



CITY OF WEST COVINA

PLANNING COMMISSION

**JULY 28, 2020, 7:00 PM
REGULAR MEETING**

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

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

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, suspending certain requirements of the Brown Act relating to the conduct of public meetings.

On June 28, 2020, the Los Angeles County Public Health Officer issued a revised Health Officer Order directing, among other things, that all persons living within the Los Angeles County Public Health Jurisdiction remain in their residences whenever practicable. Pursuant to the Order, people leaving their residences must strictly comply with specified social (physical) distancing protocols. It also requires that all persons wear a cloth face covering over both the nose and mouth whenever they leave their place of residence and are or can be in contact with or walking near or past others who are non-household members in both public and private places, whether indoors or outdoors.

Due to the ongoing COVID-19 emergency and pursuant to State and County public health directives, the City Council Chambers will have limited seating available on a first-come, first-served basis for members of the public to attend the Planning Commission meeting in person. All persons attending the meeting shall wear cloth face coverings and shall observe social distancing protocols. Members of the public may also watch Planning Commission meetings live on the City's website at: <https://www.westcovina.org/departments/city-clerk/agendas-and-meetings/current-meetings-and-agendas> under the Watch Live tab or through the West Covina City YouTube channel at www.westcovina.org/LIVE.

If you are experiencing symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, or sore throat, the City requests that you participate in the meeting from home by watching the meeting via the City's YouTube channel ([// www.westcovina.org/LIVE](http://www.westcovina.org/LIVE)) and/or providing public comments by email or telephone. If you are in the group of individuals who are at high-risk for severe illness from COVID-19, including those over the age of 65 and those with underlying health conditions, please consider participating in the meeting from home.

In lieu of attending the meeting in person, members of the public may submit public comments to the City Clerk via e-mail at City_Clerk@westcovina.org. The subject line should specify either “Oral Communications or Public Hearing – 7/28/2020”. Please include your full name and address in your e-mail. The City Clerk will provide copies of emails received by 6:00 P.M. the day of the Commission meeting to the Planning Commission. All comments received will be made part of the official public record of the meeting. No comments will be read out loud during the Commission meeting.

AGENDA MATERIAL

Agenda material is available for review at the Planning Division counter in City Hall, 1444 W. Garvey Avenue South, Room 208, West Covina and at www.westcovina.org. Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the Planning Commission that is distributed less than 72 hours before the meeting, will be made available for public inspection in the Planning Division counter, Room 208 of City Hall located at 1444 W. Garvey Avenue South, West Covina, during normal business hours.

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 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. 20-6043

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Special meeting, June 24, 2020

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. **CONDITIONAL USE PERMIT NO. 20-06**
 CATEGORICALLY EXEMPT
 APPLICANT: Juvenal Martinez
 LOCATION: 2043 E Norma Avenue
 REQUEST: The applicant is requesting a Conditional Use Permit (CUP) to allow for the construction of a 1,381 square foot first floor addition (including 645 square foot garage), a 1,420 square foot second-story addition, and a 24 square foot entry porch to the existing 900 square foot single-story residence. The proposed house will have a total floor area of 3,711 square feet.

3. **PRECISE PLAN 20-03**
 CONDITIONAL USE PERMIT 20-05
 CATEGORICAL EXEMPTION
 APPLICANT: Asaph Guirguis
 LOCATION: 901 N. Sunset Avenue
 REQUEST: The applicant is requesting a precise plan and conditional use permit to allow for the construction of a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station.

NON-HEARING ITEMS

4. **Study Session for Design Guidelines for Wireless Telecommunication Facilities in the Public Right-of-Way**

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.

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

- a. Forthcoming - August 11, 2020
- b. Subcommittee for Design Review Minutes - April 28, 2020, May 26, 2020 and June 24, 2020

6. 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 28, 2020

TO: Planning Commission
FROM: Planning Division
SUBJECT: Special meeting, June 24, 2020

Attachments

Minutes 6.24.20 Special Mtg

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

A G E N D A

DATE: July 14, 2020
ITEM NO.: 1

**MINUTES
SPECIAL MEETING OF THE PLANNING COMMISSION
CITY OF WEST COVINA
Wednesday, June 24, 2020**

The special 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 Commissioner Redholtz lead the Pledge of Allegiance.

