



CITY OF WEST COVINA

PLANNING COMMISSION

JULY 23, 2019, 7:00 PM
REGULAR MEETING

CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Herb Redholtz, Chair
Sheena Heng, Vice Chair
Don Holtz, Commissioner
Gregory Jaquez, Commissioner
Glenn Kennedy, Commissioner

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT

The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Planning Commission meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Do call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Planning Commission meetings, please request no less than four working days prior to the meeting.

PUBLIC COMMENTS/ADDRESSING THE COMMISSION

Any person wishing to address the Planning Commission on any matter listed on the agenda or on any other matter within their jurisdiction is asked to complete a speaker card that is provided on the speaker podium and submit the card to a Planning Department staff member.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda item. Requests to speak on non-agenda items will be heard during "Oral Communications" before the Public Hearing section of the agenda. Oral Communications are limited to thirty (30) minutes. Generally, comments are limited to five minutes per speaker unless further time is granted by the Chairperson. ***The Chairperson may also, at his or her discretion, further limit the time of each speaker in order to accommodate a large number of speakers and/or to ensure that the business of the Planning Commission is effectively conducted.***

Any testimony or comments regarding a matter set for Public Hearing will be heard during the public hearing for that item.

Next Resolution No. 19-5991

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Regular meeting, June 11, 2019

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

By policy of the Commission, Oral Communications at this time on the agenda is limited to a total of 15 minutes. Persons who are not afforded the opportunity to speak at this time may do so under "Continuation of Oral Communications" later on the agenda.

PUBLIC HEARINGS

2. **ADMINISTRATIVE USE PERMIT (AUP) NOS. 19-25, 19-26, 19-27, 19-28, AND 19-29**
CATEGORICAL EXEMPTION
APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes
LOCATION: Public Right-of-Way with/near/in front of the following addresses:
1631 E. Nanette Avenue, SCE Pole # 4279155E (AUP No. 19-25)
2539 Temple Avenue, SCE Pole # 1918455E (AUP No. 19-26)
1689 Natalie Avenue, SCE Pole # 2079805E (AUP No. 19-27)
2634 Temple Avenue, SCE Pole # 1918457E(AUP No. 19-28)
1722 Natalie Avenue, SCE Pole # 2271977E (AUP No, 19-29)
REQUEST: A request to approve Administrative Use Permits (AUP) to allow the removal and replacement of existing light poles and the installation of Small Wireless Facilities (SWFs) also known as Small Cell Sites, consisting of shrouded antennas on top of light poles and underground equipment.

3. **CONDITIONAL USE PERMIT NO. 19-06
CATEGORICAL EXEMPTION
APPLICANT: Rae Jiang for Mathnasium Learning Center
LOCATION: 1414 South Azusa Avenue, Unit B20/B21 (South Hills Plaza)
REQUEST: The applicant is requesting a conditional use permit for the use of a tutoring facility known as Mathnasium Learning Center, to be in a "Neighborhood Commercial" (N-C) zone.**

NON-HEARING ITEMS

4. **STUDY SESSION - CODE AMENDMENT NO. 19-03
TEMPORARY NONCOMMERCIAL SIGNS**
5. **STUDY SESSION - SUBCOMMITTEE FOR DESIGN REVIEW
ONE STORY GUIDELINES**
6. **STUDY SESSION - CODE AMENDMENT NO. 16-03
SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY**
7. **STUDY SESSION - CODE AMENDMENT NO. 19-02
R-1 Rear Setbacks/AHQ Standards**

TEN-DAY APPEAL PERIOD: Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

This is the time when any member of the Commission may bring a matter to the attention of the full Commission that is within the scope of duties assigned to the Commission. Any item that was considered during the Agenda is not appropriate for discussion in this section of the agenda. NO COMMISSION DISCUSSION OR ACTION CAN BE CONSIDERED AT THIS TIME. If the Commission desires to discuss an issue raised by a speaker or take an action, the Commission may vote to agendaize the matter for a future meeting.

8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

- a. Forthcoming - July 23, 2019

9. CITY COUNCIL ACTION:

This is an oral presentation of City Council matters and actions, which are in the Commission's area of interest

ADJOURNMENT

City of West Covina
A G E N D A

ITEM NO. 1.

DATE: July 23, 2019

TO: Planning Commission
FROM: Planning Division
SUBJECT: Regular meeting, June 11, 2019

Attachments

6.11.19 minutes

**These minutes are preliminary and are considered unofficial
until adopted at the next Planning Commission meeting.**

A G E N D A

DATE: July 23, 2019

ITEM NO.: 1

**MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF WEST COVINA
Tuesday, June 11, 2019**

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the West Covina Council Chambers. The Commission observed a moment of silent prayer/meditation and Chairman Redholtz lead the Pledge of Allegiance.

ROLL CALL

Present: Heng, Jaquez, Kennedy and Redholtz

Absent: Holtz (arrived at 7:17 p.m.)

City Staff Present: Anderson, Burns, Aguilar, Barrios and de Zara

APPROVAL OF MINUTES:

1. Regular meeting, May 28, 2019

The minutes were approved as presented.

OTHER MATTERS OR ORAL COMMUNICATIONS

None

PUBLIC HEARINGS

2. **CONDITIONAL USE PERMIT NO. 19-07
SLIGHT MODIFICATION NO. 19-01
SUBCOMMITTEE FOR DESIGN REVIEW NO. 19-25
CATEGORICAL EXEMPTION
APPLICANT: Arthur Fong
LOCATION: 2412 W Cedarwood Street
REQUEST: The applicant is requesting a Conditional Use Permit for the construction of a 1,206-square foot second-story addition and a 200-square foot single-story addition to the existing 1,400-square-foot, single-story, single family residence. The**

proposed house will have a total floor area of 2,651-square feet. The applicant is also requesting a Slight Modification to encroach into the required 25-foot front yard setback.

Planning Assistant Rene Aguilar presented the staff report. During his presentation he spoke about the Conditional Use Permit required to make the home larger and the Slight Modification to allow the new front porch to encroach into the front yard setback.

He also told the Commission that the applicant was proposing to add a second story to the home and a three-car garage. Mr. Aguilar told the Commission that a neighbor had contacted the Planning Division regarding the Slight Modification for this project.

Chairman Redholtz opened the public hearing.

PROPONENTS:

Arthur Fong, applicant, said he was representing the property owner. During his testimony he told the Commission that the property owner had a large family and was requesting the addition to accommodate her family. He also answered questions by the Commission regarding the closets, bedrooms and egress windows on the proposed second story.

There was a discussion by the Commission regarding two proposed closets that could potentially be converted into another room by removing the wall between them. The Commission also considered the approach to the three-car garage and the egress window on the second story that could potentially impact the adjacent neighbor's privacy. In addition, the Commission expressed their concern with the lack of outreach to the adjacent neighbors regarding the proposed addition.

OPPONENTS:

No one spoke in opposition.

Chairman Redholtz closed the public hearing.

There was a lengthy discussion by the Commission regarding the application and proposed addition to this property. During the discussion, the Commission also expressed their concern about the two-story addition in a neighborhood that consists of primarily single-story homes. The Commission also discussed another two-story home in the neighborhood that was built in 1989 and was given a final inspection in 1993. The Commission also considered the maximum lot coverage and the lack of outreach to the adjacent property owners.

At the conclusion of the discussion it was the consensus of the Commission to request that the proposed addition be redesigned. The Commission also expressed that the areas of concern were the closets that could be converted into another bedroom, and the egress window on the second story that could infringe on the adjacent resident's privacy.

Mr. Fong agreed to speak to the property owner regarding the Commission's concerns and see if she would be amenable to a redesign addressing the Commission's concerns. Mr. Fong was also asked to encourage the property owner to contact her neighbors regarding the addition to her home.

After further discussion by the Commission, it was also their consensus to continue the hearing to a date uncertain to allow Mr. Fong to speak to the property owner and redesign the project. Mr. Anderson said a new public hearing notice would be mailed when this project is rescheduled for a public hearing.

Motion by Heng, seconded by Kennedy, to continue this matter to a date uncertain to allow the applicant to reduce the house size by approximately 200 square feet and eliminate egress and other large windows on the second floor of the north elevation. Motion carried 4-0 (Holtz abstained).

3. FILM PERMIT NO. 19-05 (Major Production)

GENERAL EXEMPTION

APPLICANT: Section 5

LOCATION: 621 Wrede Way

REQUEST: The applicant is requesting a major production film permit to film various scenes of a movie inside the residence, the front yard, and the backyard at 621 Wrede Way from Monday, July 29, 2019 to Thursday, August 8, 2019.

Planning Manager Jo-Anne Burns presented the staff report. During her presentation she told the Commission that film permits are often approved administratively. However, in this case, the production was in a residential neighborhood and would last for more than three days. She added that the application had been received in a timely manner with sufficient time to schedule this hearing. Also, during her presentation, she told the Commission that filming would take place primarily between July 29, 2019 and August 8, 2019, between the hours of 7 a.m. to 10 p.m. In addition, she told the Commission that the West Covina Police Department had indicated that a police officer would not be needed at the location. Ms. Burns requested that Condition No. 12 q. i. be amended to require the presence of a police officer if the West Covina Police Department determined an officer's presence was necessary. Staff recommended approval of the film permit.

There was a short discussion by the Commission regarding the hiring of a private security officer instead of a West Covina Police officer.

Chairman Redholtz opened the public hearing.

PROPONENTS:

Justine Bateman and David Lyons, representing Section 5, spoke to the Commission regarding this project. Ms. Bateman told the Commission she is the writer, producer and director of the film and explained where on the location filming will take place, the time frame for filming and the type of trucks and trailers that will be present during filming. She added that catering will be done by a vendor that will drop off meals for the cast and crew and trucks delivering props will remain on-site throughout the shooting schedule. In addition, Ms. Bateman said that all vehicles will be parked on the property and not in the neighborhood.

Commissioner Kennedy asked if the property is currently occupied. Ms. Bateman and Mr. Lyons also told the Commission that they would be hiring private security guards for the duration of the shoot.

OPPONENTS:

No one spoke in opposition.

Chairman Redholtz closed the public hearing.

There was a discussion by the Commission regarding the history of the home, the days and locations of filming on the property, additional vehicles driving through the neighborhood, and possible disturbances to the neighbors. There was also a short discussion regarding the distribution of the film and a possible release date. It was the consensus of the Commission that the applicant had addressed all their concerns and the film permit should be granted.

Motion by Holtz, seconded by Kennedy, to waive further reading and adopt Resolution No. 19-5989, approving Film Permit No. 19-05. Motion carried 5-0.

NON-HEARING ITEMS

4. FISCAL YEAR 2019-2020 CAPITAL IMPROVEMENT PROGRAM FILING OF CONFORMANCE WITH THE GENERAL PLAN

Community Development Director Jeff Anderson presented the staff report. During the presentation he spoke about the proposed capital improvement programs and told the Commission the State required certification that these projects were in conformance with the City's General Plan. He also recommended adoption of the resolution certifying that the projects are in conformance with the General Plan.

There was a short discussion regarding the projects.

Chairman Redholtz asked if anyone wanted to address the Commission regarding this matter. No one came forward.

Motion by Kennedy, seconded by Jaquez, to waive further reading and adopt Resolution No. 19-5990, certifying the Capital Improvement Program for Fiscal Year 2019-2020 is in conformance with the General Plan. Motion carried 5-0.

5. STUDY SESSION – DESIGN REVIEW SUBCOMMITTEE GUIDELINES
TWO-STORY ADDITIONS

Community Development Director Jeff Anderson presented the staff report. During his presentation he spoke about the guidelines that are in place regarding second story additions. He added that applicants are encouraged to use the guidelines to preserve the integrity of single-family residential neighborhoods and ensure that the zoning codes are followed.

Mr. Anderson presented the guidelines for consideration and discussion by the Commission. During the Commission discussion it was the consensus of the Commission to use the word "encouraged" throughout the guidelines. In addition, the Commission discussed the guideline that encourages a second story addition to be smaller in size than the first floor, second story additions in areas that are primarily in single story neighborhoods, egress windows on the second story that face the adjacent homes, privacy concerns, balconies, two story porches that emphasize the height of a home, window treatments on second story windows, and rear-entry garages. Mr. Anderson added that property owners should be encouraged to invest in their homes.

During the discussion, the Commission made certain changes to the guidelines. Mr. Anderson said the amendments to the guidelines would be made and reviewed by the Commission at another study session.

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

Chairman Redholtz asked when Rero's Burritos will be open. He also asked staff to contact the owner about the graffiti on the property.

6. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT:

a. Forthcoming – Regular Meeting, June 25, 2019

Community Development Director Jeff Anderson said there were no items for the June 25, 2019 regular meeting.

b. Subcommittee for Design Review Minutes – May 14, 2019

7. CITY COUNCIL ACTION:

None

ADJOURNMENT

Chairman Redholtz adjourned the meeting at 9:02 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant

ADOPTED AS SUBMITTED ON:

ADOPTED AS AMENDED ON:

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

**ADMINISTRATIVE USE PERMIT (AUP) NOS. 19-25, 19-26, 19-27, 19-28, AND 19-29
CATEGORICAL EXEMPTION**

APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes

LOCATION: Public Right-of-Way with/near/in front of the following addresses:

1631 E. Nanette Avenue, SCE Pole # 4279155E (AUP No. 19-25)

2539 Temple Avenue, SCE Pole # 1918455E (AUP No. 19-26)

1689 Natalie Avenue, SCE Pole # 2079805E (AUP No. 19-27)

2634 Temple Avenue, SCE Pole # 1918457E (AUP No. 19-28)

1722 Natalie Avenue, SCE Pole # 2271977E (AUP No. 19-29)

REQUEST: A request to approve Administrative Use Permits (AUP) to allow the removal and replacement of existing light poles and the installation of Small Wireless Facilities (SWFs) also known as Small Cell Sites, consisting of shrouded antennas on top of light poles and underground equipment.

BACKGROUND

The Applicant, Crown Castle, is proposing to install five (5) Small Wireless Facilities (SWF) in the public right-of-way to service T-Mobile customers in the southwest portion of West Covina (PCD-1 Zone, Woodside Village area). Crown Castle is a company hired by wireless companies for the purposes of acquiring sites for the construction and deployment of wireless telecommunications facilities throughout local jurisdictions.

On July 2, 2019, Crown Castle submitted an application, proposing to install SWFs in five (5) separate locations within the public right-of-way involving the removal and replacement of existing streetlight poles. All five street light poles are owned by Southern California Edison. The proposed SWFs are designed to improve wireless service and connectivity within the vicinity for T-Mobile customers by supplementing the macro cell site (monopine) located in the Seafood City Shopping Center at the northeast side of Amar Road and Azusa Avenue.

The AUP process is typically administratively reviewed by Planning Division staff and approved by the Community Development Director. The Community Development Director has the authority to forward AUP applications to the Planning Commission. The Director is exercising his authority to forward the AUP applications to the Planning Commission because the design of the SWFs do not comply with all the standards listed in the adopted Small Wireless Facility Design Guidelines (Attachment No. 7).

The Planning Commission's purview is to review the aesthetics of the proposed SWFs. Since the application and design of all 5 AUP plans are identical, staff has consolidated the discussion to a single agenda item with one staff report and one public hearing in order to process the applications as efficiently as possible. The public hearing notice clarifies that any person wishing to speak on this item may address any of the applications/locations listed.

Legal Notice

Legal Notice was published in the San Gabriel Valley Tribune, posted at City Hall, the library, and the Police Department, and was mailed to 447 owners and occupants of properties located within 300 feet of the subject sites.

DISCUSSION

The proposal involves the decommission and removal of five existing 24 feet tall street light poles and the installation of five replacement street light poles. The new street light poles will be 1-foot shorter and will be 23 feet tall. The proposed SWFs will utilize the new street light poles as its supporting structure. Antennas encased in a radome/shroud will be constructed on top of the new street light poles. The radomes/shrouds will measure 5 feet, 6 inches tall and 14.6 inches in diameter. The new street light poles with the radomes/shrouds on top will have an overall height of 28 feet, 6 inches as measured from adjacent grade to the top of the radome/shroud.

Compliance with Design Guidelines

Location (See Attachment No. 6 for Vicinity Map) - The proposed SWFs do not comply with the 100 feet required minimum distance from residential properties. The 100 feet minimum distance is very restrictive and would prevent any SWFs from locating in residential areas where the applicant is experiencing loss of service. The proposed street light poles and SWFs are a reasonable distance from residential uses and will not significantly change the streetscape in the area because the proposed street light poles will be located in proximity of the existing poles that would be removed.

1631 E. Nanette Avenue, SCE Pole # 4279155E (AUP No. 19-25)

1631 E. Nanette Avenue is located on the north side of Nanette Avenue, between S. Nadine Street and Nina Street, just north of its T-intersection with Nina Street. The existing street light pole that will be decommissioned and replaced is located approximately 17 feet from the closest multifamily residence. The street light pole is surrounded by to multifamily residential uses in the PCD-1 zone.

2539 Temple Avenue, SCE Pole # 1918455E (AUP No. 19-26)

2539 Temple Avenue is located on the west side of Temple Avenue, between Fairridge Circle and E. Woodridge Circle, approximately 80 feet west of its T-intersection with E. Woodridge Circle. The existing street light pole that will be decommissioned and replaced is located approximately 70 feet from the closest residence (single-family residence to the east across Temple Avenue). The street light pole is surrounded by to multifamily residential uses to the west and single family residential uses to the east in the PCD-1 zone.

1689 Natalie Avenue, SCE Pole # 2079805E (AUP No. 19-27)

1689 Natalie Avenue is located on the north side of Natalie Avenue, just northwest of its T-intersection with Nina Street. The existing street light pole that will be decommissioned and replaced is located at the northwest corner of Natalie Avenue and Nina Street, approximately 13 feet from the closest residence (multifamily residence north of the street light pole on Nina Street). The street light pole is surrounded by multifamily residential uses in the PCD-1 zone.

2634 Temple Avenue, SCE Pole # 1918457E(AUP No. 19-28)

2534 Temple Avenue is located on the west side of Temple Avenue, between Glenridge Circle and Oakridge Circle, approximately 45 feet west of its T-intersection with Glenridge Circle. The existing street light pole that will be decommissioned and replaced is located approximately 19 feet

from the closest residence (multifamily residence to the west). The street light pole is surrounded by multifamily residential uses to the west and single family residential uses to the east in the PCD-1 zone.

1722 Natalie Avenue, SCE Pole # 2271977E (AUP No, 19-29)

1722 Natalie Avenue is located on the south side of Natalie Avenue, between its intersections with S. Nancy Street and S. Ridgewood Drive, approximately 180 feet southeast of its T-intersection with S. Nancy Street. The existing street light pole that will be decommissioned and replaced is approximately 17 feet from the closest residence (multifamily residence south of the street light pole). The street light pole is surrounded by multifamily residential uses in the PCD-1 zone.

