment to a concrete street light pole with a height of 29'3". The height of the structure after attachment will be 32' 1". All equipment will be painted neutral gray in order to blend in with the concrete surface of the light pole in order to minimize its appearance within the surrounding environment. To minimize the aesthetic impacts, the project is conditioned to place the utility meters and conduits for power underground.

Aerial and Street View:



Existing and Proposed Street View:



EXISTING VIEW



PROPOSED VIEW

Noise and Radio Frequency

The proposed small cell site equipment will not generate noise above applicable noise ordinance levels. According to the specifications and description sheet for the Remote Radio Unit (RRU - Nokia Model B41 HP), the RRU does not generate acoustic noise. No backup generators will be installed.

The proposed facility will be designed and constructed to meet all applicable government and industry standards for radio frequency (RF) emissions. A RF emissions report was provided for staff review, and is available for review by the public.

V. Zoning and General Plan Consistency

The existing structure was constructed with a General Plan Land Use designation of Light Industrial, and Manufacturing Light with Design Overlay (ML-D) zoning district, and it remains consistent with the surrounding uses.

VI. Environmental Review

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Class 3 (New Construction of Small Structures).

VII. Public Notice

Public notice was posted to the project site on March 20, 2019. Notices were mailed to property owners and occupants within 500 feet on March 26, 2019. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

VIII. Recommendation

That the Planning Commission:

- **APPROVE** Site Plan and Design Review No. 1757-18 and Conditional Use Permit No. 1084-18; and
- **WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 19-___, ENTITLED "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING SITE PLAN AND DESIGN REVIEW NO. 1757-18 AND CONDITIONAL USE PERMIT NO. 1084-18 TO CONSTRUCT A NEW SMALL CELL WIRELESS COMMUNICATION FACILITY ON A STREETLIGHT POLE IN THE PUBLIC RIGHT-OF-WAY IN THE MANUFACTURING LIGHT WITH DESIGN OVERLAY ZONING DISTRICT IN PROXIMITY TO 18037 S BROADWAY."**

IX. Exhibits

1. Draft Resolution
2. Development Plans

Prepared by: Manraj G. Bhatia, Assistant Planner

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 19-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING SITE PLAN AND DESIGN REVIEW NO. 1757-18 AND CONDITIONAL USE PERMIT NO. 1084-18 TO CONSTRUCT A NEW SMALL CELL WIRELESS COMMUNICATION FACILITY ON A STREETLIGHT POLE IN THE PUBLIC RIGHT-OF-WAY IN THE MANUFACTURING LIGHT WITH DESIGN OVERLAY ZONING DISTRICT IN PROXIMITY TO 18037 SOUTH BROADWAY

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, Mobilitie – Ben Johnson, on behalf of Sprint with respect to real property located at Latitude “33.866852” and Longitude “118.278657” in close proximity to 18037 South Broadway requesting approval to remove an existing SCE pole and construct a new small cell wireless communication facility on a replacement streetlight pole in the public right-of-way on a site zoned Manufacturing, Light with Design Overlay (ML-D) zoning district. The request includes:

- Site Plan and Design Review (DOR) No. 1757-18 to construct a new small cell wireless communication ground-mounted facility on a streetlight pole in the public right-of-way;
- Conditional Use Permit (CUP) No. 1084-18 to construct a new small cell wireless communication ground-mounted facility on a streetlight pole in the public right-of-way;

A Planning Commission meeting was duly held on April 9, at 6:30 P.M. at 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. With respect to the Site Plan and Design Review No. 1757-18, the Planning Commission finds that:

- a) The proposed project is compatible with the General Plan Land Use Designation of Light Industrial, and surrounding uses.
- b) The proposed project is within the ML-D zoning district and is compatible with the architecture and design of existing and anticipated development in the vicinity, and other features relative to a harmonious and attractive development of the area, including site planning, appearance and scale of structures.

EXHIBIT NO. - 1

RESOLUTION DOR NO. 1757-18 AND CUP NO. 1084-18



- c) The project site circulation will remain unchanged. The project site is within the ML-D zoning district and pedestrian pathways and parking areas will not be altered by the proposed project.
- d) Stickers and other required signage mandated by the FCC and FAA for the project are located near the antenna at the top of the pole, rather than at/near ground level to minimize visual clutter at the pedestrian level. All signage associated with this project will comply with the Carson Municipal Code provisions.
- e) The proposed improvements are in conformance with the City's design standards and guidelines that are applicable to this project.

Section 4. With respect to the Conditional Use Permit No. 1084-18, the Planning Commission finds that:

- a) The proposed use is consistent with the General Plan Land Use Designation of Light Industrial.
- b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use.
- c) The proposed development will have adequate street access from via Broadway, and also adequate capacity for parking and traffic.
- d) There will be adequate water supply for fire protection.
- e) The proposed use is compatible with the intended character of the area.
- f) The proposed use is consistent with the ML-D zoning district.
- g) The proposed site is the least intrusive. The facility has been conditioned to meet the requirements of the Engineering Division.
- h) The proposed communications facility is aesthetically compatible, located and designed to minimize the visual impact on surrounding properties and from public streets, including its stealth design which incorporates the facility with the structure in which it will be mounted through use of material, color, and architectural design. All equipment will be painted neutral gray in order to blend in with the concrete surface of the light pole in order to minimize its appearance within the surrounding environment. To minimize the aesthetic impacts, the project is conditioned to place the utility meters and conduits for power underground.
- i) The proposed communications facility is not located on any residential dwelling or on any property which contains a residential dwelling, or any property wherein a person resides.