ROLL CALL

Present: Heng, Holtz, Jaquez, Kennedy and Redholtz

Absent: None

City Staff Present: Persico, Burns, Aguilar and Martinez

APPROVAL OF MINUTES:

1. Regular meeting, May 26, 2020

The minutes were approved as presented.

OTHER MATTERS OR ORAL COMMUNICATIONS

None

PUBLIC HEARINGS

2. TENTATIVE PARCEL MAP NO. 19-02 (TPM 082638)
ADMINISTRATIVE USE PERMIT NO. 19-35
SUBCOMMITTEE FOR DESIGN REVIEW NO. 19-62
TREE PERMIT NO. 20-03
CATEGORICAL EXEMPTION
APPLICANT: Jackson & Sophia Wen Trust
LOCATION: 1177 South Spring Meadow Drive
REQUEST: The project consists of a subdivision of one (1) property into two (2) separate lots, and a proposal of a new single-family residence on one of the lost (Parcel 1). The new single-family residence requires an administrative use permit (AUP) because the house proposed is two-stories and exceeds the 4,000 square-foot maximum unit size for lots between 20,000 and 24,999 square feet. Parcel 1 is proposing a new 4,671 square foot two-story single-family residence, and Parcel 2 has an existing 7,088 square foot two-story single-family residence. A tree removal permit is required for the proposed removal of 21 trees currently located on the existing lot's front yard.

The staff report was presented by Planning Assistant Camillia Martinez. During her presentation she showed the Commission a site plan for the proposed new home and spoke about the proposed subdivision of the property. She also told the Commission that both proposed parcels complied with the minimum lot sizes, lot dimensions and the new proposed home would also comply with floor area ratio and setback requirements. She also recommended that the applicants notify the Department of Fish and Wildlife prior to pulling construction permits for their recommendations regarding the property. In addition, she told the Commission that the proposed home would be similar in style to the existing home and would be similar in size to other homes in the area. Ms. Martinez added that she received calls and a letter from a neighbor expressing concern with setback requirement compliance. Staff recommended approval of the project.

Chairperson Heng asked if any of the Commissioners had questions about the proposed project. Hearing none, she opened the public hearing.

PROPOSERS:

Jeremy Yeh, designer for the project, spoke to the Commission about the trees behind the existing home which would protect the adjacent neighbor's privacy. In addition, he told the Commission that the home is being built for the property owner's parents. Mr. Yeh also told the Commission that the proposed house would be similar to other homes in the community. He also said that the existing pool would be covered up and the existing pool house would be converted into storage for the property owners.

OPPOSERS:

Paul Blackburn, Angie Gillingham, and Michael Mc Grave spoke in opposition to the project. Mr. Blackburn said he had spoken to other residents in the area who were opposed to the size of the new home proposed for the new lot. He expressed his concern for the size, height and close proximity to the street of the new home.

Ms. Gillingham told the Commission she was concerned about the size of the proposed home and felt that two homes should not be allowed on the property. She asked the Commissioners to deny the request.

Michael Mc Grave said he has lived in the neighborhood for many years and heard from neighbors about the proposed home. He expressed his concern about notification for the project and the minimum lot size requirement for the area. He added that he and other neighbors would prefer a smaller home on the new lot.

REBUTTAL:

Sophia Wen, applicant, addressed the Commission in rebuttal to the comments by the opponents. She told the Commission that Planning Department staff had

reviewed her application and recommended approval. In addition, she told the Commission that she had been a resident for ten years and would like her parents to live in the new home because she liked her neighborhood. She said she had spoken to the neighbors and provided letters of support to the Commission.

Chairperson Heng closed the public hearing.

There was a discussion by the Commission regarding the minimum lot size in Area District 3. In addition, the Commission considered whether the proposed home would fall under Accessory Dwelling Unit (ADU) requirements. Staff explained this would not be considered an ADU because the property was being subdivided and the proposed residence would be constructed on the new lot. The Commission also considered the difference in this lot and other lots in the area.