Facility and Support Equipment - The proposed replacement poles will be made of concrete/aggregate/marbilite and will be similar in appearance to other existing poles in the vicinity. The diameter of the proposed pole is 11.8", less than the 16" maximum diameter identified in the Guidelines. The project plans indicate that the proposed replacement poles will be located within 3 feet of the existing pole, consistent with the Design Guidelines. However, as conditioned, this distance may change for 2539 E. Temple Avenue (AUP 19-26) and 1722 Natalie Avenue (AUP 19-29) because the proposed new street light pole location is too close to an existing driveway and is too close to a tree, respectively.

Narrow Vertical Alignment, Antenna & RRU, Wires and Cables, and Construction Approach - The proposed antenna will be encased in radomes/shrouds placed on top of street light poles. There will be no visible wires or cables. All wires and cables will be contained within the shroud, pole, and/or underground. All other equipment associated with the proposed SWFs will be enclosed in underground vaults. As conditioned, the radomes/shrouds will be 14.6" in diameter and will be designed so that the shrouds appear to be a part of the street light poles (Condition of Approval # 6.e.iv).

Signage - Signage will be limited to the minimum required by the government and electrical utility regulations, consistent with the Design Guidelines.

Height - The proposed overall height of the street light poles are 28 feet, 6 inches; this is 6 feet, 6 inches lower than the 35 feet maximum height identified in the Design Guidelines.

REQUIRED FINDINGS

Before an application for an Administrative Use Permit can be approved, the following findings shall be made:

AUP No. 19-25

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide "stealth" and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property

or improvements in the vicinity.

As conditioned, the applicant is required to obtain permits from the City's Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide "stealth" and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.

AUP No. 19-26

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide "stealth" and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

As conditioned, the applicant is required to obtain permits from the City's Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide "stealth" and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.

AUP No. 19-27

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light

poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide "stealth" and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

As conditioned, the applicant is required to obtain permits from the City's Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide "stealth" and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.

AUP No. 19-28

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealththing” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide "stealththing" and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The proposed replacement street light pole and SWF will not be in conflict with the City’s adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City’s existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City’s Noise Ordinance and will not generate excessive noise.

AUP No. 19-29

a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.

The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.

d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.

The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.

The proposed replacement street light pole and SWF will not be in conflict with the City’s adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City’s existing Noise Ordinance). The proposed mechanical equipment will be installed underground

and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.

GENERAL PLAN CONSISTENCY

The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.

ENVIRONMENTAL DETERMINATION

The proposal is considered to be categorically exempt, pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) because this involves replacement of existing structures on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The project involves the removal and replacement of existing lightpoles and the installation of SWFs.

CONCLUSION

The applicant is requesting an Administrative Use Permit to allow for the removal and replacement of five existing street light poles and the installation of Small Wireless Facilities. The project employs screening and a stealth design with the use of a radome/shroud measuring 5'-6" tall and 14.6" in diameter that will be mounted to the top of replacement street light poles. The overall height of the street light poles with the radome/shroud will be 28'-6", as measured from adjacent grade to the highest point. All cabling and wires will be encased in the radome/shroud and light pole. The street light poles will match the existing decommissioned street light pole, as well as other similar poles in the neighborhood. All related mechanical equipment will be under grounded in vaults.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt resolutions approving Administrative Use Permit Nos. 19-25, 19-26, 19-27, 19-28, and 19-29.

LARGE ATTACHMENTS

Plans (Available for review by the public at the West Covina Library, West Covina Police Department, and West Covina Planning Division)

Submitted by: Jo-Anne Burns, Planning Manager

Attachments

Attachment No.1 - AUP 19-25 Resolution of Approval
Attachment No. 2 - AUP 19-26 Resolution of Approval
Attachment No. 3 - AUP 19-27 Resolution of Approval
Attachment No. 4 - AUP 19-28 Resolution of Approval
Attachment No. 5 - AUP 19-29 Resolution of Approval
Attachment No. 6 - Vicinity Map
Attachment No. 7 - Small Wireless Facilities Design Guidelines

PLANNING COMMISSION

RESOLUTION NO. 19-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE
PERMIT NO. 19-25**

ADMINISTRATIVE USE PERMIT NO. 19-25

CATEGORICAL EXEMPTION

APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes

LOCATION: Public Right-of-Way in front of 1631 E. Nanette Avenue, SCE Pole # 4279155E

WHEREAS, there was filed with this City a verified application on forms prescribed in Chapter 26, Article VI of the Covina Municipal Code, requesting approval of an administrative use permit to:

Remove and replace an existing light pole and install a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 4279155E located at 1631 E. Nanette Avenue.

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23rd day of July, 2019, conduct a duly noticed public hearing to consider the subject application for an administrative use permit; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following:

1. The applicant is requesting the approval of an administrative use permit to allow the removal and replacement of an existing light pole and installation of a Small Wireless Facility consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 4279155E located at 1631 E. Nanette Avenue.
2. Appropriate findings for approval of an administrative use permit for a Small Wireless Facility are as follows:
 - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.
 - e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.
3. This project is categorically exempt under the California Environmental Quality Act, Section 15302 (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act (CEQA), since the project consists of the removal and replacement of a street light pole and the construction of a Small Wireless Facility with antennas on top of the light pole.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission makes the following findings:
 - a. The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.
 - b. As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
 - c. The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.
 - d. The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate

parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

- e. The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.
3. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 19-25 is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said administrative use permit by the Planning Director, Planning Commission, or City Council.
 4. That the administrative use permit shall not be effective for any purpose until the applicant involved (or a duly authorized representative) has filed at the office of the Community Development Director, his/her affidavit stating he/she is aware of, and accepts, all conditions of this administrative use permit as set forth below. Additionally, no permits shall be issued until the applicant involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
 5. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
 6. That the approval of the administrative use permit is subject to the following conditions:
 - a. Comply with plans reviewed by the Planning Commission on July 23, 2019.
 - b. That the project comply with all applicable standards of the West Covina Municipal Code.
 - c. This approval allows for the following:
 - i. Installation of a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles measuring and underground equipment, on SCE Pole # 4279155E located at 1631 E. Nanette Avenue.
 - ii. Decommission and removal of an existing 24 feet tall street light pole to be replaced with a 28 feet, 6 inches tall street light pole as measured from adjacent grade to the top

- of the radome/shroud to accommodate antennas encased in a radome/shroud measuring 5 feet, 6 inches tall and 14.6 inches in diameter.
- iii. Installation of vaulted underground mechanical equipment in the public right-of-way.
 - d. The proposed SWF shall be installed on a replacement street light pole that shall match other light standards in the area in terms of color, size, proportion, style, and quality. The wireless facility shall be professionally painted and maintained to match the street light pole, and other streetlight poles located in the immediate neighborhood. The shroud shall be kept in good condition, repainted, and/or replaced as necessary to maintain “stealthiness.”
 - e. The project plans shall be revised prior to any Engineering Division permit issuance to reflect the following corrections:
 - i. The project plans shall be drawn to scale. The plot or site plan shall be at a scale of 1" = 30 feet or larger. The elevations shall be at a scale of 1/4" = 1 foot.
 - ii. The plot or site plan shall clearly indicate the location of any existing buildings (within 50 feet from the site), existing street light posts, existing trees (identify species, size in diameter, and dripline), proposed street light post, proposed equipment, existing driveways, existing driveway aprons, parkway width, sidewalk width, and street width.
 - iii. The elevations shall be drawn to reflect the actual site topography including any slopes, curbs, or similar topographical changes or features.
 - iv. The construction detail, shroud/radome details, and elevations on the project plans are inconsistent: shroud/radome detail indicate that the shroud diameter is 14.6", while the construction detail and elevations indicate that the shroud diameter is 24" (maximum). The radome/shroud design shall be revised on the construction detail and elevations to indicate a maximum diameter of 14.6". The radome/shroud shall be redesigned so that there is a smooth, seamless transition between the width of the streetlight pole (11.8") and the width of the radome/shroud (14.6"), so that the shroud appears to be a part of the street light pole and not an afterthought or an attachment.
 - f. The applicant shall provide the City with a Radio Frequency (RF) exposure compliance report prepared and certified by an RF consultant that certifies that the proposed facility, after taking into account any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable Federal RF exposure standards and exposure limits. The report shall be prepared and submitted to the Planning Division prior to Engineering Division permit issuance.
 - g. Within 30 days of installation of the SWF, the Applicant shall submit a report to the City from an RF consultant that certifies that the facility, as installed, and after taking into account any facilities that contribute to the cumulative exposure in the subject area, actually does comply with applicable Federal RF exposure standards and exposure limits.
 - h. That any proposed changes to the approved plans be reviewed by the Planning Division, and the written authorization of the Community Development Director shall be obtained prior to implementation.

- i. This Administrative Use Permit approval is for the design standards and aesthetics of the SWF. The applicant shall obtain an encroachment permit from the Engineering Division prior to any work conducted in the public right-of-way, including but not limited to temporary improvements, dumpsters, the installation of the street light pole, the removal of the street light pole, and the installation of the SWF antennas and equipment.
- j. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of West Covina Municipal Code (WCMC) shall apply.
- k. The applicant shall obtain written approval and required permits from Southern California Edison (SCE).
- l. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.
- m. All cables and wires shall be directly routed to the pole and encased within the pole and shroud, and hidden from view. No loops, exposed cables, splitters or unsightly wires shall be permitted.
- n. No cable or wires shall be visible.
- o. All accessory equipment shall be located underground including meter boxes and cabinets.
- p. The vault cover shall be painted to match the surface that it is on (e.g. painted grey if it is on a concrete sidewalk; green if it is on landscaped area).
- q. The facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. The Community Development Director shall determine the extent of trimming of existing foliage to maintain adequate screening of the wireless facility.
- r. The facility shall not bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
- s. The facility shall not be illuminated except for the existing streetlight luminaire. All other illumination shall be restricted.
- t. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.
- u. No portion of the SWF, including, but not limited to, emergency generators, shall violate the City's noise ordinance at any time.

- v. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the Applicant, owner, operator or any designated maintenance agent within 48 hours:
 - i. After discovery of the need by the Applicant, owner, operator or any designated maintenance agent; or
 - ii. After Applicant, owner, operator or any designated maintenance agent receives notification from the City.
- w. If the Applicant abandons the use of the SWF, or if this permit expires or otherwise terminates, then within 90 days of such occurrence, applicant shall, after obtaining any required permits, cause the location and facilities to be returned to a condition equal to or better than the location and facilities at the time this permit was approved. If the SWF(s) had in fact been installed and operated, then this condition shall require no less than the removal of all wireless antennas and equipment at the site, but will not require removal of the light pole, provided that said light pole appears to function, and in fact functions, and is maintained, in a manner substantially similar to the nearby operable and well-maintained light poles.
- x. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in the WCMC.
- y. No person shall install, use or maintain any facility which in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.
- z. Unless California Government Code Section 65964, as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten years, unless pursuant to another provision of the WCMC or these Conditions of Approval, it lapses sooner or is revoked. At the end of ten years from the date of issuance, such permit shall automatically expire.
- aa. An Applicant may apply for a new permit within 180 days prior to expiration. Said application and proposal shall comply with the City's current Code requirements for SWF's.
- bb. The SWF is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more days.

- cc. The applicant shall sign an affidavit accepting all conditions of this approval.
- dd. This approval is effective for a period of one (1) year. All applicable permits must be obtained within one (1) year of project approval. Therefore, well before **July 23, 2020** (if permits have not been obtained), you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. **Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

Engineering Division Requirements:

1. Locate the new street light pole in front of the sidewalk. Revised plans shall be submitted to the Planning Division to reflect this change prior to Engineering submittal for the encroachment permit. In addition, plans reflecting this change shall be submitted to the Engineering Division as a part of the encroachment permit process.
2. Notify residents of the proposed public right-of-way construction, at least 7 calendar days prior to the start of work. The notice shall include information on any lane or street closures, and/or temporary street parking prohibition. This required notice shall be made in addition to the required temporary “no parking” signage postings.
3. Comply with City’s requirement for rehabilitation of existing improvements.
4. Reattach all signs to the new street light pole. All signs shall be attached prior to the new street light pole being operational.
5. The existing street light pole shall be removed within 10 calendar days from the date the replacement street light pole becomes operational.
6. The applicant shall obtain permits from the City of West Covina Engineering Division.

Fire Department Requirements:

1. The property address, as well as the wireless company and owner emergency contact information shall be permanently posted just outside the enclosure or on the light pole. The wireless or servicing company account number shall also be provided.
2. Additional fire department requirements may be set upon future review of plan modifications and/or construction revisions at the site.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina at a regular meeting held on the 23rd day of July, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DATE: July 23, 2019

EXPIRATION DATE: July 23, 2020
If not used.

Herb Redholtz, Chairman
Planning Commission

Jeff Anderson, AICP, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO. 19-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE
PERMIT NO. 19-26**

ADMINISTRATIVE USE PERMIT NO. 19-26

CATEGORICAL EXEMPTION

APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes

LOCATION: Public Right-of-Way in front of 2539 E. Temple Avenue, SCE Pole # 1918455E

WHEREAS, there was filed with this City a verified application on forms prescribed in Chapter 26, Article VI of the Covina Municipal Code, requesting approval of an administrative use permit to:

Remove and replace an existing light pole and install a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 1918455E located at 2539 E. Temple Avenue

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23rd day of July, 2019, conduct a duly noticed public hearing to consider the subject application for an administrative use permit; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following:

1. The applicant is requesting the approval of an administrative use permit to allow the removal and replacement of an existing light pole and installation of a Small Wireless Facility consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 1918455E located at 2539 E. Temple Avenue.
2. Appropriate findings for approval of an administrative use permit for a Small Wireless Facility are as follows:
 - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.
 - e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.
3. This project is categorically exempt under the California Environmental Quality Act, Section 15302 (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act (CEQA), since the project consists of the removal and replacement of a street light pole and the construction of a Small Wireless Facility with antennas on top of the light pole.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission makes the following:
 - a. The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.
 - b. As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
 - c. The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.
 - d. The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate

parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

- e. The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.
3. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 19-26 is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said administrative use permit by the Planning Director, Planning Commission, or City Council.
 4. That the administrative use permit shall not be effective for any purpose until the applicant involved (or a duly authorized representative) has filed at the office of the Community Development Director, his/her affidavit stating he/she is aware of, and accepts, all conditions of this administrative use permit as set forth below. Additionally, no permits shall be issued until the applicant involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
 5. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
 6. That the approval of the administrative use permit is subject to the following conditions:
 - a. Comply with plans reviewed by the Planning Commission on July 23, 2019.
 - b. That the project comply with all applicable standards of the West Covina Municipal Code.
 - c. This approval allows for the following:
 - i. Installation of a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles measuring and underground equipment, on SCE Pole # 1918455E located at 2539 E. Temple Avenue.
 - ii. Decommission and removal of an existing 24 feet tall street light pole to be replaced with a 28 feet, 6 inches tall street light pole as measured from adjacent grade to the top

- of the radome/shroud to accommodate antennas encased in a radome/shroud measuring 5 feet, 6 inches tall and 14.6 inches in diameter.
- iii. Installation of vaulted underground mechanical equipment in the public right-of-way.
 - d. The proposed SWF shall be installed on a replacement street light pole that shall match other light standards in the area in terms of color, size, proportion, style, and quality. The wireless facility shall be professionally painted and maintained to match the street light pole, and other streetlight poles located in the immediate neighborhood. The shroud shall be kept in good condition, repainted, and/or replaced as necessary to maintain “stealththing.”
 - e. The project plans shall be revised prior to any Engineering Division permit issuance to reflect the following corrections:
 - i. The project plans shall be drawn to scale. The plot or site plan shall be at a scale of 1" = 30 feet or larger. The elevations shall be at a scale of 1/4" = 1 foot.
 - ii. The plot or site plan shall clearly indicate the location of any existing buildings (within 50 feet from the site), existing street light posts, existing trees (identify species, size in diameter, and dripline), proposed street light post, proposed equipment, existing driveways, existing driveway aprons, parkway width, sidewalk width, and street width.
 - iii. The elevations shall be drawn to reflect the actual site topography including any slopes, curbs, or similar topographical changes or features.
 - iv. The construction detail, shroud/radome details, and elevations on the project plans are inconsistent: shroud/radome detail indicate that the shroud diameter is 14.6", while the construction detail and elevations indicate that the shroud diameter is 24" (maximum). The radome/shroud design shall be revised on the construction detail and elevations to indicate a maximum diameter of 14.6". The radome/shroud shall be redesigned so that there is a smooth, seamless transition between the width of the streetlight pole (11.8") and the width of the radome/shroud (14.6"), so that the shroud appears to be a part of the street light pole and not an afterthought or an attachment.
 - f. The applicant shall provide the City with a Radio Frequency (RF) exposure compliance report prepared and certified by an RF consultant that certifies that the proposed facility, after taking into account any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable Federal RF exposure standards and exposure limits. The report shall be prepared and submitted to the Planning Division prior to Engineering Division permit issuance.
 - g. Within 30 days of installation of the SWF, the Applicant shall submit a report to the City from an RF consultant that certifies that the facility, as installed, and after taking into account any facilities that contribute to the cumulative exposure in the subject area, actually does comply with applicable Federal RF exposure standards and exposure limits.
 - h. This Administrative Use Permit approval is for the design standards and aesthetics of the SWF. The applicant shall obtain an encroachment permit from the Engineering Division prior to any work conducted in the public right-of-way, including but not limited to

temporary improvements, dumpsters, the installation of the street light pole, the removal of the street light pole, and the installation of the SWF antennas and equipment.