Section 5. The Planning Commission further finds that the development permitted by the proposed project will not have a significant effect on the environment and is deemed categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Class 3 for New Construction of Small Structures.

Section 6. Based on the aforementioned findings, the Commission hereby approves Site Plan and Design Review No. 1757-18, and Conditional Use Permit No. 1084-18 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "A" 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 9th DAY OF APRIL, 2019

CHAIRPERSON

ATTEST:

SECRETARY

CITY OF CARSON
COMMUNITY DEVELOPMENT
PLANNING DIVISION
EXHIBIT "A"
CONDITIONS OF APPROVAL
SITE PLAN AND DESIGN REVIEW NO. 1757-18
CONDITIONAL USE PERMIT NO. 1084-18

GENERAL CONDITIONS

1. If building permits for Site Plan and Design Review (DOR) No. 1757-18 and Conditional Use Permit No. 1084-18, are not issued within two years of their effective date, said permit shall be declared null and void unless an extension of time is requested prior to expiration and 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 and approval 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.
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 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. 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.
11. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. 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.
12. 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.
13. Indemnification. The applicant, the owner, tenant(s), and their subsequent successors (Parties) agree to defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to any damage or harm to people or property, real and personal, that may result from Property Owner(s), operations or any claims against the City for or as a result of the granting of the continuance. The City will promptly notify the Parties of any such claim, action, or proceeding against the City and Parties will pay the City's associated legal costs and will advance funds assessed by the City to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Parties' consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. Parties 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 Parties fails to provide or maintain the deposit, the City may abandon the action and Parties shall pay all costs resulting therefrom and the City shall have no liability to Parties.



AESTHETICS

14. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

General Conditions

15. 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.
16. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.
17. A construction permit is required for any work to be done in the public right-of-way.

Prior to Issuance of Permit by Engineering Services

18. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services
19. Construction drawings for disturbance of existing improvements within the public right-of-way shall be reviewed and approved by Engineering Services.
20. Plan Check fee (\$450 min. per site) shall be paid thru Engineering Services for the structural review and the review of construction drawings within the public right-of-way.
21. There shall be zero ("0") darkness at location at proposed improvements.
22. No additional pedestals will be allowed within the public Right-of-Way.
23. Pole Numbers of (existing and/or proposed) shall be shown on the plans.
24. Applicant shall provide acknowledgment that existing or proposed streetlight or pole is structurally adequate to accommodate the proposed equipment. Structural drawings & calculations prepared by a qualified Engineer may be required for each individual streetlights at the discretion of the City Engineer.
25. Proposed Location is NOT within LA County's Street Lighting Maintenance District (CLMD). Obtain Street Light Authorization from City of Carson -Engineering Division
26. Provide Structural Calcs for review and approval by City of Carson

SIGNAGE

27. The permittee shall install and at all times maintain in good condition a network operations information and "RF Notice" sign on the utility pole no less than three (3) feet below the antenna (measured from the top of the sign) and no less than nine (9) feet above the ground line (measured from the



bottom of the sign). Signs required under this condition shall be installed so that a person can clearly see the sign as he or she approaches within three (3) feet of the antenna.

28. The permittee shall ensure that all signage complies with FCC OET Bulletin 65 and ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

29. All parties involved in the subject project including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.

STANDARD WIRELESS COMMUNICATION CONDITIONS OF APPROVAL

30. The permittee shall replace the existing streetlight pole with a new pole that is designed to mimic the existing streetlight pole for consistency with similar poles in the immediate vicinity to the extent feasible. The replacement pole shall be tapered and approximately the same diameter as the existing pole. The cobra arm shall mimic the shape and rise of the existing cobra arm and the permittee shall mount the cobra arm at the same height above ground as the existing pole. The permittee shall finish and texture the replacement pole to match the existing pole and maintain the pole in good condition at all times.
31. The permittee shall install all cables, wires, jumpers and connectors within internal conduit through the pole and conceal the same within a tapered cable and mounting bracket shroud that transitions from the canister antenna to the pole. The permittee shall finish and texture the cable and mounting bracket shroud to match the existing pole and maintain the shroud in good condition at all times.
32. The permittee shall paint, finish, or color the canister antenna and equipment backpack to match the pole and maintain the paint, finish or color in good condition at all times.
33. The permittee shall install the RRHs and UE relay within a passively-cooled pole-mounted equipment backpack that is painted, colored or finished to match the underlying pole. All cable sweeps shall be fully concealed within the equipment shroud, cage or sunshield.
34. Before the permittee submits any applications for construction, encroachment, excavation or other required permits in connection with this permit, the permittee must incorporate a true and correct copy of this permit, all conditions associated with this permit and any approved photo simulations into the project plans (collectively, the "Approved Plans"). The permittee must construct, install and operate the wireless facility in substantial compliance with the Approved Plans as determined by the Director or the Director's designee.

35. The permittee acknowledges that the City specifically includes conditions of approval related to (a) painting, coloring or finishing the equipment to match the pole; (b) concealing cables underground and within shrouds; (c) installing radio equipment within shrouds; and (d) designing the replacement pole to mimic the existing pole in height, diameter, texture, color and overall appearance as concealment elements designed to integrate the wireless facility with the surrounding built and natural environment. Any future modifications to the permittee's wireless facility must maintain or improve all concealment elements.
36. This permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded, authorizes the City to establish a shorter term for public safety or substantial land use reasons. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.