Commissioners Redholtz and Holtz expressed their support of the project because the proposed home would be similar in nature to other homes in the area and no variances were being requested indicating that the proposed home complied with all code requirements.

Commissioners Jaquez and Kennedy said they supported the project but would like to reduce the size of the proposed home since other residents were opposed to the size of the residence.

There was a discussion by the Commission regarding limiting the size of the proposed home and preservation of the existing neighborhood. The Commission also considered the sizes of other homes in the area and whether the proposed home would be match other homes in the vicinity.

Motion by Holtz, seconded by Redholtz, to waive further reading and adopt Resolution No. 20-6039, approving Tentative Parcel Map No. 19-02, (TPM 082638). Motion carried 3-2 (Jaquez, Kennedy opposed.)

Motion by Holtz, seconded by Redholtz, to waive further reading and adopt Resolution No. 20-6040, approving Administrative Use Permit No. 19-35. Motion carried 3-2 (Jaquez, Kennedy opposed.)

Chairperson Heng said these actions are final unless appealed to the City Council within ten (10) days.

3. TENTATIVE PARCEL MAP NO. 82866/TPM NO. 20-01
CATEGORICAL EXEMPTION
APPLICANT: Greg Fick
LOCATION: 711 N. Azusa Avenue
REQUEST: The project consists of a Tentative Parcel Map to subdivide an 18,763 square-foot lot into two lots, located in the “Neighborhood Commercial” (N-C). Parcel 1 is proposed to be a 10,394 square foot lot and Parcel 2 is proposed to be an 8,369 square foot lot. The existing site is currently improved with a

5,720 square foot commercial building, parking lot, and landscaping. No new construction is proposed.

Planning Assistant Rene Aguilar presented the staff report. During his presentation he told the Commission that this parcel map was to subdivide an existing commercial parcel currently being occupied by a new 7/11 store. He also told the Commission that there would be a reciprocal parking agreement to accommodate multiple tenants on the site. Staff recommended approval of the project.

There was a short discussion by the Commission regarding the subdivision of the parcel and the reciprocal parking agreement. Planning Manager Jo-Anne Burns said the applicant, Greg Fick was on the telephone to answer any questions.

Chairperson Heng opened the public hearing.

PROPONENTS:

Greg Fick, applicant, said he was available to answer questions by the Commission regarding the proposed subdivision of the property. In addition, Mr. Fick answered questions by the Commission regarding the proposed parking and the development of the 7/11 Store. Mr. Fick also agreed to the conditions of approval and said they are not proposing any additional development at this site. Mr. Fick also answered questions by the Commission regarding the tenant spaces and a reciprocal parking agreement for the site.

OPPONENTS:

None

Chairperson Heng closed the public hearing.

Motion by Redholtz, seconded by Holtz, to waive further reading and adopt Resolution No. 20-6041, approving Tentative Parcel Map No. 20-01, (TPM 82866). Motion carried 5-0.

Chairperson Heng said this action is final unless appealed to the City Council within ten (10) days.

**4. CODE AMENDMENT NO. 20-04
GENERAL EXEMPTION**

LOCATION: Citywide

REQUEST: The proposed code amendment consists of certain amendments to the Zoning section of the West Covina Municipal Code to modify development standards within the Residential Agriculture (R-A) and Single Family Residential (R-1) zones. The proposed code amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3).

Planning Manager Jo-Anne Burns presented the staff report. During her presentation she told the Commission that this matter had been discussed during a study session on February 25, 2020 and the draft code amendment was presented to the Commission on April 28, 2020. Consideration of the draft code amendment was continued to the regular meeting on July 23, 2020 but had been renoticed because the July 23, 2020 regular Planning Commission had been rescheduled to July 24, 2020. After her presentation, Ms. Burns recommended that the Planning Commission recommend that the proposed code amendment be adopted by the City Council.

The Commission had a discussion regarding the proposed code amendment and expressed their concern that converting garages to ADUs would have a negative impact on off-street parking. The Commissioners also discussed the proposed driveway width requirement of twenty (20) feet when the garage has been converted into an ADU, which would provide off-street parking for two cars, and the implementation of restricted street parking, and the height of second story setbacks being amended to 12 feet.