- i. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of West Covina Municipal Code (WCMC) shall apply.
- j. The applicant shall obtain written approval and required permits from Southern California Edison (SCE).
- k. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.
- l. All cables and wires shall be directly routed to the pole and encased within the pole and shroud, and hidden from view. No loops, exposed cables, splitters or unsightly wires shall be permitted.
- m. No cable or wires shall be visible.
- n. All accessory equipment shall be located underground including meter boxes and cabinets.
- o. The vault cover shall be painted to match the surface that it is on (e.g. painted grey if it is on a concrete sidewalk; green if it is on landscaped area).
- p. The facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. The Community Development Director shall determine the extent of trimming of existing foliage to maintain adequate screening of the wireless facility.
- q. The facility shall not bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
- r. The facility shall not be illuminated except for the existing streetlight luminaire. All other illumination shall be restricted.
- s. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.
- t. No portion of the SWF, including, but not limited to, emergency generators, shall violate the City's noise ordinance at any time.
- u. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the Applicant, owner, operator or any designated maintenance agent within 48 hours:

- i. After discovery of the need by the Applicant, owner, operator or any designated maintenance agent; or
 - ii. After Applicant, owner, operator or any designated maintenance agent receives notification from the City.
- v. If the Applicant abandons the use of the SWF, or if this permit expires or otherwise terminates, then within 90 days of such occurrence, applicant shall, after obtaining any required permits, cause the location and facilities to be returned to a condition equal to or better than the location and facilities at the time this permit was approved. If the SWF(s) had in fact been installed and operated, then this condition shall require no less than the removal of all wireless antennas and equipment at the site, but will not require removal of the light pole, provided that said light pole appears to function, and in fact functions, and is maintained, in a manner substantially similar to the nearby operable and well-maintained light poles.
- w. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in the WCMC.
- x. No person shall install, use or maintain any facility which in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.
- y. Unless California Government Code Section 65964, as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten years, unless pursuant to another provision of the WCMC or these Conditions of Approval, it lapses sooner or is revoked. At the end of ten years from the date of issuance, such permit shall automatically expire.
- z. An Applicant may apply for a new permit within 180 days prior to expiration. Said application and proposal shall comply with the City's current Code requirements for SWF's.
- aa. The SWF is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more days.
- bb. The applicant shall sign an affidavit accepting all conditions of this approval.
- cc. This approval is effective for a period of one (1) year. All applicable permits must be obtained within one (1) year of project approval. Therefore, well before **July 23, 2020** (if

permits have not been obtained), you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. **Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

Engineering Division Requirements:

1. Proposed location of new street light is too close to driveway: minimum of 5' from beginning of curb return is required. Revised plans shall be submitted to the Planning Division to reflect this change prior to Engineering submittal for the encroachment permit. In addition, plans reflecting this change shall be submitted to the Engineering Division as a part of the encroachment permit process.
2. Notify residents of the proposed public right-of-way construction, at least 7 calendar days prior to the start of work. The notice shall include information on any lane or street closures, and/or temporary street parking prohibition. This required notice shall be made in addition to the required temporary "no parking" signage postings.
3. Comply with City's requirement for rehabilitation of existing improvements.
4. Reattach all signs to the new street light pole. All signs shall be attached prior to the new street light pole being operational.
5. The existing street light pole shall be removed within 10 calendar days from the date the replacement street light pole becomes operational.
6. The applicant shall obtain permits from the City of West Covina Engineering Division.

Fire Department Requirements:

1. The property address, as well as the cellular company and owner emergency contact information shall be permanently posted just outside the enclosure or on the light pole. The cellular or servicing company account number shall also be provided.
2. Additional fire department requirements may be set upon future review of plan modifications and/or construction revisions at the site.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina at a regular meeting held on the 23rd day of July, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DATE: July 23, 2019

EXPIRATION DATE: July 23, 2020
If not used.

Herb Redholtz, Chairman
Planning Commission

Jeff Anderson, AICP, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO. 19-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE
PERMIT NO. 19-27**

ADMINISTRATIVE USE PERMIT NO. 19-27

CATEGORICAL EXEMPTION

APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes

LOCATION: Public Right-of-Way near 1689 Natalie Way, SCE Pole # 2079805E

WHEREAS, there was filed with this City a verified application on forms prescribed in Chapter 26, Article VI of the Covina Municipal Code, requesting approval of an administrative use permit to:

Remove and replace an existing light pole and install a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 2079805E located near 1689 Natalie Way.

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23rd day of July, 2019, conduct a duly noticed public hearing to consider the subject application for an administrative use permit; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following:

1. The applicant is requesting the approval of an administrative use permit to allow the removal and replacement of an existing light pole and installation of a Small Wireless Facility consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 2079805E located near 1689 Natalie Way.
2. Appropriate findings for approval of an administrative use permit for a Small Wireless Facility are as follows:
 - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.
 - e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.
3. This project is categorically exempt under the California Environmental Quality Act, Section 15302 (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act (CEQA), since the project consists of the removal and replacement of a street light pole and the construction of a Small Wireless Facility with antennas on top of the light pole.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission makes the following findings:
 - a. The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.
 - b. As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. . Further, the SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
 - c. The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.
 - d. The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate

parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

- e. The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.
3. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 19-27 is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said administrative use permit by the Planning Director, Planning Commission, or City Council.
 4. That the administrative use permit shall not be effective for any purpose until the applicant involved (or a duly authorized representative) has filed at the office of the Community Development Director, his/her affidavit stating he/she is aware of, and accepts, all conditions of this administrative use permit as set forth below. Additionally, no permits shall be issued until the applicant involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
 5. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
 6. That the approval of the administrative use permit is subject to the following conditions:
 - a. Comply with plans reviewed by the Planning Commission on July 23, 2019.
 - b. That the project comply with all applicable standards of the West Covina Municipal Code.
 - c. This approval allows for the following:
 - i. Installation of a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles measuring and underground equipment, on SCE Pole # 2079805E located near 1689 Natalie Way.
 - ii. Decommission and removal of an existing 24 feet tall street light pole to be replaced with a 28 feet, 6 inches tall street light pole as measured from adjacent grade to the top

- of the radome/shroud to accommodate antennas encased in a radome/shroud measuring 5 feet, 6 inches tall and 14.6 inches in diameter.
- iii. Installation of vaulted underground mechanical equipment in the public right-of-way.
 - d. The proposed SWF shall be installed on a replacement street light pole that shall match other light standards in the area in terms of color, size, proportion, style, and quality. The wireless facility shall be professionally painted and maintained to match the street light pole, and other streetlight poles located in the immediate neighborhood. The shroud shall be kept in good condition, repainted, and/or replaced as necessary to maintain “stealththing.”
 - e. The project plans shall be revised prior to any Engineering Division permit issuance to reflect the following corrections:
 - i. The project plans shall be drawn to scale. The plot or site plan shall be at a scale of 1" = 30 feet or larger. The elevations shall be at a scale of 1/4" = 1 foot.
 - ii. The plot or site plan shall clearly indicate the location of any existing buildings (within 50 feet from the site), existing street light posts, existing trees (identify species, size in diameter, and dripline), proposed street light post, proposed equipment, existing driveways, existing driveway aprons, parkway width, sidewalk width, and street width.
 - iii. The elevations shall be drawn to reflect the actual site topography including any slopes, curbs, or similar topographical changes or features.
 - iv. The construction detail, shroud/radome details, and elevations on the project plans are inconsistent: shroud/radome detail indicate that the shroud diameter is 14.6", while the construction detail and elevations indicate that the shroud diameter is 24" (maximum). The radome/shroud design shall be revised on the construction detail and elevations to indicate a maximum diameter of 14.6". The radome/shroud shall be redesigned so that there is a smooth, seamless transition between the width of the streetlight pole (11.8") and the width of the radome/shroud (14.6"), so that the shroud appears to be a part of the street light pole and not an afterthought or an attachment.
 - f. The applicant shall provide the City with a Radio Frequency (RF) exposure compliance report prepared and certified by an RF consultant that certifies that the proposed facility, after taking into account any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable Federal RF exposure standards and exposure limits. The report shall be prepared and submitted to the Planning Division prior to Engineering Division permit issuance.
 - g. Within 30 days of installation of the SWF, the Applicant shall submit a report to the City from an RF consultant that certifies that the facility, as installed, and after taking into account any facilities that contribute to the cumulative exposure in the subject area, actually does comply with applicable Federal RF exposure standards and exposure limits.

- h. That any proposed changes to the approved plans be reviewed by the Planning Division, and the written authorization of the Community Development Director shall be obtained prior to implementation.
- i. This Administrative Use Permit approval is for the design standards and aesthetics of the SWF. The applicant shall obtain an encroachment permit from the Engineering Division prior to any work conducted in the public right-of-way, including but not limited to temporary improvements, dumpsters, the installation of the street light pole, the removal of the street light pole, and the installation of the SWF antennas and equipment.
- j. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of West Covina Municipal Code (WCMC) shall apply.
- k. The applicant shall obtain written approval and required permits from Southern California Edison (SCE).
- l. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.
- m. All cables and wires shall be directly routed to the pole and encased within the pole and shroud, and hidden from view. No loops, exposed cables, splitters or unsightly wires shall be permitted.
- n. No cable or wires shall be visible.
- o. All accessory equipment shall be located underground including meter boxes and cabinets.
- p. The vault cover shall be painted to match the surface that it is on (e.g. painted grey if it is on a concrete sidewalk; green if it is on landscaped area).
- q. The facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. The Community Development Director shall determine the extent of trimming of existing foliage to maintain adequate screening of the wireless facility.
- r. The facility shall not bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
- s. The facility shall not be illuminated except for the existing streetlight luminaire. All other illumination shall be restricted.
- t. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.

- u. No portion of the SWF, including, but not limited to, emergency generators, shall violate the City's noise ordinance at any time.
- v. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the Applicant, owner, operator or any designated maintenance agent within 48 hours:
 - i. After discovery of the need by the Applicant, owner, operator or any designated maintenance agent; or
 - ii. After Applicant, owner, operator or any designated maintenance agent receives notification from the City.
- w. If the Applicant abandons the use of the SWF, or if this permit expires or otherwise terminates, then within 90 days of such occurrence, applicant shall, after obtaining any required permits, cause the location and facilities to be returned to a condition equal to or better than the location and facilities at the time this permit was approved. If the SWF(s) had in fact been installed and operated, then this condition shall require no less than the removal of all wireless antennas and equipment at the site, but will not require removal of the light pole, provided that said light pole appears to function, and in fact functions, and is maintained, in a manner substantially similar to the nearby operable and well-maintained light poles.
- x. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in the WCMC.
- y. No person shall install, use or maintain any facility which in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.
- z. Unless California Government Code Section 65964, as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten years, unless pursuant to another provision of the WCMC or these Conditions of Approval, it lapses sooner or is revoked. At the end of ten years from the date of issuance, such permit shall automatically expire.
- aa. An Applicant may apply for a new permit within 180 days prior to expiration. Said application and proposal shall comply with the City's current Code requirements for SWF's.

- bb. The SWF is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more days.
- cc. The applicant shall sign an affidavit accepting all conditions of this approval.
- dd. This approval is effective for a period of one (1) year. All applicable permits must be obtained within one (1) year of project approval. Therefore, well before to **July 23, 2020** (if permits have not been obtained), you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. **Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

Engineering Division Requirements:

1. Use correct address, 1689 Natalie Way does not exist. Revised plans shall be submitted to the Planning Division to reflect this change prior to Engineering submittal for the encroachment permit. In addition, plans reflecting this change shall be submitted to the Engineering Division as a part of the encroachment permit process.
2. Notify residents of the proposed public right-of-way construction, at least 7 calendar days prior to the start of work. The notice shall include information on any lane or street closures, and/or temporary street parking prohibition. This required notice shall be made in addition to the required temporary “no parking” signage postings.
3. Comply with City’s requirement for rehabilitation of existing improvements.
4. Reattach all signs to the new street light pole. All signs shall be attached prior to the new street light pole being operational.
5. The existing street light pole shall be removed within 10 calendar days from the date the replacement street light pole becomes operational.
6. The applicant shall obtain permits from the City of West Covina Engineering Division.

Fire Department Requirements:

1. The property address, as well as the wireless company and owner emergency contact information shall be permanently posted just outside the enclosure or on the light pole. The wireless or servicing company account number shall also be provided.
2. Additional fire department requirements may be set upon future review of plan modifications and/or construction revisions at the site.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina at a regular meeting held on the 23rd day of July, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DATE: July 23, 2019

EXPIRATION DATE: July 23, 2020
If not used.

Herb Redholtz, Chairman
Planning Commission

Jeff Anderson, AICP, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO. 19-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE
PERMIT NO. 19-28**

ADMINISTRATIVE USE PERMIT NO. 19-28

CATEGORICAL EXEMPTION

APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes

LOCATION: Public Right-of-Way in front of 2634 Temple Avenue, SCE Pole # 1918457E

WHEREAS, there was filed with this City a verified application on forms prescribed in Chapter 26, Article VI of the Covina Municipal Code, requesting approval of an administrative use permit to:

Remove and replace an existing light pole and install a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 1918457E located at 2634 Temple Avenue.

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23rd day of July, 2019, conduct a duly noticed public hearing to consider the subject application for an administrative use permit; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following:

1. The applicant is requesting the approval of an administrative use permit to allow the removal and replacement of an existing light pole and installation of a Small Wireless Facility consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 1918457E located at 2634 Temple Avenue.
2. Appropriate findings for approval of an administrative use permit for a Small Wireless Facility are as follows:
 - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.
 - e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.
3. This project is categorically exempt under the California Environmental Quality Act, Section 15302 (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act (CEQA), since the project consists of the removal and replacement of a street light pole and the construction of a Small Wireless Facility with antennas on top of the light pole.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission makes the following findings:
 - a. The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.
 - b. As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
 - c. The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.
 - d. The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate

parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

- e. The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.
3. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 19-28 is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said administrative use permit by the Planning Director, Planning Commission, or City Council.
 4. That the administrative use permit shall not be effective for any purpose until the applicant involved (or a duly authorized representative) has filed at the office of the Community Development Director, his/her affidavit stating he/she is aware of, and accepts, all conditions of this administrative use permit as set forth below. Additionally, no permits shall be issued until the applicant involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
 5. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
 6. That the approval of the administrative use permit is subject to the following conditions:
 - a. Comply with plans reviewed by the Planning Commission on July 23, 2019.
 - b. That the project comply with all applicable standards of the West Covina Municipal Code.
 - c. This approval allows for the following:
 - i. Installation of a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles measuring and underground equipment, on SCE Pole # 1918457E located at 2634 Temple Avenue.
 - ii. Decommission and removal of an existing 24 feet tall street light pole to be replaced with a 28 feet, 6 inches tall street light pole as measured from adjacent grade to the top

- of the radome/shroud to accommodate antennas encased in a radome/shroud measuring 5 feet, 6 inches tall and 14.6 inches in diameter.
- iii. Installation of vaulted underground mechanical equipment in the public right-of-way.
 - d. The proposed SWF shall be installed on a replacement street light pole that shall match other light standards in the area in terms of color, size, proportion, style, and quality. The wireless facility shall be professionally painted and maintained to match the street light pole, and other streetlight poles located in the immediate neighborhood. The shroud shall be kept in good condition, repainted, and/or replaced as necessary to maintain “stealth.”
 - e. The project plans shall be revised prior to any Engineering Division permit issuance to reflect the following corrections:
 - i. The project plans shall be drawn to scale. The plot or site plan shall be at a scale of 1” = 30 feet or larger. The elevations shall be at a scale of 1/4” = 1 foot.
 - ii. The plot or site plan shall clearly indicate the location of any existing buildings (within 50 feet from the site), existing street light posts, existing trees (identify species, size in diameter, and dripline), proposed street light post, proposed equipment, existing driveways, existing driveway aprons, parkway width, sidewalk width, and street width.
 - iii. The elevations shall be drawn to reflect the actual site topography including any slopes, curbs, or similar topographical changes or features.
 - iv. The construction detail, shroud/radome details, and elevations on the project plans are inconsistent: shroud/radome detail indicate that the shroud diameter is 14.6”, while the construction detail and elevations indicate that the shroud diameter is 24” (maximum). The radome/shroud design shall be revised on the construction detail and elevations to indicate a maximum diameter of 14.6”. The radome/shroud shall be redesigned so that there is a smooth, seamless transition between the width of the streetlight pole (11.8”) and the width of the radome/shroud (14.6”), so that the shroud appears to be a part of the street light pole and not an afterthought or an attachment.
 - f. The applicant shall provide the City with a Radio Frequency (RF) exposure compliance report prepared and certified by an RF consultant that certifies that the proposed facility after taking into account any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable Federal RF exposure standards and exposure limits. The report shall be prepared and submitted to the Planning Division prior to Engineering Division permit issuance.
 - g. Within 30 days of installation of the SWF, the Applicant shall submit a report to the City from an RF consultant that certifies that the facility, as installed, and after taking into account any facilities that contribute to the cumulative exposure in the subject area, actually does comply with applicable Federal RF exposure standards and exposure limits.

- h. That any proposed changes to the approved plans be reviewed by the Planning Division, and the written authorization of the Community Development Director shall be obtained prior to implementation.
- i. This Administrative Use Permit approval is for the design standards and aesthetics of the SWF. The applicant shall obtain an encroachment permit from the Engineering Division prior to any work conducted in the public right-of-way, including but not limited to temporary improvements, dumpsters, the installation of the street light pole, the removal of the street light pole, and the installation of the SWF antennas and equipment.
- j. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of West Covina Municipal Code (WCMC) shall apply.
- k. The applicant shall obtain written approval and required permits from Southern California Edison (SCE).
- l. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.
- m. All cables and wires shall be directly routed to the pole and encased within the pole and shroud, and hidden from view. No loops, exposed cables, splitters or unsightly wires shall be permitted.
- n. No cable or wires shall be visible.
- o. All accessory equipment shall be located underground including meter boxes and cabinets.
- p. The vault cover shall be painted to match the surface that it is on (i.e. painted grey if it is on a concrete sidewalk; green if it is on landscaped area).
- q. The facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. The Community Development Director shall determine the extent of trimming of existing foliage to maintain adequate screening of the wireless facility.
- r. The facility shall not bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
- s. The facility shall not be illuminated except for the existing streetlight luminaire. All other illumination shall be restricted.
- t. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.

- u. No portion of the SWF, including, but not limited to, emergency generators, shall violate the City's noise ordinance at any time.
- v. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the Applicant, owner, operator or any designated maintenance agent within 48 hours:
 - i. After discovery of the need by the Applicant, owner, operator or any designated maintenance agent; or
 - ii. After Applicant, owner, operator or any designated maintenance agent receives notification from the City.
- w. If the Applicant abandons the use of the SWF, or if this permit expires or otherwise terminates, then within 90 days of such occurrence, applicant shall, after obtaining any required permits, cause the location and facilities to be returned to a condition equal to or better than the location and facilities at the time this permit was approved. If the SWF(s) had in fact been installed and operated, then this condition shall require no less than the removal of all wireless antennas and equipment at the site, but will not require removal of the light pole, provided that said light pole appears to function, and in fact functions, and is maintained, in a manner substantially similar to the nearby operable and well-maintained light poles.
- x. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in the WCMC.
- y. No person shall install, use or maintain any facility which in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.
- z. Unless California Government Code Section 65964, as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten years, unless pursuant to another provision of the WCMC or these Conditions of Approval, it lapses sooner or is revoked. At the end of ten years from the date of issuance, such permit shall automatically expire.
- aa. An Applicant may apply for a new permit within 180 days prior to expiration. Said application and proposal shall comply with the City's current Code requirements for SWF's.

- bb. The SWF is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more days.
- cc. The applicant shall sign an affidavit accepting all conditions of this approval.
- dd. This approval is effective for a period of one (1) year. All applicable permits must be obtained within one (1) year of project approval. Therefore, well before **July 23, 2020** (if permits have not been obtained), you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. **Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

Engineering Division Requirements:

1. Notify residents of the proposed public right-of-way construction, at least 7 calendar days prior to the start of work. The notice shall include information on any lane or street closures, and/or temporary street parking prohibition. This required notice shall be made in addition to the required temporary “no parking” signage postings.
2. Comply with City’s requirement for rehabilitation of existing improvements.
3. Reattach all signs to the new street light pole. All signs shall be attached prior to the new street light pole being operational.
4. The existing street light pole shall be removed within 10 calendar days from the date the replacement street light pole becomes operational.
5. The applicant shall obtain permits from the City of West Covina Engineering Division.

Fire Department Requirements:

1. The property address, as well as the wireless company and owner emergency contact information shall be permanently posted just outside the enclosure or on the light pole. The wireless or servicing company account number shall also be provided.
2. Additional fire department requirements may be set upon future review of plan modifications and/or construction revisions at the site.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina at a regular meeting held on the 23rd day of July, 2019, by the following vote:

Planning Commission Resolution No. 19-
Administrative Use Permit No. 19-28
2634 Temple Avenue
July 23, 2019 – Page 8
AYES:

NOES:

ABSENT:

DATE: July 23, 2019

EXPIRATION DATE: July 23, 2020
If not used.

Herb Redholtz, Chairman
Planning Commission

Jeff Anderson, AICP, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO. 19-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, APPROVING ADMINISTRATIVE USE
PERMIT NO. 19-29**

ADMINISTRATIVE USE PERMIT NO. 19-29

CATEGORICAL EXEMPTION

APPLICANT: Crown Castle Fiber LLC / Cynthia-Denise Holmes

LOCATION: Public Right-of-Way in front of 1722 Natalie Avenue, SCE Pole # 2271977E

WHEREAS, there was filed with this City a verified application on forms prescribed in Chapter 26, Article VI of the Covina Municipal Code, requesting approval of an administrative use permit to:

Remove and replace an existing light pole and install a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 2271977E located at 1722 Natalie Avenue.

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23rd day of July, 2019, conduct a duly noticed public hearing to consider the subject application for an administrative use permit; and

WHEREAS, studies and investigations made by the Planning Commission and on its behalf reveal the following:

1. The applicant is requesting the approval of an administrative use permit to allow the removal and replacement of an existing light pole and installation of a Small Wireless Facility consisting of shrouded antennas on top of the light poles and underground equipment, on SCE Pole # 2271977E located at 1722 Natalie Avenue.
2. Appropriate findings for approval of an administrative use permit for a Small Wireless Facility are as follows:
 - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.
 - d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.
 - e. That the granting of such administrative use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.
3. This project is categorically exempt under the California Environmental Quality Act, Section 15302 (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act (CEQA), since the project consists of the removal and replacement of a street light pole and the construction of a Small Wireless Facility with antennas on top of the light pole.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission makes the following findings:
 - a. The proposed SWF will improve wireless service and connectivity within the vicinity, contributing to the general well being of the neighborhood or community. As conditioned, the appearance and materials of the proposed street light pole will be consistent with the appearance and materials of other street light poles within the vicinity. The SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. There will be no visible wires, cables, or equipment.
 - b. As conditioned, the applicant is required to obtain permits from the City’s Engineering Division and Southern California Edison. A traffic control plan is required to be reviewed and approved by the City Engineer to ensure public safety during construction. Further, the SWF antennas will be enclosed in a shroud that is designed to provide “stealth” and blend in within the street light pole that it is attached to. As such, the SWF will not be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.
 - c. The proposed street light pole will replace an existing street light pole located in the public right-of-way. The existing street light pole is long-standing and has been operating on the site for a number of years. The public right-of-way area is sufficient in size to accommodate the replacement street light pole and SWF. The proposed street light pole and SWF facility will not impede pedestrian and/or vehicle traffic.
 - d. The proposed street light pole and SWF are static and will not be a destination. Therefore, the use will not generate any recurring traffic. The size of the street is adequate to accommodate

parking of service vehicles in the event that the street light pole and/or SWF will require repair or maintenance services. As conditioned, an encroachment permit will be required for any work conducted in the public right-of-way, including repair and maintenance work.

- e. The proposed replacement street light pole and SWF will not be in conflict with the City's adopted General Plan. The project will be consistent with General Plan Policies 6.24 (ensure that new development does not expose surrounding land uses to excessive noise), and 6.25 (minimize noise conflicts between local noise generators and sensitive receivers), and Action 6.25a (continue to enforce the City's existing Noise Ordinance). The proposed mechanical equipment will be installed underground and will be adequately set back from living areas of residential structures. As conditioned, the project will comply with the City's Noise Ordinance and will not generate excessive noise.
3. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Administrative Use Permit No. 19-29 is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued, and the violation of any of which shall be grounds for revocation of said administrative use permit by the Planning Director, Planning Commission, or City Council.
 4. That the administrative use permit shall not be effective for any purpose until the applicant involved (or a duly authorized representative) has filed at the office of the Community Development Director, his/her affidavit stating he/she is aware of, and accepts, all conditions of this administrative use permit as set forth below. Additionally, no permits shall be issued until the applicant involved (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.
 5. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
 6. That the approval of the administrative use permit is subject to the following conditions:
 - a. Comply with plans reviewed by the Planning Commission on July 23, 2019.
 - b. That the project comply with all applicable standards of the West Covina Municipal Code.
 - c. This approval allows for the following:
 - i. Installation of a Small Wireless Facility (SWF) consisting of shrouded antennas on top of the light poles measuring and underground equipment, on SCE Pole # 2271977E located at 1722 Natalie Avenue.
 - ii. Decommission and removal of an existing 24 feet tall street light pole to be replaced with a 28 feet, 6 inches tall street light pole as measured from adjacent grade to the top

- of the radome/shroud to accommodate antennas encased in a radome/shroud measuring 5 feet, 6 inches tall and 14.6 inches in diameter.
- iii. Installation of vaulted underground mechanical equipment in the public right-of-way.
 - d. The proposed SWF shall be installed on a replacement street light pole that shall match other light standards in the area in terms of color, size, proportion, style, and quality. The wireless facility shall be professionally painted and maintained to match the street light pole, and other streetlight poles located in the immediate neighborhood. The shroud shall be kept in good condition, repainted, and/or replaced as necessary to maintain “stealthiness.”
 - e. The project plans shall be revised prior to any Engineering Division permit issuance to reflect the following corrections:
 - i. The project plans shall be drawn to scale. The plot or site plan shall be at a scale of 1" = 30 feet or larger. The elevations shall be at a scale of 1/4" = 1 foot.
 - ii. The plot or site plan shall clearly indicate the location of any existing buildings (within 50 feet from the site), existing street light posts, existing trees (identify species, size in diameter, and dripline), proposed street light post, proposed equipment, existing driveways, existing driveway aprons, parkway width, sidewalk width, and street width.
 - iii. The elevations shall be drawn to reflect the actual site topography including any slopes, curbs, or similar topographical changes or features.
 - iv. The construction detail, shroud/radome details, and elevations on the project plans are inconsistent: shroud/radome detail indicate that the shroud diameter is 14.6", while the construction detail and elevations indicate that the shroud diameter is 24" (maximum). The radome/shroud design shall be revised on the construction detail and elevations to indicate a maximum diameter of 14.6". The radome/shroud shall be redesigned so that there is a smooth, seamless transition between the width of the streetlight pole (11.8") and the width of the radome/shroud (14.6"), so that the shroud appears to be a part of the street light pole and not an afterthought or an attachment.
 - f. The applicant shall provide the City with a Radio Frequency (RF) exposure compliance report prepared and certified by an RF consultant that certifies that the proposed facility, after taking into account any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable Federal RF exposure standards and exposure limits. The report shall be prepared and submitted to the Planning Division prior to Engineering Division permit issuance.
 - g. Within 30 days of installation of the SWF, the Applicant shall submit a report to the City from an RF consultant that certifies that the facility, as installed, and after taking into account any facilities that contribute to the cumulative exposure in the subject area, actually does comply with applicable Federal RF exposure standards and exposure limits.
 - h. The new street light pole is proposed to be constructed near a significant tree. Per Section 26-294 of the WCMC, no grading, construction, or construction related activities shall occur within the dripline of a significant or heritage tree. No structure or impervious

paving shall be located within the dripline or within a six-foot radius of the trunk perimeter, whichever is greater, of any significant or heritage tree. No construction that disrupts the root system shall be permitted. As a guideline, no cutting of roots should occur within a distance equal to 3.5 times the trunk diameter as measured at ground level. Significant and heritage trees shall be shielded from damage during construction with an appropriate construction barrier, such as a chain link fence and steel stake fence enclosing the entire dripline area. All exposed roots shall be inside the fence barrier. The fence or barrier shall have a minimum height of 6 feet measured from grade. In all cases where a fence or barrier is to be used around a protected tree, the fence or barrier shall be installed prior to commencement of any development activity on the site and should remain in place throughout all phases of construction.

- i. That any proposed changes to the approved plans be reviewed by the Planning Division, and the written authorization of the Community Development Director shall be obtained prior to implementation.
- j. This Administrative Use Permit approval is for the design standards and aesthetics of the SWF. The applicant shall obtain an encroachment permit from the Engineering Division prior to any work conducted in the public right-of-way, including but not limited to temporary improvements, dumpsters, the installation of the street light pole, the removal of the street light pole, and the installation of the SWF antennas and equipment.
- k. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of West Covina Municipal Code (WCMC) shall apply.
- l. The applicant shall obtain written approval and required permits from Southern California Edison (SCE).
- m. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City Department, the stricter standard shall apply.
- n. All cables and wires shall be directly routed to the pole and encased within the pole and shroud, and hidden from view. No loops, exposed cables, splitters or unsightly wires shall be permitted.
- o. No cable or wires shall be visible.
- p. All accessory equipment shall be located underground including meter boxes and cabinets.
- q. The vault cover shall be painted to match the surface that it is on (i.e. painted grey if it is on a concrete sidewalk; green if it is on landscaped area).

- r. The facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. The Community Development Director shall determine the extent of trimming of existing foliage to maintain adequate screening of the wireless facility.
- s. The facility shall not bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
- t. The facility shall not be illuminated except for the existing streetlight luminaire. All other illumination shall be restricted.
- u. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.
- v. No portion of the SWF, including, but not limited to, emergency generators, shall violate the City's noise ordinance at any time.
- w. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the Applicant, owner, operator or any designated maintenance agent within 48 hours:
 - i. After discovery of the need by the Applicant, owner, operator or any designated maintenance agent; or
 - ii. After Applicant, owner, operator or any designated maintenance agent receives notification from the City.
- x. If the Applicant abandons the use of the SWF, or if this permit expires or otherwise terminates, then within 90 days of such occurrence, applicant shall, after obtaining any required permits, cause the location and facilities to be returned to a condition equal to or better than the location and facilities at the time this permit was approved. If the SWF(s) had in fact been installed and operated, then this condition shall require no less than the removal of all wireless antennas and equipment at the site, but will not require removal of the light pole, provided that said light pole appears to function, and in fact functions, and is maintained, in a manner substantially similar to the nearby operable and well-maintained light poles.
- y. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in the WCMC.
- z. No person shall install, use or maintain any facility which in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted

sidewalk dining, permitted street furniture or other objects permitted at or near said location.

- aa. Unless California Government Code Section 65964, as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten years, unless pursuant to another provision of the WCMC or these Conditions of Approval, it lapses sooner or is revoked. At the end of ten years from the date of issuance, such permit shall automatically expire.
- bb. An Applicant may apply for a new permit within 180 days prior to expiration. Said application and proposal shall comply with the City's current Code requirements for SWF's.
- cc. The SWF is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more days.
- dd. The applicant shall sign an affidavit accepting all conditions of this approval.
- ee. This approval is effective for a period of one (1) year. All applicable permits must be obtained within one (1) year of project approval. Therefore, well before **July 23, 2020** (if permits have not been obtained), you are urged to file a letter with the department requesting a one-year extension of time. The required submittal is a letter stating the reasons why an extension is needed, as well as an applicable processing fee. **Please be advised that the applicant will not be notified by the Planning Division about the pending expiration of the subject entitlement.**

Engineering Division Requirements:

- 1. Locate proposed street light away from tree. Revised plans shall be submitted to the Planning Division to reflect this change prior to Engineering submittal for the encroachment permit. In addition, plans reflecting this change shall be submitted to the Engineering Division as a part of the encroachment permit process.
- 2. Notify residents of the proposed public right-of-way construction, at least 7 calendar days prior to the start of work. The notice shall include information on any lane or street closures, and/or temporary street parking prohibition. This required notice shall be made in addition to the required temporary "no parking" signage postings.
- 3. Comply with City's requirement for rehabilitation of existing improvements.
- 4. Reattach all signs to the new street light pole. All signs shall be attached prior to the new street light pole being operational.
- 5. The existing street light pole shall be removed within 10 calendar days from the date the replacement street light pole becomes operational.

6. The applicant shall obtain permits from the City of West Covina Engineering Division.

Fire Department Requirements:

1. The property address, as well as the wireless company and owner emergency contact information shall be permanently posted just outside the enclosure or on the light pole. The wireless or servicing company account number shall also be provided.
2. Additional fire department requirements may be set upon future review of plan modifications and/or construction revisions at the site.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina at a regular meeting held on the 23rd day of July, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DATE: July 23, 2019

EXPIRATION DATE: July 23, 2020
If not used.

Herb Redholtz, Chairman
Planning Commission

Jeff Anderson, AICP, Secretary
Planning Commission



P L A N N I N G C O M M I S S I O N
R E S O L U T I O N N O . 1 9 – 5 9 8 6

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, ADOPTING DESIGN GUIDELINES
FOR SMALL WIRELESS FACILITIES**

GENERAL EXEMPTION

APPLICANT: City of West Covina

LOCATION: Citywide

WHEREAS, the Planning Commission, did on the 23rd day of April 2019, adopted design guidelines for small wireless facilities; and

WHEREAS, studies and investigations made by this Commission and on its behalf reveal the following facts:

1. The Municipal Code currently has standards for Wireless Telecommunication Facilities which were adopted in 1997.
2. The Federal Communications Commission (FCC) has issued Order 18-133 which, among other undertakings, requires that aesthetic standards for small wireless communications facilities in the public right-of-way be 1) reasonable, 2) no more burdensome than applied to other types of infrastructure deployments, 3) objective, and 4) published in advance.
3. It is the desire of the City of West Covina to encourage an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology because it provides a valuable service to residents and businesses in the city. It is the City's goal to encourage wireless providers to construct new facilities in a way that blends architecturally with the built environment
4. The City of West Covina strives to comply with Federal and State mandates.
5. The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of the adoption of design guidelines, which does not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

SECTION NO. 1: The above recitals are true and correct and are incorporated herein as if set forth herein in full.

SECTION NO. 2: Based on the evidence presented and the findings set forth, adoption of Design guidelines will promote compliance with Federal Communications Commission (FCC) Order 18-133 while also promoting the City's aesthetic design preferences for such facilities.

SECTION NO. 3: Based on the evidence presented and the findings set forth, the Planning Commission of the City of West Covina hereby adopts the Design Guidelines as set forth on Exhibit "A."

SECTION NO. 4: The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 23th day of April, 2019, by the following vote.

AYES: Holtz, Heng, Kennedy, Redholtz

NOES: None

ABSTAIN: None

ABSENT: Jaquez

DATE: 4/23/19



Herb Redholtz, Chairman
Planning Commission



Jeff Anderson, Secretary
Planning Commission

EXHIBIT A

(See next page for the Design Guidelines)



CITY OF WEST COVINA SMALL WIRELESS FACILITY DESIGN GUIDELINES IN THE PUBLIC RIGHT OF WAY

Review Process – Small cells require an administrative use permit per WCMC Section 26-685.985. Staff will be recommending approval if facility complies with the following design standards.

Location – Locate 100 feet away from properties used for residential purposes.

Facility and Support Equipment – Facilities should be proposed on existing aggregate light poles. A replacement light pole should be no more than 3 feet from the existing pole location. All facilities shall be designed, textured and colored to match the existing light pole for aesthetic consistency. The base of the pole should be a maximum of 16 inches in diameter. New and/or replacement poles shall be aggregate/marbilite, in a mix, blend, color, and shape/contour to match existing poles in the vicinity.

Narrow Vertical Alignment – Consider the use of shrouds and equipment enclosures that are nearly the same diameter as the pole at a ratio of approximately 1:1 for a more visually streamlined form from the street level. Avoid any tilted arrangement.

Antenna & RRU – Place antenna and RRUs within a shroud above the light pole. RRUs attached to the side of the pole are discouraged; but if required and with discretionary approval, it should use the smallest RRU volume possible and be placed close together with minimal distance from the pole.

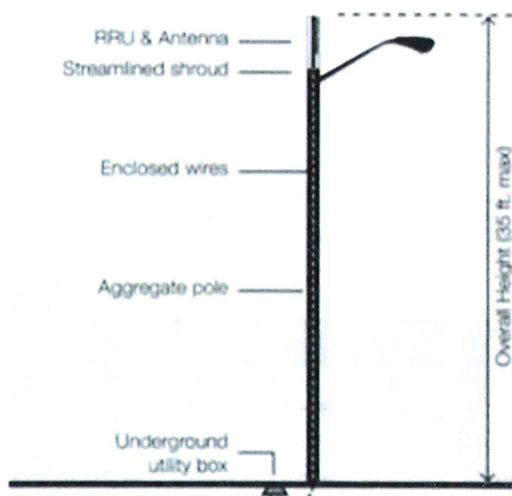
Wires & Cables – Wires and cables should be contained within the shroud and run inside the pole for an orderly appearance. If wiring cannot be contained within the pole, all wiring shall be contained within a conduit that is subdued or matches the adjacent surface and is UV protected.

Signage – Signage shall be limited to the minimum required by the government and electrical utility regulations and shall be as small and least visible as possible.

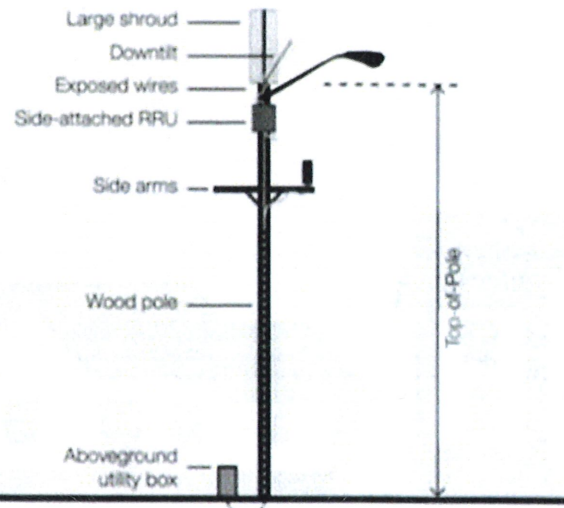
Construction Approach (including power and metering) - Separate freestanding meter pedestals should not be used. Metering should be wireless when possible, and underground if wireless metering is infeasible.

Height- Overall height of the streetlight pole, including mounted equipment, shall be similar to the surrounding poles and not exceed 35 feet in height.