Chairperson Heng opened the public hearing.

No one spoke in favor of, or in opposition to, the proposed Code Amendment.

Chairperson Heng closed the public hearing.

There was a short discussion by the Commission regarding the negative impact accessory dwelling units could have on the off-street parking situation.

Motion by Holtz, seconded by Redholtz, to waive further reading and adopt Resolution No. 20-6042, recommending to the City Council, approval of Code Amendment No. 20-04. Motion carried 5-0.

Chairperson Heng said final action on this matter will take place at a public hearing before the City Council on a date to be determined.

NON-HEARING ITEMS - None

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

Former Chairman Herb Redholtz thanked staff for their support during the time he was serving as Chairman for the Planning Commission. He also thanked former Community Development Director Jeff Anderson for his contributions and wished him well in his retirement. In addition, Commissioner Redholtz said he was looking forward to working with Chairperson Heng and Mark Persico, Acting Community Development Director.

Commissioner Kennedy asked that this meeting be adjourned in memory of former Mayor Brad McFadden, who passed away recently.

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

a. Forthcoming – July 14, 2020

Acting Community Development Director Mark Persico told the Commission that there were no items scheduled for the July 14, 2020 regular Planning Commission meeting, but there were items scheduled for July 28, 2020. He added that City Council and Planning Commission meetings would be live starting in July, 2020.

6. CITY COUNCIL ACTIONS:

None

ADJOURNMENT

Chairperson Heng adjourned the meeting at 9:17 p.m. in memory of former Mayor Brad Mc Fadden at 9:17 p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant

ADOPTED AS SUBMITTED ON:

ADOPTED AS AMENDED ON:

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

CONDITIONAL USE PERMIT NO. 20-06

CATEGORICALLY EXEMPT

APPLICANT: Juvenal Martinez

LOCATION: 2043 E Norma Avenue

REQUEST: The applicant is requesting a Conditional Use Permit (CUP) to allow for the construction of a 1,381 square foot first floor addition (including 645 square foot garage), a 1,420 square foot second-story addition, and a 24 square foot entry porch to the existing 900 square foot single-story residence. The proposed house will have a total floor area of 3,711 square feet.

BACKGROUND

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN	Zoning: "Single Family Residential" (R-1) General Plan: Neighborhood - Low Density Residential
SURROUNDING LAND USES AND ZONING	North: "Service Commercial" (S-C) South: "Single-Family Residential" (R-1) East: "Single-Family Residential" (R-1) West: "Single-Family Residential" (R-1)
CURRENT DEVELOPMENT	Existing One-Story Single-Family Residential
LEGAL NOTICE	Notices of Public Hearing have been mailed to 53 owners and occupants of properties located within 300 feet of the subject site.

The subject property is located in the "Single Family Residential" Zone (R-1), Area District 1. The neighborhood is composed exclusively of single-story homes. The subject property is a 7,475-square foot lot that is currently developed with a 900 square foot single-story house with a 195 square foot substandard one-car garage.

DISCUSSION

The project involves the construction of a 1,381 square foot first floor addition, a 1,430 square foot second-story addition and a 24 square foot entry porch to the existing single-family single-story residence. The house with the proposed addition will be 3,711 square feet (including a 645 square foot three-car garage).

The maximum unit size expansion (MUSE) threshold for lots under 20,000 square feet is 3,999 square feet, or 35-percent floor area ratio (FAR), whichever is less. A Conditional Use Permit is required for a Large Home when the proposed addition exceeds the MUSE threshold by more than 25-percent. The

proposed residence is considered a Large Home and requires a CUP ($7,475 \times 0.35 = 2,616$ sq. ft. MUSE; $2,616 \text{ sq. ft} \times 1.25 = 3,270$ sq. ft. Large Home Threshold; $3,270 < 3,711$).

The first floor will feature one bedroom, two bathrooms, a dining room, a great room, a kitchen with a pantry, a 645-square foot three-car attached garage, and a 24-square foot front porch.

The second floor will feature four bedrooms and two bathrooms. The house with the proposed additions will have a total of five bedrooms and four bathrooms.