Recommend Approval



Discretionary Review



PLANNING COMMISSION
RESOLUTION NO. 19 – 5986

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, ADOPTING DESIGN GUIDELINES
FOR SMALL WIRELESS FACILITIES**

GENERAL EXEMPTION

APPLICANT: City of West Covina

LOCATION: Citywide

WHEREAS, the Planning Commission, did on the 23rd day of April 2019, adopted design guidelines for small wireless facilities; and

WHEREAS, studies and investigations made by this Commission and on its behalf reveal the following facts:

1. The Municipal Code currently has standards for Wireless Telecommunication Facilities which were adopted in 1997.
2. The Federal Communications Commission (FCC) has issued Order 18-133 which, among other undertakings, requires that aesthetic standards for small wireless communications facilities in the public right-of-way be 1) reasonable, 2) no more burdensome than applied to other types of infrastructure deployments, 3) objective, and 4) published in advance.
3. It is the desire of the City of West Covina to encourage an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology because it provides a valuable service to residents and businesses in the city. It is the City's goal to encourage wireless providers to construct new facilities in a way that blends architecturally with the built environment
4. The City of West Covina strives to comply with Federal and State mandates.
5. The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of the adoption of design guidelines, which does not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

SECTION NO. 1: The above recitals are true and correct and are incorporated herein as if set forth herein in full.

SECTION NO. 2: Based on the evidence presented and the findings set forth, adoption of Design guidelines will promote compliance with Federal Communications Commission (FCC) Order 18-133 while also promoting the City's aesthetic design preferences for such facilities.

SECTION NO. 3: Based on the evidence presented and the findings set forth, the Planning Commission of the City of West Covina hereby adopts the Design Guidelines as set forth on Exhibit "A."

SECTION NO. 4: The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 23th day of April, 2019, by the following vote.

AYES: Holtz, Heng, Kennedy, Redholtz

NOES: None

ABSTAIN: None

ABSENT: Jaquez

DATE: 4/23/19



Herb Redholtz, Chairman
Planning Commission



Jeff Anderson, Secretary
Planning Commission

EXHIBIT A

(See next page for the Design Guidelines)



CITY OF WEST COVINA SMALL WIRELESS FACILITY DESIGN GUIDELINES IN THE PUBLIC RIGHT OF WAY

Review Process – Small cells require an administrative use permit per WCMC Section 26-685.985. Staff will be recommending approval if facility complies with the following design standards.

Location – Locate 100 feet away from properties used for residential purposes.

Facility and Support Equipment – Facilities should be proposed on existing aggregate light poles. A replacement light pole should be no more than 3 feet from the existing pole location. All facilities shall be designed, textured and colored to match the existing light pole for aesthetic consistency. The base of the pole should be a maximum of 16 inches in diameter. New and/or replacement poles shall be aggregate/marbilite, in a mix, blend, color, and shape/contour to match existing poles in the vicinity.

Narrow Vertical Alignment – Consider the use of shrouds and equipment enclosures that are nearly the same diameter as the pole at a ratio of approximately 1:1 for a more visually streamlined form from the street level. Avoid any tilted arrangement.

Antenna & RRU – Place antenna and RRUs within a shroud above the light pole. RRUs attached to the side of the pole are discouraged; but if required and with discretionary approval, it should use the smallest RRU volume possible and be placed close together with minimal distance from the pole.

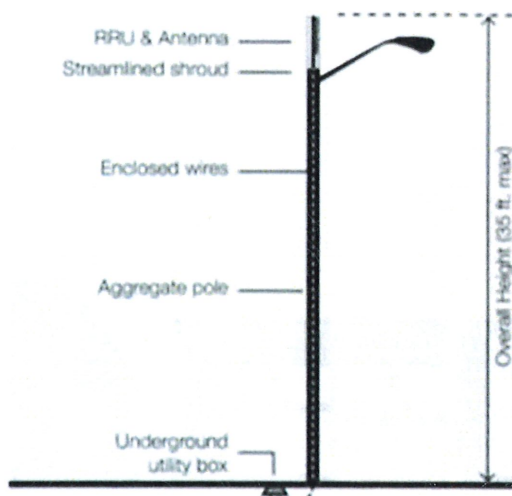
Wires & Cables – Wires and cables should be contained within the shroud and run inside the pole for an orderly appearance. If wiring cannot be contained within the pole, all wiring shall be contained within a conduit that is subdued or matches the adjacent surface and is UV protected.

Signage – Signage shall be limited to the minimum required by the government and electrical utility regulations and shall be as small and least visible as possible.

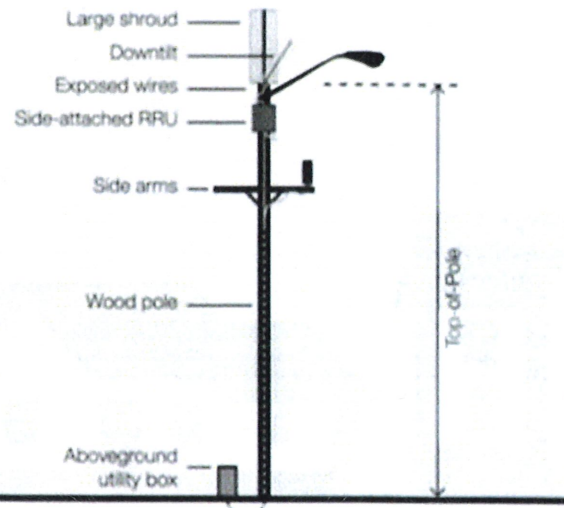
Construction Approach (including power and metering) - Separate freestanding meter pedestals should not be used. Metering should be wireless when possible, and underground if wireless metering is infeasible.

Height- Overall height of the streetlight pole, including mounted equipment, shall be similar to the surrounding poles and not exceed 35 feet in height.

Recommend Approval



Discretionary Review



PLANNING DEPARTMENT STAFF REPORT

SUBJECT

CONDITIONAL USE PERMIT NO. 19-06

CATEGORICAL EXEMPTION

APPLICANT: Rae Jiang for Mathnasium Learning Center

LOCATION: 1414 South Azusa Avenue, Unit B20/B21 (South Hills Plaza)

REQUEST: The applicant is requesting a conditional use permit for the use of a tutoring facility known as Mathnasium Learning Center, to be in a "Neighborhood Commercial" (N-C) zone.

DESCRIPTION OF APPLICATION

The applicant is requesting approval of a conditional use permit for the use of a tutoring facility that will be called Mathnasium Learning Center. The subject property is in the "Neighborhood Commercial" zone and located on the northeast corner of Aroma Drive and South Azusa Avenue in the South Hills Shopping Center. The shopping center is immediately adjacent to single-family residential neighborhoods and multi-family residences to the east. Multi-family residences are located to the south across Aroma Drive and to the west across South Azusa Avenue.

The applicant is requesting approval to operate a tutoring center for youths ages 5 to 18. The tutoring center will be located within an existing 2,100-square-foot vacant tenant space. Mathnasium Learning Center is a franchise business operating such facilities nationwide and internationally. The tutoring center will be located in the northeast portion of the shopping center on the second floor.

BACKGROUND

Item	Description
Zoning and General Plan	Zoning: "Neighborhood Commercial" (N-C) General Plan: "Commercial"
Surrounding Land Uses and Zoning	North: "Single-Family Residential" (R-1); Power Substation East: "Single-Family Residential" (R-1); Single-Family Residence "Multi-Family Residential" (MF-15); Multi-Family Residences South: "Multi-Family Residential" (MF-20); Multi-Family Residences West: "Multi-Family Residential" (MF-15); Multi-Family Residences "Single-Family Residential" (R-1); Single-Family Residential

Current Development	South Hills Plaza Shopping Center
Legal Notice	Notices of Public have been mailed to 480 owners and occupants of properties located within 300 feet of the subject site.

DISCUSSION

The applicant has indicated that the center will be open five days per week. Business hours will be Monday through Thursday from 2:30 p.m. to 7:00 p.m and Sunday from 2:30 p.m. to 5:30 p.m. There will be one full-time staff member (the owner) working at the center during business hours. The applicant has indicated the maximum number of adults on-site at one time will be 4 employees, with a maximum of 18 students.

Parents will drop off their children after school at the parents' convenience. As a "drop-in" basis, parents are not expected to stay or wait while the students are in session. Parents do not need to walk their kids to the center as long as they sign the waiver to allow students to enter the premise on their own. Students from ages 5 through 18 will attend the facility for an average session time of 1 hour to 1.5 hours to work on a customized learning plan. Students will get one-on-one interactions with instructors in group settings where instructors rotate student to student. The interior of the tenant space would include a game area, work tables, a break room, a storage room, and a bathroom.

An analysis of the parking found that there are 460 spaces provided and that based on the uses occupying the center, the parking requirement is 488 spaces. This is due to the approval of a conditional use permit for the fitness center that allowed a reduced parking rate. The applicant is proposing a maximum of 5 staff members and 18 students on-site at any one time. This would result in a maximum parking requirement of 7 spaces, depending on the age of the students attending (one parking space is required per adult, and one per ten high-school-age students on-site; $(1 \times 5) + (18/10) = 6.8$). The tenant space is 2,100 square feet and would require 8 parking spaces if used as retail use. Since the proposed tutoring center requires less parking spaces from a retail use, the parking requirement is not changed. The center has a variety of uses that have different parking peaks and Staff is not aware of any significant parking issues at the time.

REQUIRED FINDINGS

Before an application for a conditional use permit can be made, the following finding shall be made:

- a. *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.*

The proposed use is consistent with the "Commercial" General Plan designation and the "Neighborhood Commercial" zone. A "Neighborhood Commercial" zone is composed primarily of moderate-intensity retail, recreational, and business office land uses. The proposed use is a tutoring facility with a floor area of 2,100 square feet. The tutoring facility would be known as Mathnasium Learning Center and would provide assistance for children ages 5 to 18 years old. The proposed use is on the northeast corner of Aroma Drive and South Azusa Avenue, a principal arterial. The tutoring use would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed tutoring use meets all the applicable requirements of the "Neighborhood Commercial" zone.

- b. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*

The proposed tutoring use will occupy an existing vacant tenant space. The business hours are Monday through Thursday from 2:30 p.m. to 7:00 p.m. and Sunday from 2:30 p.m. to 5:30 p.m. Students will visit the center from 3:00 p.m. to 7:00 p.m. by appointment only. With the conditions of approval, the proposed tutoring use will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.

- c. That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.*

The existing building and site is adequate in size and design to accommodate the proposed educational use. Sufficient parking exists on the site to accommodate the school use. The maximum number of people at the business at one time is limited to 5 staff members and 18 students (23 total).

- d. That the site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.*

The subject property abuts South Azusa Avenue, a principal arterial. The site can be accessed via South Azusa Avenue and Aroma Drive. The proposed tutoring use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.

- e. That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*

Granting the conditional use permit for the proposed use of a tutoring facility would allow the opportunity for the surrounding community to have access to a tutoring facility. The proposed tutoring use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.

GENERAL PLAN CONSISTENCY

The proposed use is consistent with the “Commercial” General Plan designation and the “Neighborhood Commercial” zone. A “Neighborhood Commercial” zone is composed primarily of moderate-intensity retail, recreational, and business office land uses. The proposed use is a tutoring facility with a floor area of 2,100 square feet. The tutoring facility would be known as Mathnasium Learning Center and would provide assistance for children ages 5 to 18 years old. The proposed use is on the northeast corner of Aroma Drive and South Azusa Avenue, a principal arterial. The tutoring use would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed tutoring use meets all the applicable requirements of the “Neighborhood Commercial” zone.

Granting the conditional use permit for the proposed use of a tutoring facility would allow the opportunity for the surrounding community to have access to a tutoring facility. The proposed tutoring use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.

ENVIRONMENTAL DETERMINATION

The project is a Categorical Exemption Class 1 (Section 15301: Existing Facilities) pursuant to the requirements of the California Environmental Quality Act of 1970 (CEQA) since the project consists of minor alterations of the existing structure in order to operate the requested use.

CONCLUSION

The applicant is requesting a conditional use permit for the use of a tutoring facility in a “Neighborhood Commercial” zone that would occupy a tenant space. Through the conditional use permit, findings were made to determine that the proposed tutoring use would be suitable for the existing site and neighborhood. The findings concluded that the proposed tutoring use is consistent with the “Neighborhood Commercial” land use designation in the General Plan, meets zoning code standards, and would not be detrimental to the health and safety of the adjacent land uses and residents.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt a resolution approving Conditional Use Permit No. 19-06.

LARGE ATTACHMENTS

Plans (Available for review by the public at the West Covina Library, West Covina Police Department, and West Covina Planning Division)

Submitted by: Baltazar Barrios, Planning Intern

Attachments

Attachment No. 1 - Conditional Use Permit Resolution for Approval

Attachment No. 2 - Business Operations Plan

Attachment No. 3 - Vicinity Map

P L A N N I N G C O M M I S S I O N

R E S O L U T I O N N O . 19-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 19-06

CONDITIONAL USE PERMIT NO. 19-06

CATEGORICAL EXEMPTION

APPLICANT: Rae Jiang for Mathnasium Learning Center

LOCATION: 1414 S. Azusa Avenue, Unit B20/21 (South Hills Plaza)

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a conditional use permit to:

Allow a tutoring facility use in an existing 2,100-square foot tenant space on certain property described as follows:

Assessor Parcel No. 8493-040-179 as shown on the latest rolls of the Los Angeles County Tax Assessor; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 23th day of July, 2019, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

1. The applicant is requesting approval of a conditional use permit to allow a tutoring facility use within an existing tenant space of 2,100 square feet that is zoned as "Neighborhood Commercial."
2. The proposed tutoring facility anticipates to accommodate 5 employees and up to 18 children ranging from the age of 5 to the age of 18. Business hours for the office will be Monday through

Thursday 2:30 p.m. to 7:00 p.m. and Sunday from 2:30 p.m. to 5:30 p.m. The business will be closed on Fridays and Saturdays.

3. Findings necessary for approval of a conditional use permit are as follows:
 - a. *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or community.*
 - b. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*
 - c. *That the site for the proposed use is adequate in size and is so shaped as to accommodate said use, as well as all yards, spaces, walls, fences, parking, loading, landscaping, and any other features necessary to adjust said use to the land and uses in the neighborhood and make it compatible therewith.*
 - d. *That the site abuts streets adequate in width and improvements to carry traffic generations typical of the proposed use and that street patterns of such a nature exist as to guarantee that such generations will not be channeled through residential areas on local residential streets.*
 - e. *That the granting of such conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*
4. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities) in that it consists of minor alterations of the existing structure in order to operate the requested use.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

1. On the basis of evidence presented, both oral and documentary, the Planning Commission makes the following findings for approval of a conditional use permit:
 - a. The proposed use is consistent with the "Commercial" General Plan designation and the "Neighborhood Commercial" zone. A "Neighborhood Commercial" zone is comprised primarily of moderate-intensity retail, recreational, and business office land uses. The proposed use is a tutoring facility with a floor area of 2,100 square feet. The tutoring

facility would be known as Mathnasium Learning Center and would provide assistance for children ages 5 to 18 years old. The proposed use is located on the northeast corner of Aroma Drive and South Azusa Avenue, a principle arterial. The tutoring use would be located near single-family and multi-family residences, where it would be a convenience for the neighboring communities and families. The proposed tutoring use meets all the applicable requirements of the "Neighborhood Commercial" zone.

- b. The proposed tutoring use will occupy an existing vacant tenant space. The business hours are Monday through Thursday 2:30 p.m. to 7:00 p.m. and Sunday from 2:30 p.m. to 5:30 p.m. With the conditions of approval, the proposed tutoring use will not be detrimental to the health, safety, peace or general welfare of surrounding residents or business owners.
 - c. The existing building and site is adequate in size and design to accommodate the proposed educational use. Sufficient parking exists on the site to accommodate the school use. The maximum number of people at the business at one time is limited to 5 staff members and 18 students (23 total).
 - d. The subject property abuts South Azusa Avenue, a principle arterial. The site can be accessed via South Azusa Avenue and Aroma Drive. The proposed tutoring use will not generate a substantial amount of vehicular traffic nor alter present circulation patterns.
 - e. Granting the conditional use permit for the proposed use of a tutoring facility would allow the opportunity for the surrounding community to have access to a tutoring facility. The proposed tutoring use would not compromise the character of the surrounding neighborhood nor be detrimental to the surrounding land uses. Allowing the proposed use is consistent with the policies and actions of the General Plan.
- 2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 19-06 is approved subject to the provisions of the West Covina Municipal Code provided that the physical development of the herein described property shall conform to said conditional use permit and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Planning Director before the use or occupancy of the property is commenced and before a certificate of occupancy is issued, and the violation of any of which shall be grounds for revocation of said conditional use permit by the Planning Commission or City Council.
 - 3. The conditional use permit shall not be effective for any purpose until the owner of the property involved (or his duly authorized representative) has filed at the office of the Planning Director his affidavit stating he is aware of, and accepts, all conditions of this conditional use permit as set forth below. Additionally, no permits shall be issued until the owner of the property involved (or

a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

4. The costs and expenses of any enforcement activities, including, but not limited to attorney's fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.
5. That the approval of the conditional use permit is subject to the following conditions:
 - a. Comply with the plans reviewed by the Planning Commission on July 23, 2019.
 - b. Comply with all applicable sections of the West Covina Municipal Code.
 - c. Comply with all requirements of the "Neighborhood Commercial" zone.
 - d. The tutoring facility is approved to operate Monday through Thursday 2:30 p.m. to 7:00 p.m. and Sunday from 2:30 p.m. to 5:30 p.m.
 - e. A maximum of 5 employees and 18 students are permitted at any time.
 - f. The tutoring facility is approved for 2,100-square feet. Any addition or modification of the use shall require the submittal of a new conditional use permit.
 - g. During construction, the delivery of materials and equipment, outdoor operations of equipment and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
 - h. All construction equipment, stationary or mobile, shall be equipped with properly operating and maintained mufflers.
 - i. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development Commission, and that the written authorization of the Planning Director shall be obtained prior to implementation.
 - j. The operation of the facility shall comply with the West Covina Noise Ordinance.
 - k. This approval does not include the approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.
 - l. That any proposed change to the approved site plan, floor plan, or elevations be reviewed by the Planning, Building, Fire, and Police Departments and the Community Development

Commission, and that the written authorization of the Planning Director shall be obtained prior to implementation.

- m. The conditional use permit may be revoked, amended and suspended by the Planning Commission under the provisions of Section 26-253 of the West Covina Municipal code.

n. **Building Department**

- 1) All Conditions of Approval as approved by the Planning Commission shall appear as notes on the plans submitted for building plan check and permits.
- 2) Building design shall comply with the 2016 California Building Code (CBC)
- 3) Separate application(s), plan check(s), and permit(s) is/are required for:
 - a) Signs
 - b) Fire sprinkler/Alarm systems (see Fire Department Prevention Bureau for requirements)
 - c) Plumbing
 - d) Mechanical
 - e) Electrical
- 4) Complete architectural plans will be required. Submit design for review at formal plans review.
- 5) Where modification to mechanical systems or exterior will occur, compliance to California T-24 Energy regulations will be required. Submit design for review at formal plans review.
- 6) Compliance to California Green Building Code will be required. Submit design for review at formal plans review.
- 7) Separate plumbing, mechanical and electrical plan check will be required. Submit design for review at formal plans review.
- 8) Compliance with the State of California Accessibility regulations is required, including:
 - a) Building entrances shall be provided with an accessible path of travel connecting the building entrances from the public sidewalk, accessible parking, and other buildings or essential facilities located on the site
 - b) Accessible bathrooms.
 - c) Accessible parking:
 - i) Shall be located at each main entrance. Where multiple major entrances occur, accessible parking shall be equally distributed among the entrances.

- ii) Shall be 9 feet wide by 18 feet deep and be provided with a loading and unloading passenger access aisle of 8 feet wide for Van space and 5 feet wide for regular accessible spaces.
 - iii) The existing parking stall in closest proximity to the elevator shall be upgraded for the necessary curb ramp and signage which neither appear to occur at the stall. The path of travel shall not go back into the parking lot.
- 9) Drinking fountains are required and are only exempt where occupant load is less than 30 per CPC 415.2. Drinking stations only substitute 50% of those that are required.
- 10) Maximum occupant shall be 30 due to plumbing fixture count and exits required.

o. **Fire Department**

- 1. NFPA 10 – Portable Fire Extinguishers
- 2. Modifications to the existing fire sprinkler/fire alarm system must first be approved and permitted by the Fire Division.

NOTE: **Additional Fire Department Requirements May be Set upon future review of a full set of architectural plans.*

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a special meeting held on the 23rd day of July, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: JULY 23, 2019

EXPIRATION DATE:

July 23, 2021 if not used

Herb Redholtz, Chairman
Planning Commission

Jeff Anderson, Secretary
Planning Commission

Business Operations Plan

Mathnasium Of West Covina

1414 S. Azusa Ave, Unit B20/21
West Covina, CA 91706

Owner/Operator –

Rae Jiang
626-226-8550
Rae.better@gmail.com

Business Type –

Math tutoring franchise

Brand –

Mathnasium (www.mathnasium.com)

*“At Mathnasium Learning Centers, **we make math make sense!** Whether your child started out far behind or already ahead in math, Mathnasium will help them leap ahead because we know that any child can be successful in math—it’s a matter of teaching it in a way that makes sense to them.*

Our experienced math tutors utilize our proprietary teaching materials and techniques, [The Mathnasium Method™](#), to deliver a customized learning plan designed to address each student's needs. Our instructional approach goes beyond traditional math tutoring to develop understanding and build a love for math.

If math is a problem, Mathnasium can solve it. Students will grow more excited and confident about math—and their grades will reflect that.

For students who already excel in math, the sky’s the limit. They will work to expand their math skills and, with math learning made exciting, can see all the doors that being great at math can open.” (Excerpt from Mathnasium website).

Service Provided –

To provide math tutoring using proprietary Mathnasium methodology for students who want to improve their math skill.

Strengths –

The Mathnasium franchise is one of the top 40 franchises of 2019 and is one of the fastest growing tutoring franchises. Our success is based on a proven track record of over 900 franchises across the country.

Personal Strengths -

I am a UC Berkeley graduate with a Bachelor of Arts degree in Applied Mathematics. I have worked at Mathnasium for 7 years, and have been the Center Director since 2015. I have extensive experience in operating one of the most successful centers. The Pasadena was one of the top 3 centers of the West Coast region under my management.

Target Audience –

K – 12 students in the neighboring schools including:

Hollencrest Middle School

South Hills Academy

Merced Elementary School

Vine Elementary School

West Covina High School

South Hills High School

Business Operation Specifics –

We will be working with students aged five to eighteen years old, they are expected to be dropped off after school at the parents' convenience. Each student is given an initial assessment to create a customized learning plan. Each session ranges from 1 hour to 1.5 hours. Students get one-on-one interactions with instructors in a group setting where instructors rotate from student to student. As a "drop-in" basis, parents are not expected to stay or wait while the students are in session. Parents do not need to walk their kids to the center as long as they sign the waiver to allow students to enter premise on their own. Students can sign in and sign out themselves after they walk into the center, instructors will find them seats to get started for the session and they are supposed to be picked up in about 60 - 90 minutes.

There will be up to 4 instructors with the center director (myself) and 12 – 18 students during peak hours (3:30 pm – 5:30 pm) at one time. There will be fewer instructors at other period of time, depending on needs. The instructor to student ratio is about 1:4.

There is no current plan for any shuttle service to nearby schools to pick up students.

Hours of Operation –

Monday – Thursday: 2:30 – 7:00 pm

Sunday: 2:30 – 5:30 pm

Marketing Plan –

Business Website

Print Marketing including direct mail to homes in the area

Personal school visitation

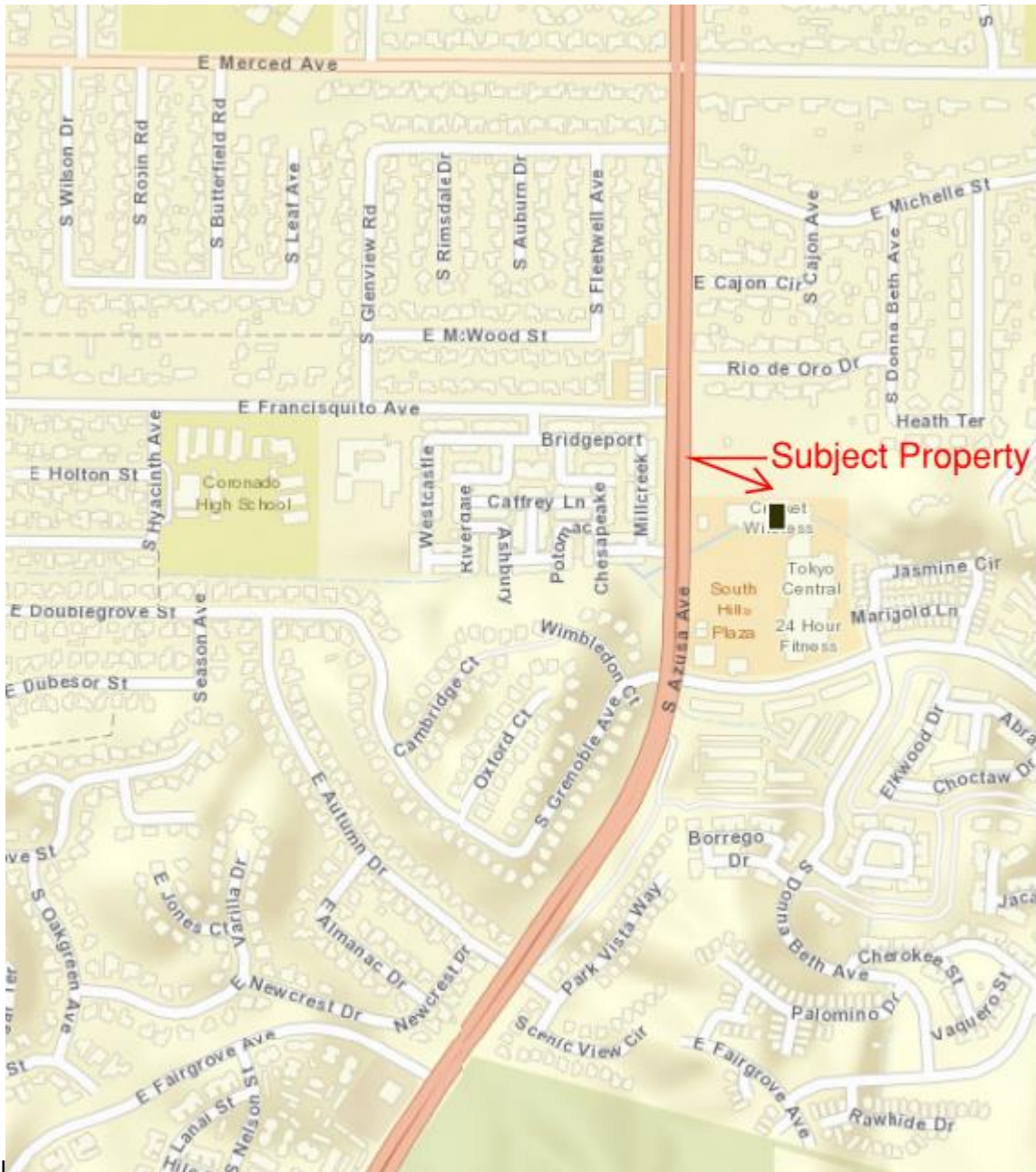
PTA meetings

Social Media Marketing

Parent networking

Word-of-mouth

Referral



City of West Covina
Memorandum
A G E N D A

ITEM NO. 4

DATE: July 23, 2019

TO: Planning Commission
FROM: Planning Division
**SUBJECT: STUDY SESSION - CODE AMENDMENT NO. 19-03
TEMPORARY NONCOMMERCIAL SIGNS**

BACKGROUND:

On April 2, 2019, the City Council adopted Resolution No. 2019-14 initiating Code Amendment No. 19-03 to consider modifying the temporary sign standards to allow noncommercial signs in parkways. The request for initiation came from Mayor Johnson.

DISCUSSION:

The City Council adopted Code Amendment No. 16-02 on February 6, 2018. That Code Amendment was required to address a U.S. Supreme Court ruling of *Reed v. Town of Gilbert* which was a first amendment case on protections for signs. That case addressed temporary noncommercial signs which includes such signs as banners, real estate signs, and political signs. One of the revisions to the Municipal Code at that time was the prohibition of temporary noncommercial signs in the public right-of-way.

As expressed by the Mayor at the January 15, 2019 City Council meeting, the proposed code amendment was initiated to address two issues.

- Adding enforcement standards for those that do not follow the standards.
- Allowing temporary noncommercial signs in the parkway (public right-of-way between a private property and the curb of a street).

While the issue raised were specifically related to political signs, any revisions to this section would affect all types of temporary noncommercial signs. The primary purpose of this study session is to introduce the Planning Commission to the initiated code amendment and to receive input. The next step in the process would be for staff to prepare a draft code amendment and schedule a public hearing before the Planning Commission. Any recommendation on a code amendment by the Planning Commission would ultimately be presented to the City Council at a public hearing.

RECOMMENDATION:

Staff recommends that the Planning Commission review the information in the staff report and attachments and provide appropriate direction to staff regarding the code amendment.

Submitted by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - City Council Staff Report 4/2/19



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: April 2, 2019

TO: Mayor and City Council

FROM: Nikole Bresciani
Acting City Manager

**SUBJECT: INITIATION OF CODE AMENDMENT NO. 19-02 (R-1 STANDARDS), CODE
AMENDMENT NO. 19-03 (TEMPORARY SIGNS) AND CODE AMENDMENT NO. 19-04
(PARK FEES)
GENERAL EXEMPTION**

RECOMMENDATION:

It is recommended that the City Council adopt the following resolutions.

**RESOLUTION NO. 2019-13 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 19-02 TO STUDY REAR
SETBACKS AND ACCESSORY HABITABLE QUARTERS IN SINGLE FAMILY ZONES**

**RESOLUTION NO. 2019-14 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 19-03 TO STUDY
TEMPORARY SIGN STANDARDS**

**RESOLUTION NO. 2019-15 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 19-04 TO STUDY PARK
FEES**

DISCUSSION:

This staff report covers three code amendment initiations. The Municipal Code requires that a notice be published in the newspaper advertising public hearings for code amendments. No other type of noticing is required. For the three proposed code amendments, staff intends to keep an address list of interested individuals and provide notices in the mail for each study session and public hearing.

Code Amendment No. 19-02

At the February 5, 2019 City Council Meeting, the City Council discussed items concerning accessory dwelling units standards including rear setbacks, minimum lot size and maximum unit size. At the conclusion of the hearing the City Council adopted an ordinance that clarified text for accessory dwelling units and requested that staff agendize the initiation of a code amendment to study R-1 rear yard standards and standards for accessory habitable quarters. The R-1 standards are included in the Zoning Code requiring the adoption of a resolution by the Planning Commission or City Council to initiate a code amendment.

Code Amendment No. 19-03

At the January 15, 2019 City Council Meeting, Mayor Johnson requested to initiate a code amendment to consider revisions to the temporary signs standards in the Zoning section of the Municipal Code for temporary noncommercial signs. The sign standards are included in the Zoning Code requiring the adoption of a resolution by the Planning Commission or City Council to initiate a code amendment.

Code Amendment No. 19-04

At the February 5, 2019 City Council Meeting, the Council requested the initiation of a code amendment to require Parks and Recreation dedications or in-lieu fees for residential subdivisions and rental units. Currently, Parks and Recreation Fees requirement is located in the Subdivision section of the Municipal Code for subdivisions (tract and parcel maps), with a reference in the Zoning section of the Municipal Code. The code amendment would consider revisions of the Municipal Code to ensure that park fees are required when either rental units or for-sale units are constructed. Since revisions to the Municipal Code for park fees may include the Zoning Code, an initiation resolution has been provided to comply with Zoning Code requirements that a resolution initiating a code amendment be adopted by the Planning Commission or City Council.

OPTIONS:

The City Council has the following options:

1. Approve staff's recommendation;
2. Decline to initiate one or more a code amendments; or
3. Provide alternative direction.

ENVIRONMENTAL REVIEW:

The proposed code amendments are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines in that they consist of a code amendments to the Municipal Code, which do not have the potential for causing a significant effect on the environment.

Prepared by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - Resolution No. 2019-13 R-1 Standards

Attachment No. 2 - Resolution No. 2019-14 Temporary Signs

Attachment No. 3 - Resolution No. 2019-15 Park Fees

City of West Covina
Memorandum
A G E N D A

ITEM NO. 5.

DATE: July 23, 2019

TO: Planning Commission
FROM: Planning Division
**SUBJECT: STUDY SESSION - SUBCOMMITTEE FOR DESIGN REVIEW
ONE STORY GUIDELINES**

BACKGROUND:

On March 19, 2019, the Planning Commission held a study session to review the history and the Municipal Code standards for review by the Subcommittee. At that time, there was also discussion about the One-Story and Two-Story Guidelines. At the conclusion of the study session, direction was provided to have the Subcommittee review the current Guidelines to determine if they are still valid and appropriate. Over the last couple months, it has been difficult for the Subcommittee to have time to discuss the Guidelines as their meetings are very short and are held right before the Planning Commission meeting. At the Subcommittee meeting of April 23, 2019, staff recommended that the Planning Commission review the Guidelines. This was suggested due to the short meeting times of the Subcommittee, and that it would be appropriate to include all the Commissioners to be part of the discussion for the sake of knowledge and implementation. The Subcommittee agreed and requested that the Guidelines be scheduled for review by the Planning Commission. The Planning Commission reviewed the Two-Story Guidelines on May 14, 2019 and approved with some minor revisions. The Two-Story Guidelines with the revisions are provided as Attachment 2.

DISCUSSION:

The purpose of this study session is to review the One-Story Addition Design Review Guidelines. The One-Story Guidelines were last reviewed in February 2010. The following are the current Guidelines for proposed one-story houses and one-story additions to existing houses.

1. Design the house so that all setbacks have been met.
2. Design the front and any other visible elevations especially corner houses with a variety of materials. Most houses have the exterior elevations that are primarily stucco. Providing an alternative material such as stone, wood (or simulated wood product) or brick will provide a more aesthetic elevation. (Where alternative material is at the corner, material should wrap around 24 inches on the side.)
3. Design the house to fit into the architectural context of the surrounding neighborhood.
4. Front porch roof lines should be lower in height than the main portion of the roof.
5. Window treatment on windows are encouraged including stucco pop-outs, wood trim, pot shelves, shutters, recessed windows, etc. or provide a variety of window types (bay windows, octagonal windows, other shapes, etc.) Consider painting window treatment in contrasting color to the house.
6. Provide the City-owned parkway width for the strip of property between the private property and the street. (This area is to allow for sidewalks or the widening of the street.)
7. A water heater enclosure should be constructed to match the colors and materials of the house. (Especially for water heaters added outside of the house located on a corner lot.)
8. If the roof pitch is being raised, consider designing the new pitch to allow the attic space to accommodate a central air conditioning/heating system.
9. Landscaping that is removed or destroyed during the construction process shall be replaced prior to

final inspection.

10. In an area that is predominantly developed with rear-entry garages, no garage doors should be installed on the front of the house.

At the study session, staff will present the Guidelines and invite comments on each and allow for discussion of potential additions.

RECOMMENDATION:

Provide direction on revisions to the One-Story Subcommittee Guidelines.

Submitted by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 Guidelines for One-Story Additions

Attachment No. 2 - Proposed Guidelines for Two-Story Additions

Attachment No. 3 - Subcommittee Code Section

Design Review Subcommittee Guidelines for One-Story Houses and Additions

- Design the house so that all setbacks have been met.
 - Design the front and any other visible elevations especially corner houses with a variety of materials. Most houses have the exterior elevations that are primarily stucco. Providing an alternative material such as stone, wood (or simulated wood product) or brick will provide a more aesthetic elevation. (Where alternative material is at the corner, material should wrap around 24 inches on the side.)
 - Design the house to fit into the architectural context of the surrounding neighborhood.
 - Front porch rooflines should be lower in height than the main portion of the roof.
 - Window treatment on windows are encouraged including stucco popouts, wood trim, potshelves, shutters, recessed windows, etc. or provide a variety of window types (bay windows, octagonal windows, other shapes, etc.) Consider painting window treatment in contrasting color to the house.
 - Provide the City-owned parkway width for the strip of property between the private property and the street. (This area is to allow for sidewalks or the widening of the street.)
 - A water heater enclosure should be constructed to match the colors and materials of the house. (Especially for water heaters added outside of the house located on a corner lot.)
 - If the roof pitch is being raised, consider designing the new pitch to allow the attic space to accommodate a central air conditioning/heating system.
 - Landscaping that is removed or destroyed during the construction process shall be replaced prior to final inspection.
 - In an area that is predominantly developed with rear-entry garages, no garage doors should be installed on the front of the house.
-

Design Review Subcommittee Guidelines For New Two-Story Additions

- Design the two-story house or addition so that all setbacks, including second story, have been met. (Plans must indicate parkway width to verify compliance of second story setback)
 - In an area that is predominantly one story, it is encourage that the ~~consider reducing the~~ size of the second story be reduced in relation to the ground floor. A smaller second floor will not appear as massive or boxy. (Plate height shall be consistent with the first story of the house)
 - New two-story additions can result in privacy impacts to neighboring properties. ~~Consider designing~~ Design the second story to reduce or eliminate the need for windows on the side elevations. High windows that allow light in but restrict views onto neighboring properties may also reduce privacy impacts.
 - In an area that is predominantly one story, the elements of the house usually emphasize the horizontal. Many modern two-story designs emphasize the vertical through two-story porches with tall columns, tall windows, and two-story front elevations with no horizontal breaks. These elements are generally out-of-character with a one-story neighborhood.
 - When adding a second-story elevation in a one-story area, it is encouraged to ~~consider providing~~ provide a significant second-story setback on the front elevation. By setting back the second story from the first story, the front of the house will fit better in the context of a one-story neighborhood.
 - In an area that is predominantly one story, the addition of second-story balcony, especially in a flatland neighborhood, can have an affect on privacy. In these areas, balconies in rear yards are discouraged.
 - When designing a second-story addition, consider that all sides of the second story are visible. Window treatment on second-story windows is encouraged.
 - Discuss your proposed house or addition with adjacent neighbors. An administrative use permit or conditional use permit requires written notification to all property owners and residents within 300 feet of the property.
 - Landscaping that is removed or destroyed during the construction process shall be replaced prior to final inspection.
 - Provide the City-owned parkway width for the strip of property between the private property and the street. (This area is to allow for sidewalks or the widening of the street.)
 - In an area that is predominantly developed with rear-entry garages, no garage doors should be installed on the front of the house.
-

ATTACHMENT NO. 3

Residential Agricultural Zone/Single-Family Zone

Sections 26-418. Planning Commission Subcommittee for Design

- (a) *Purpose.* The purpose of design review of single-family residences is to ensure quality development, promote orderly development of the city, conserve property values, preserve the architectural character of an area, and to promote harmonious design that is complimentary to adjacent properties.
- (b) *Subcommittee created.* A subcommittee of the planning commission shall be established consisting of two (2) members of the planning commission to be appointed by the chair of the planning commission. An alternate subcommittee member shall be appointed by the chair to serve in the event that one (1) of the two (2) members is absent.
- (c) *Meetings.* The subcommittee shall meet regularly in open meeting at a time to be determined by the subcommittee.
- (d) *Review required.* No building permit shall be issued for the following types of improvements to single-family residences prior to subcommittee review:
 - (1) New construction of single-family residences.
 - (2) Structural additions or modifications on the front elevation of a residence.
 - (3) New second-story additions to one-story residences.
 - (4) New second-story additions to two-story houses.
 - (5) New balconies.
 - (6) Accessory habitable quarters.
 - (7) Any modifications that is readily visible from a public right-of-way.
- (e) *Exception for large homes.* Large homes as defined in section 26-685.2100 are subject to a conditional use permit and therefore will not be subject to separate subcommittee review. Planning staff will include an analysis of the subcommittee guidelines as part of the planning commission hearing on the conditional use permit.
- (f) *Review authority.* The subcommittee may approve, conditionally approve, forward the project to the planning commission, or disapprove applications.
- (g) *Basis for approval.* The subcommittee shall consider the following criteria:
 - (1) New development, or alterations of existing development should utilize building materials, color schemes, roof style, and architecture that is visually harmonious with the subject property and surrounding neighborhood.
 - (2) Vertical and horizontal articulation of building facades should be used to avoid long, uninterrupted exterior walls on residences. All structures should have relief to create an interesting blend and enhance the architecture.

- (3) Roof lines should be reasonably compatible with the design and scale of surrounding structures. Vertical and horizontal roof articulation is encouraged to avoid long monotonous, flat sections of roof.
 - (4) The scale and mass of the building should relate to surrounding structures. The height and bulk of the building should be in scale with buildings on surrounding sites and should not visually dominate their sites or call undue attention to themselves.
 - (5) The buildings should include a variety of materials and colors. Materials shall be consistently applied and should be chosen to be harmonious with surrounding structures. Piecemeal embellishments and inconsistent materials and architecture should be avoided.
- (h) *Notice of action.* The planning director shall notify the applicant of the decision of the subcommittee within ten (10) days of the decision. The notification shall be in writing and state the reasons for approval, conditional approval, denial or transfer to the planning commission.
 - (i) *Appeal.* Any decision by the subcommittee may be appealed by the applicant to the planning commission. A written appeal shall be filed with the planning director within ten (10) days after a written decision is mailed to the applicant.
 - (j) *Expiration.* Building permits to construct improvements approved by the subcommittee shall be issued within one (1) year of the date of approval or the approval will automatically expire.

(Ord. No. 2184, § 3(Exh. A), 12-16-08; Ord. No. 2260, § 3(Exh. A), 7-1-14; Ord. No. 2338, § 20, 4-17-18)

City of West Covina
Memorandum
A G E N D A

ITEM NO. 6.

DATE: July 23, 2019

TO: Planning Commission

FROM: Planning Division

**SUBJECT: STUDY SESSION - CODE AMENDMENT NO. 16-03
SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY**

BACKGROUND:

On February 16, 2016, the City Council initiated a code amendment related to wireless telecommunication facilities in the public right-of-way (PROW).

The Federal Telecommunications Act is intended to ensure that the public has sufficient access to telecommunication services and local governments cannot prohibit or have the effect of prohibiting the provision of personal wireless services. Cities may only regulate the location and design of Wireless Communication Facilities (WCF) based on aesthetics or other standards unrelated to the health effects of radio frequency emissions.

On September 27, 2018, the Federal Communications Commission (FCC) released a Declaratory Ruling and Third Report and Order (FCC Order) significantly limiting local management of Small Wireless Facilities (SWF). In summary, the FCC Order does the following:

- Defines SWFs as facilities (a) mounted on structures 50 feet or less in height (including antennas); or (b) mounted on structures no more than 10% taller than other adjacent structures; or (c) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10%, whichever is greater; AND each antenna is no more than 3 cubic feet in volume, and the total associated wireless equipment on one structure is no more than 28 cubic feet in volume.
- Limit fees local governments can charge to the actual and reasonable cost of providing service.
- Enacts shot clocks of 60 days for SWFs added to existing structures (regardless of whether the structure already supports a wireless service) and 90 days for SWFs proposing a new structure.
- Exempts from federal preemption aesthetic requirements for SWFs in the PROW unless they are (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; (3) objective; and (4) published in advance.

On April 4, 2019, the California Supreme Court decided T-Mobile West, LLC vs. City and County of San Francisco, validating that municipalities can regulate the aesthetics of wireless facilities in the right of way.

On April 23, 2019, the Planning Commission adopted design guidelines for small wireless facilities located in the public right-of-way (Resolution No. 19-5986; Attachment No. 2) to address the FCC Order pertaining to aesthetic requirements being reasonable, not burdensome, and published in advance.

At its May 14, 2019 meeting, the Planning Commission held a study session on small wireless facilities in the public right-of-way (Code Amendment No. 16-03). During the study session the Planning Commission reached a consensus to: a) identify the Design Guidelines in the Ordinance by reference to allow flexibility for modifications that may be needed in the future, b) draft the Ordinance to require

ministerial review for all SWFs that comply with the Design Guidelines and Planning Commission review for all other facilities, and c) require new poles to be installed between properties. The Planning Commission had questions regarding the maximum distance a SWF pole could be from another pole, and the maximum distance a SWF could be from residential properties. The Planning Commission requested that a representative of the City Attorney be present during the July 23, 2019 study session.

DISCUSSION:

Staff recommends against identifying a separation distance between SWF facilities since this could allow one telecommunications provider to prevent other market entrants from operating in the area. Additionally, the FCC indicated that a City cannot effectively prevent "a provider from replacing its preexisting facilities or collocating new equipment on a structure already in use." A city can, however, establish reasonable aesthetic based requirements to prevent excessive overhead clutter visible from public areas.

As an alternative, staff recommends that the Planning Commission establish a minimum distance threshold that would apply when an applicant requests to install a new SWF within a specified distance of an existing SWF. If the new SWF is placed within the minimum distance threshold, the new SWF can only be approved by the Planning Commission. Staff recommends that the review threshold be between 100 - 250 feet; the larger the minimum distance, the greater the city's legal exposure. In addition, with a larger minimum distance threshold, the more potential applications would be captured, which may place a heavy burden on City resources, and there would be a greater number of applications for Planning Commission review. Staff recommends the 250 foot minimum separation because 5G technologies require a higher band spectrum and, according to the FCC, "some millimeter wave spectrum simply cannot propagate long distances over a few thousand feet - let alone a few hundred."

Establishing a distance prohibition from residential areas may be problematic because it largely prohibits SWFs from being installed in residential areas. As an alternative, staff recommends that the Planning Commission identify a reasonable distance (e.g. 15 feet in the PCD-1 zoning district and 30 feet in all other zoning districts) from a primary residence as the threshold which trips discretionary Planning Commission review. This separation is consistent with front setback requirements in residential areas and would address potential noise concerns and prevent SWF poles from appearing to tower over a residence. Staff's intent with the concept of installing new SWFs between properties is to include that in the Design Guidelines.

After the study session, a public hearing will be scheduled before the Planning Commission. The Planning Commission could then recommend a code amendment be taken to the City Council.

RECOMMENDATION:

Staff recommends that the Planning Commission review the information in the staff report and attachments and provide appropriate direction to staff regarding the code amendment.

Submitted by: Jo-Anne Burns, Planning Manager

Attachments

Attachment No. 1 - May 14, 2019 Planning Commission Study Session Staff Report

Attachment No. 2 - Planning Commission Resolution No. 19-5986 (Adopting Guidelines from Small Wireless Facilities)

*City of West Covina**Memorandum***A G E N D A****ITEM NO. 2****DATE: May 14, 2019****TO:** Planning Commission**FROM:** Planning Division**SUBJECT: STUDY SESSION - CODE AMENDMENT 16-03
SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT OF WAY**

BACKGROUND:

On February 16, 2016, the City Council initiated a code amendment related to wireless telecommunication facilities in the public-right-of-way (Resolution No. 2016-10; Attachment No. 1).

The Federal Telecommunications Act is intended to ensure that the public has sufficient access to telecommunication services and local governments cannot prohibit or have the effect of prohibiting the provision of telecommunication services. As telecommunication technology progresses, additional federal and state laws and regulations have limited local authority over telecommunications including wireless facilities.

On September 27, 2018, the Federal Communications Commission (FCC) released a Declaratory Ruling and Third Report and Order (FCC Order) significantly limiting local management of Small Wireless Facilities (SWF) in the public right-of-way (PROW) and on private property. In summary, the FCC Order and existing federal law does the following:

- Defines SWFs as facilities (a) mounted on structures 50 feet or less in height (including antennas); or (b) mounted on structures no more than 10% taller than other adjacent structures; or (c) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 %, whichever is greater; AND each antenna is no more than 3 cubic feet in volume, and the total associated wireless equipment on one structure is no more than 28 cubic feet in volume.
- Limits local governments to charging only the actual and reasonable cost of providing service and establishes safe harbor fee amounts which will be considered reasonable even if not actual.
- Enacts shot clocks of 60 days for SWFs added to existing structures (regardless of whether the structure already supports a wireless service) and 90 days for SWFs proposing a new structure.
- Prohibits cities from imposing aesthetic requirements for SWFs in the PROW which are not (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; (3) objective; and (4) published in advance.

However, it must be noted that the FCC Order only applies the above requirement to applications for SWF in the PROW. If it is not a SWF, it would still be subject to an existing discretionary process.

On April 4, 2019, the California Supreme Court decision on *T-Mobile West, LLC vs. City and County of San Francisco, et. al.* was rendered, which validated a city's authority to regulate aesthetics of telecommunication facilities.

On April 23, 2019, the Planning Commission adopted design guidelines for small wireless facilities located in the public right-of-way (Resolution No. 19- 5986; Attachment No. 2) to address the FCC Order pertaining to aesthetic requirements being reasonable, not burdensome, objective, and published in advance.

DISCUSSION:

Chapter 26 (Zoning), Article XII (Special Regulations for Unique Uses), Division 16 (Wireless Telecommunication Facilities) of the West Covina Municipal Code (WCMC) does not explicitly address SWFs, but allows Wireless Telecommunication Facilities in general to be located in the public right of way (PROW), including residential zones. Section 26-685.985 of the WCMC requires an Administrative Use Permit (AUP) for "other forms of wireless telecommunication facilities not specifically addressed within this division which are designed to integrate with the supporting building or structure and pose minimal visual impacts similar to building and roof-mounted antenna facilities, as determined by the planning director," which can be applied to SWFs in the short-term while the City is working on a code amendment.

Wireless telecommunication providers are considered as telephone companies under their State franchise per the California Public Utilities Code Section 7901, and therefore, are entitled to use the PROW for the installation of their equipment. Although wireless telecommunication providers are entitled to use the PROW, the Public Utilities Code allow cities to condition wireless permits on (1) aesthetics, (2) location of proposed facilities due to public safety reasons (related to the use of the road), or even deny applications in appropriate limited circumstances, and (3) to exercise reasonable control over the time, place and manner of "when, where, and how telecommunications service providers gain entry to the public rights-of-way," including the need for encroachment permits.

The purpose of this study session is to obtain direction from the Planning Commission on the potential contents of the ordinance. The ordinance may encompass the following concerns:

Aesthetics, Separation, and Undergrounding. The City regulates aesthetics through the Small Wireless Facility Design Guidelines that the Commission adopted on April 24, 2019. During the April 24, 2019 Planning Commission meeting, the Commission asked staff to address the separation between poles. Since the California Supreme Court Decision on *T-Mobile West, LLC vs. City and County of San Francisco, et. al.* was just recently rendered on April 4, 2019, many cities within the San Gabriel Valley are still in the process of drafting code amendments to address SWFs. Staff has contacted several cities and was informed that the standard is requiring 250 feet of separation in between poles. In addition to separation in between poles, staff has some concerns regarding the separation of SWFs from residential properties/uses. The current code prohibits free-standing wireless facilities from being located within 100 feet of surrounding single- or multi-family residences. This provision may be considered burdensome because it would effectively prevent SWFs from being installed on the PROW in residential areas. Rather than a separation requirement from the property line, the Commission may consider requiring a smaller separation from residential structures and/or line of sight provisions for new poles. The following are suggested discussion items that the Planning Commission may consider:

- *Should the code amendment be designed based on the Design Guidelines?*
 - *By reference, or codify Design Guidelines?*
 - *Would the Commission like to make any changes to the Design Guidelines?*

Staff recommends that the Planning Commission consider including the Design Guidelines in the code amendment by reference rather than codifying it in its entirety. Codifying the Design Guidelines would be beneficial in the short term because the information would be easy to find and readily available in one location (Municipal Code), but would not allow flexibility for modification that may be needed to address rapidly changing wireless laws and technology in the long term.

- *Is 250 feet of separation in between poles acceptable to the Commission?*

Staff recommends that the Planning Commission consider the 250 foot separation in between poles to be consistent with the standard that other cities are requiring.

- *How much of a separation from residential structures is acceptable to the Planning Commission?*

Staff recommends that the Planning Commission consider a separation distance between 20 - 25 feet from residential structures. This separation is consistent with front setback requirements in residential areas.

- *Would the Planning Commission like to consider adding line-of-sight provisions?*

Staff recommends that the Planning Commission consider prohibiting new poles to be installed in areas directly in front of any windows and/or doors in an attempt to address impacts on residences.

Review/Permitting Process. Processing SWFs in the PROW is a two part process: 1) Aesthetics - Aesthetics is reviewed by the Planning Division to confirm compliance with the published objective city standards; and 2) Safety - Safety is reviewed by the Engineering Division. The Engineering Division ensures that equipment proposed and its installation does not create unsafe traffic situations and does not block the sidewalk (i.e. ADA accessibility). The substantially shorter "shot clocks" established by the FCC Order render discretionary review by the Planning Commission and/or City Council followed by a separate Engineering review/submittal difficult (60 days for SWFs added to existing structures and 90 days for SWFs proposing new structures). The failure to meet the shot clock deadline will be presumed to violate federal law and results in most cases of the application being deemed approved. The following list are examples of processes that could be used in order to expedite the process with the shot clock limit in mind:

1. Administrative review by staff; appeals are reviewed by an independent hearing officer.
2. Administrative review by staff for SWFs added to existing structures; Planning Commission subcommittee review for appeals and/or SWFs proposed on new structures.
3. Administrative review by staff for SWFs added to existing structures; Planning Commission review for appeals and/or SWFs proposed on new structures.
4. Making wireless telecommunications providers responsible for sending public notification to owners and occupants within the notification radius prior to approval.
5. Administrative review by staff for all SWFs in compliance with the Design Guidelines; Planning Commission review if not in compliance of the Design Guidelines.

Staff is recommending Option # 5. Administrative review by staff for all SWFs in compliance with the Design Guidelines; Planning Commission review if not in compliance with the Design Guidelines.

Permitting Conditions. Staff will work with the City Attorney's office in identifying a list of permit conditions that will apply to wireless encroachment permits such as insurance requirements, indemnity, performance bond for removal upon abandonment, maintenance/inspection requirements, and permit time frame.

Subsequent to the study session(s), a second study session could be scheduled if necessary, or a public hearing will be scheduled before the Planning Commission. The Planning Commission will then make a recommendation and the code amendment will be presented to the City Council.

RECOMMENDATION:

Accept the report to support discussion regarding the initiated code amendment and provide further direction/input to staff regarding this code amendment.

Submitted by: Jo-Anne Burns, Planning Manager

Attachments

Attachment No. 1 - City Council Resolution 2016-10

Attachment No. 2 - Planning Commission Resolution No. 19-5986

PLANNING COMMISSION
RESOLUTION NO. 19 – 5986

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WEST COVINA, CALIFORNIA, ADOPTING DESIGN GUIDELINES
FOR SMALL WIRELESS FACILITIES**

GENERAL EXEMPTION

APPLICANT: City of West Covina

LOCATION: Citywide

WHEREAS, the Planning Commission, did on the 23rd day of April 2019, adopted design guidelines for small wireless facilities; and

WHEREAS, studies and investigations made by this Commission and on its behalf reveal the following facts:

1. The Municipal Code currently has standards for Wireless Telecommunication Facilities which were adopted in 1997.
2. The Federal Communications Commission (FCC) has issued Order 18-133 which, among other undertakings, requires that aesthetic standards for small wireless communications facilities in the public right-of-way be 1) reasonable, 2) no more burdensome than applied to other types of infrastructure deployments, 3) objective, and 4) published in advance.
3. It is the desire of the City of West Covina to encourage an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology because it provides a valuable service to residents and businesses in the city. It is the City's goal to encourage wireless providers to construct new facilities in a way that blends architecturally with the built environment
4. The City of West Covina strives to comply with Federal and State mandates.
5. The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of the adoption of design guidelines, which does not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of West Covina as follows:

SECTION NO. 1: The above recitals are true and correct and are incorporated herein as if set forth herein in full.

SECTION NO. 2: Based on the evidence presented and the findings set forth, adoption of Design guidelines will promote compliance with Federal Communications Commission (FCC) Order 18-133 while also promoting the City's aesthetic design preferences for such facilities.

SECTION NO. 3: Based on the evidence presented and the findings set forth, the Planning Commission of the City of West Covina hereby adopts the Design Guidelines as set forth on Exhibit "A."

SECTION NO. 4: The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law and this Resolution shall go into force and effect upon its adoption.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 23th day of April, 2019, by the following vote.

AYES: Holtz, Heng, Kennedy, Redholtz

NOES: None

ABSTAIN: None

ABSENT: Jaquez

DATE: 4/23/19



Herb Redholtz, Chairman
Planning Commission



Jeff Anderson, Secretary
Planning Commission

EXHIBIT A

(See next page for the Design Guidelines)



CITY OF WEST COVINA SMALL WIRELESS FACILITY DESIGN GUIDELINES IN THE PUBLIC RIGHT OF WAY

Review Process – Small cells require an administrative use permit per WCMC Section 26-685.985. Staff will be recommending approval if facility complies with the following design standards.

Location – Locate 100 feet away from properties used for residential purposes.

Facility and Support Equipment – Facilities should be proposed on existing aggregate light poles. A replacement light pole should be no more than 3 feet from the existing pole location. All facilities shall be designed, textured and colored to match the existing light pole for aesthetic consistency. The base of the pole should be a maximum of 16 inches in diameter. New and/or replacement poles shall be aggregate/marbilite, in a mix, blend, color, and shape/contour to match existing poles in the vicinity.

Narrow Vertical Alignment – Consider the use of shrouds and equipment enclosures that are nearly the same diameter as the pole at a ratio of approximately 1:1 for a more visually streamlined form from the street level. Avoid any tilted arrangement.

Antenna & RRU – Place antenna and RRUs within a shroud above the light pole. RRUs attached to the side of the pole are discouraged; but if required and with discretionary approval, it should use the smallest RRU volume possible and be placed close together with minimal distance from the pole.

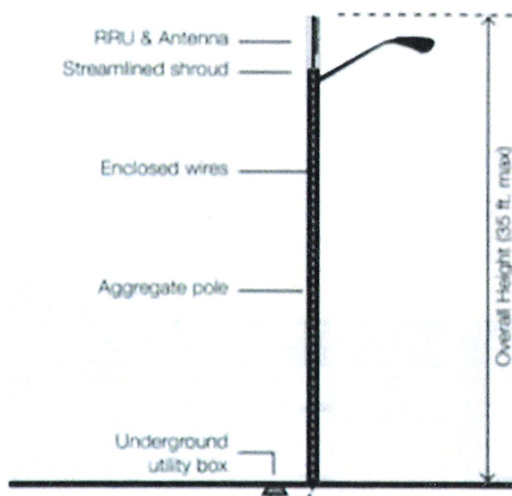
Wires & Cables – Wires and cables should be contained within the shroud and run inside the pole for an orderly appearance. If wiring cannot be contained within the pole, all wiring shall be contained within a conduit that is subdued or matches the adjacent surface and is UV protected.

Signage – Signage shall be limited to the minimum required by the government and electrical utility regulations and shall be as small and least visible as possible.

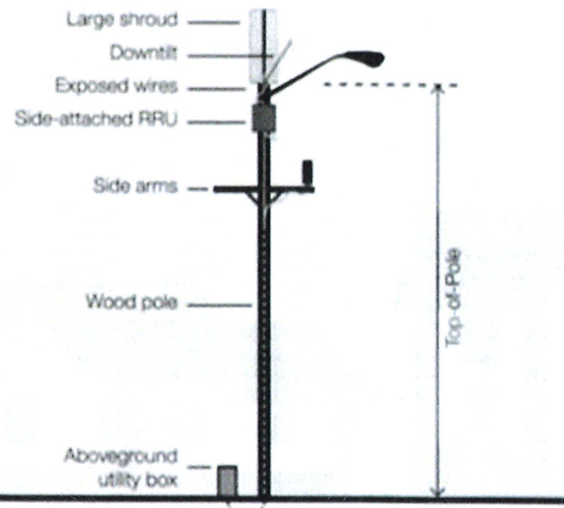
Construction Approach (including power and metering) - Separate freestanding meter pedestals should not be used. Metering should be wireless when possible, and underground if wireless metering is infeasible.

Height- Overall height of the streetlight pole, including mounted equipment, shall be similar to the surrounding poles and not exceed 35 feet in height.

Recommend Approval



Discretionary Review



City of West Covina
Memorandum
A G E N D A

ITEM NO. 7.

DATE: July 23, 2019

TO: Planning Commission
FROM: Planning Division
SUBJECT: STUDY SESSION - CODE AMENDMENT NO. 19-02
R-1 Rear Setbacks/AHQ Standards

BACKGROUND:

The City Council initiated the Code Amendment at the conclusion of Code Amendment No. 18-02 regarding City standards for accessory dwelling units (ADU). At the City Council hearing on that item there was discussion that the accessory dwelling unit standards should be consistent with standards for additions to houses. While adopting that Code Amendment the City Council did discuss that the required 25-foot setback should be evaluated as well as the current standards for accessory habitable quarters (AHQ) (formerly guest houses).

The City modified the standards for accessory habitable quarters (previously guest houses) in 2014. Accessory habitable quarters are distinct from ADUs in that they are not considered a separate unit, allow no kitchen facilities and there are no requirements per State law. Accessory habitable quarters (AHQ) require the approval of an administrative use permit (AUP), allowing for staff-level review with notification of the properties within 300 feet of the subject property. AHQs are currently allowed based on following development standards (WCMC Article VIII, 26-391.5);

- Maximum of 640 square feet.
- Require 1 covered parking space.
- 25-foot separation between second unit and primary unit.
- Comply with 25-foot rear setback.
- AHQ must be behind the primary dwelling unit.
- AHQ must be architecturally compatible with primary unit.
- No windows allowed when along a side property line if closer than 10 feet.

While the State has revised the methods that cities can regulate ADU's, it is the cities choice about whether to allow AHQs. Since 2014, there have been four AHQs proposed, one in 2014, two in 2015, and one in 2017. Because the State has placed a focus on ADUs and required them to be approved by right, there has not been much interest in proposing AHQs.

DISCUSSION:

The proposed Code Amendment would examine rear setbacks and accessory living quarters. Staff is also suggesting including backup space standards to ensure that garages have adequate space to allow for vehicular access to the garage.

Rear Setback

The City currently has a 25-foot rear setback for one-story and two-story structures. The Code does

allow an exception to this setback for one-story structures that encroach no more than 40 percent into the rear yard (an area 25 feet by the width of the lot) that have a minimum 5-foot setback. In effect, the Code does allow structures to be built with a 5-foot rear setback that are one-story structures. It is possible that the initial concept for allowing the 5-foot setback was for non-habitable buildings, however, the Code allows all structures that are one story to be built with a 5-foot setback.

For most lots in the City, it is not likely that a room addition would be built with a 5-foot rear setback, and an addition that close to the rear property line can impact the neighboring rear yards. In addition, the recent changes to State law make it difficult to have different regulations for room additions and ADUs. In practice, many individuals proposing ADUs are proposing them as close to the rear yard as possible, which causes concerns for privacy in the neighboring rear yard. It should also be noted that State law requires cities to convert legal structures (habitable or non-habitable) into ADUs.

Staff surveyed surrounding cities on their rear setbacks for habitable and for non-habitable structures (Attachment No. 3). Many cities have different standards to allow detached garages, sheds and other accessory structures in the rear yard area while providing more separation for habitable structures. Given the current requirements for ADUs, it may not be advisable to create different standards for habitable and non-habitable structures.

This code amendment was initiated to consider modifications to the 5-foot rear setback. The issues to consider are privacy in rear yards and the appropriate location for ADUs. All the options provided below would be to continue to require a 25-foot rear setback for all two-story structures. Options to consider include the following.

1. Continue to require a rear setback of 5 feet.
2. Require a rear setback of 10 feet (La Puente and El Monte use this setback).
3. Require a rear setback of 15 feet.
4. Require a rear setback of 20 feet (Baldwin Park, Diamond Bar, Azusa and El Monte use this setback).
5. Require a rear setback of 25 feet (Covina, Azusa and Glendora use this setback).

Staff is recommending a rear setback of 15 feet. This still allows some encroachment into the rear setback but provides separation from the neighboring properties to the rear and would likely reduce negative impacts on those adjacent properties.

Accessory Living Quarters

Historically, guest houses (AHQs) were a simple process (allowed by right) and second units (ADUs) were more complicated (conditional use permit). Over the last 10 years the State has required cities to amend their Codes to relax standards and processes for ADUs. Subsequently, today ADUs are allowed by right. The Code was amended to make AHQs more complicated, requiring the approval of an AUP and requiring a garage (Attachment No. 3). Based on the number of submittals last year, 15 ADUs and no AHQs, it would seem that there is currently little interest in constructing AHQs. Additionally, State law allows structures legal structures to be converted to ADUs so even if someone builds an AHQ, they may want to convert it to an ADU. This code amendment was initiated to consider eliminating AHQs.

Backup Space

Currently, the Municipal Code requires a 22-foot backup space for garages that are in the side yard and

face a side street, a 25-foot backup space for garages in the front yard, and an overall minimum of 22 feet of driveway length from property lines. However, the code does not contain any regulations about the distance from garage doors to another structure to allow for vehicle access to the garage. The Planning Department currently has a policy requiring a 25-foot backup space; however, the Municipal Code does not include any standards to ensure that vehicles can access a garage.

The backup space requirement is something that staff has intended to add to the Zoning Code for some time. Therefore, staff is recommending that the requirement for a 25-foot back space be added to the code amendment.

RECOMMENDATION:

Staff recommends that the Planning Commission review the information in the staff report and attachments and provide appropriate direction to staff regarding the code amendment.

Submitted by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - City Council Staff Report 4/2/19

Attachment No. 2 - Municipal Code/Accessory Habitable Quarters

Attachment No. 3 - Survey of Surrounding Cities



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: April 2, 2019

TO: Mayor and City Council

FROM: Nikole Bresciani
Acting City Manager

**SUBJECT: INITIATION OF CODE AMENDMENT NO. 19-02 (R-1 STANDARDS), CODE
AMENDMENT NO. 19-03 (TEMPORARY SIGNS) AND CODE AMENDMENT NO. 19-04
(PARK FEES)
GENERAL EXEMPTION**

RECOMMENDATION:

It is recommended that the City Council adopt the following resolutions.

**RESOLUTION NO. 2019-13 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 19-02 TO STUDY REAR
SETBACKS AND ACCESSORY HABITABLE QUARTERS IN SINGLE FAMILY ZONES**

**RESOLUTION NO. 2019-14 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 19-03 TO STUDY
TEMPORARY SIGN STANDARDS**

**RESOLUTION NO. 2019-15 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 19-04 TO STUDY PARK
FEES**

DISCUSSION:

This staff report covers three code amendment initiations. The Municipal Code requires that a notice be published in the newspaper advertising public hearings for code amendments. No other type of noticing is required. For the three proposed code amendments, staff intends to keep an address list of interested individuals and provide notices in the mail for each study session and public hearing.

Code Amendment No. 19-02

At the February 5, 2019 City Council Meeting, the City Council discussed items concerning accessory dwelling units standards including rear setbacks, minimum lot size and maximum unit size. At the conclusion of the hearing the City Council adopted an ordinance that clarified text for accessory dwelling units and requested that staff agendize the initiation of a code amendment to study R-1 rear yard standards and standards for accessory habitable quarters. The R-1 standards are included in the Zoning Code requiring the adoption of a resolution by the Planning Commission or City Council to initiate a code amendment.

Code Amendment No. 19-03

At the January 15, 2019 City Council Meeting, Mayor Johnson requested to initiate a code amendment to consider revisions to the temporary signs standards in the Zoning section of the Municipal Code for temporary noncommercial signs. The sign standards are included in the Zoning Code requiring the adoption of a resolution by the Planning Commission or City Council to initiate a code amendment.

Code Amendment No. 19-04

At the February 5, 2019 City Council Meeting, the Council requested the initiation of a code amendment to require Parks and Recreation dedications or in-lieu fees for residential subdivisions and rental units. Currently, Parks and Recreation Fees requirement is located in the Subdivision section of the Municipal Code for subdivisions (tract and parcel maps), with a reference in the Zoning section of the Municipal Code. The code amendment would consider revisions of the Municipal Code to ensure that park fees are required when either rental units or for-sale units are constructed. Since revisions to the Municipal Code for park fees may include the Zoning Code, an initiation resolution has been provided to comply with Zoning Code requirements that a resolution initiating a code amendment be adopted by the Planning Commission or City Council.

OPTIONS:

The City Council has the following options:

1. Approve staff's recommendation;
2. Decline to initiate one or more a code amendments; or
3. Provide alternative direction.

ENVIRONMENTAL REVIEW:

The proposed code amendments are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines in that they consist of a code amendments to the Municipal Code, which do not have the potential for causing a significant effect on the environment.

Prepared by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - Resolution No. 2019-13 R-1 Standards

Attachment No. 2 - Resolution No. 2019-14 Temporary Signs

Attachment No. 3 - Resolution No. 2019-15 Park Fees

ATTACHMENT NO. 2

ACCESSORY HABITABLE QUARTERS STANDARDS

Sec. 26-391.5. - Accessory buildings, habitable.

Purpose. The following regulations apply to habitable accessory buildings.

- (1) *Accessory habitable quarters as defined in section 26-63.* These structures are regulated by the underlying development standards of the particular zone and area district in addition to the specific regulations contained in this section. An accessory habitable quarters may only be located on lots with a primary residence and may be attached or detached. One (1) such accessory use is permitted per lot and is allowed to be constructed above a garage except when said garage is located in the rear yard as per section 26-407. The placement of windows on second story accessory habitable quarters shall be sensitive to the privacy of adjacent property owners. The following regulations are established:
 - a. *Size.* An accessory habitable quarters shall be a maximum size of six hundred forty (640) square feet.
 - b. *Review process.* An administrative use permit shall be obtained prior to the issuance of building permits to construct an accessory habitable quarters as specified in article VI, division 5 of this chapter.
 - c. *Deed restriction.* The property owner shall be required to record a deed restriction limiting the use of the accessory habitable quarters as stated in section 26-63 of the West Covina Municipal Code, allowing an annual inspection by city staff, and providing the property owner shall be liable for cost recovery of any city enforcement efforts necessary, as stated in section 2-408, if the accessory habitable quarters has been illegally modified. Said deed restriction shall be provided to the planning department prior to the issuance of a building permit.
 - d. *Interpretation.* Whenever any expansion or alteration to a building, garage or accessory habitable quarters is designed with multiple hallway entrances, multiple toilet and bath facilities or bar sink installations, so that it can be easily divided into or used for separate apartments or accessory habitable quarters, then the planning director may determine that it is an accessory habitable quarters.
 - e. *Parking requirement.* One (1) covered parking space shall be required for the accessory habitable quarters, in addition to parking requirements for the primary house. In addition, accessory habitable quarters shall count toward parking requirements specified in section 26-402.
 - f. *Distance between structures.* The distance between the house and a detached accessory habitable quarters shall be no less than twenty-five (25) feet.
 - g. *Rear setback.* An accessory habitable quarters shall comply with the required twenty-five-foot rear setback as specified in section 26-407.

- h. Windows on side property lines. Windows on accessory habitable quarters are only allowed when the structure is located a minimum of ten (10) feet from a side property line, per subcommittee review and approval.
- i. Architectural compatibility. The architectural style of the accessory habitable quarters in design features, such as, but not limited to, materials, colors, roofing, scale, exterior treatment and details shall match the primary residence.
- j. Floor plan. The accessory habitable quarters shall be limited to bedroom sleeping area, living area and one (1) bathroom.
- k. Location. Accessory habitable quarters may only be located behind the primary residence and shall not be located within the area between the front property line and a line parallel to the back of the primary residence.

Accessory habitable quarters (previously called guest houses) in existence prior to August 1, 2014 that became legally nonconforming due to the adoption of this section may continue in existence and continue to be maintained and repaired. If such a legal nonconforming accessory habitable quarters is partially or wholly destroyed by fire, explosion, or other casualty or act of God, it may be rebuilt to the same size, location and configuration as it existed on August 1, 2014. Any accessory habitable quarters that is rebuilt shall comply with the window standards (no. 8) and architectural compatibility (no. 9) of this section, and shall be reviewed by the subcommittee prior to the issuance of a building permit. The intentional destruction or any addition to, or expansion of, such structures, however, shall cause the requirements of this section to apply to the renovation or reconstruction of such structure.

(Ord. No. 2260, § 3(Exh. A), 7-1-14; Ord. No. 2316, § 3(Exh. A), 5-2-17)

Rear Setback					
	Habitable			Non Habitable	
City		1st	2nd		
Covina	R-1	25'	27.5'		5'
Walnut	4,500 sq ft or less	15'	25'		10'
	4,500 sq ft or more	30'	30'		-
La Puente		10'	15'	only for interior lots that don't abut an ally	lot line
				reverse corner and corner lots	5'
Baldwin Park		20'	20'		5'
Irwindale	Attached	15'	15'		lot line
	Detached	lot line	lot line		lot line
Diamond Bar		20'		over 220 sq ft	20'
	If there is a slope in the rear yard, the setback would start from the edge of the decending slope	20'		less than 220 sq ft	5'
	1 acre or more	25'			
Azusa	Neighborhood General 1	20'	20'		15'
	Neighborhood General 2 & 3	25'	25'		20'
Glendora	R-1	25'	25'	detached	3'
	ADU	10'			
El Monte	R-1A	10'	10'	Accessory buildings located in any residential zone shall not be located at a distance less than fifty (50) percent of the depth of the lot from the front property line, or fifty (50) feet, whichever is less.	
	R-1B	20'	20'		
	R-1C	35'	35'	barn, stable, corral or chute designed or used for the enclosure or shelter of animals	75'

City of West Covina
A G E N D A

ITEM NO. 8.a.

DATE: July 23, 2019

TO: Planning Commission
FROM: Planning Division
SUBJECT: Forthcoming - July 23, 2019

Attachments

7.23.19 forthcoming

FORTHCOMING PLANNING COMMISSION HEARINGS

August 13, 2019

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

(1)

PRECISE PLAN NO. 18-02

CONDITIONAL USE PERMIT NO. 18-02

ASSISTED LIVING FACILITY

APPLICANT:

Ilan Lenig

LOCATION:

1415 W. Garvey Avenue North

(2)

CODE AMENDMENT NO. 18-04

ABC AT SERVICE STATIONS

APPLICANT:

Mohsen Karimi

LOCATION:

Citywide

C. NON-HEARING ITEMS

None

August 27, 2019

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

(1)

CONDITIONAL USE PERMIT NO. 19-08

CONFERENCE/MEETING ROOM

APPLICANT:

Starwood

LOCATION:

112 Plaza Drive

(2)

CONDITIONAL USE PERMIT NO. 19-09

MINOR SITE PLAN REVIEW NO. 19-16

PRIVATE SCHOOL/MODULAR UNITS

APPLICANT:

Mel Gaines/Jubilee School

LOCATION:

1211 E. Badillo Street

(3)

CODE AMENDMENT NO. 16-03

WIRELESS FACILITIES IN THE PUBLIC RIGHT OF WAY

APPLICANT:

City Initiated

LOCATION:

Citywide

C. NON-HEARING ITEMS

None