Staff conducted a survey of 21 homes located within 300 feet from the project site to determine how the size of the proposed house compares to the size of existing homes within the neighborhood. The table below indicates the results of the neighborhood survey.

	Lot Size	Floor Area	Number of Bedrooms	Floor Area Ratio (FAR)
Mean	8,003 sq. ft.	1,235 sq. ft.	4	15%
Median	7,443 sq. ft.	1,137 sq. ft.	4	15%
Proposal	7,475 sq. ft.	3,711 sq. ft.	5	49%

The median size of the homes within the survey area is 1,137-square feet. The homes surveyed range from 1,111-square feet to 1,512-square feet. The lot size of the surveyed homes range from 6,818-square feet to 14,075-square feet. The floor area ratio for the surveyed lots range from 10 to 20-percent. The proposed floor area ratio of the subject property is 49%. The proposed house would be 2,035 square feet larger (3.26 times larger) than the average size house within the survey area. In addition, the proposed house would be 2,223 square feet larger than the largest home in the surveyed area.

Staff is not necessarily opposed to the construction of a two-story home in the single-story neighborhood. However, the size and scale of the proposed home could be reduced so that it is no more than 25-percent greater than the maximum unit size for the lot. The reduction in size in combination with architectural/design improvements would allow the project to be more compatible with the neighborhood.

Architecture of Proposed House and Surrounding Residences

The proposed house is designed in a minimal traditional style architecture with ranch style elements and will feature a combination hipped/gabled roof with red shingles, stucco on all elevations, stacked brick veneer along the front elevation, and wood window shutters.

The surrounding neighborhood is single-story and features mainly traditional/ranch style homes with low-pitched roofs, attached garages, and large windows.

The proposed house's narrow configuration, tall and narrow front porch, and lack of modulation along its sides make the house appear out of scale with other homes in the neighborhood. The proposed house would appear more in scale with the neighborhood if the following design suggestions are considered:

- The house's narrow configuration and large blank two-story walls along the sides exhibit the appearance of mass and bulk. In addition, greater than 50-percent of the length of the front facade

of the proposed house is occupied by the two-car garage. It is suggested that the floor plan of the house be revised so that it is expanded along the sides in order to provide more modulation and break up the massing along the sides brought forth by the two-story walls. This will also enhance the horizontal features of the house and improve the appearance of the front facade.

- The neighborhood is comprised with low-profile single-story homes. It is suggested that the plate height of the first and second floor be reduced to 8 feet so that it is more consistent with the plate heights of those established on other homes in the neighborhood. Reducing the plate height will reduce the building volume.
- It is suggested that the treatment of the front facade be enhanced by the installation of wood shutters that are more in scale with the size of the windows, additional wood shutters are added to the second floor staircase window on the front elevation, and windows with mullions (grids) be utilized throughout the house.
- It is suggested that the front porch be redesigned.

Subcommittee for Design Review

At the July 14, 2020 Subcommittee for Design Review Meeting, the Subcommittee reviewed the project. Both Commissioners Jaquez and Redholtz felt that the design and size of the proposed house is not compatible with the single-story neighborhood.

Staff notified the applicant of the Subcommittee for Design Review's comments and recommended that the proposed house is redesigned and reduced in size. The applicant requested that the CUP be scheduled for Planning Commission review as originally proposed.

The following is a discussion of Subcommittee Guidelines for second-story addition:

1. Design the two-story house or addition so that all setbacks, including second story, have been met.

The proposed addition is in compliance with all zoning requirements, including setbacks. The second story of the proposed house will be setback 27 feet, 6 inches from the northerly (rear) property line, 37 feet from the southerly (front) property line, 10 feet from the westerly (side) property line, and 17 feet, 6 inches from the easterly (side) property line.

2. In an area that is predominately one story, consider reducing the size of the second story in relation to the ground floor. A smaller second floor will not appear as massive or boxy.

The subject property is located in a neighborhood consisting of a single-story houses. The second story of the house will be 1,430 square feet while the first story is 2,281 square feet.

3. New-story additions can result in privacy impacts to neighboring properties. Consider designing 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.

The house is surrounded by single-story homes. The applicant is proposing large windows on the front (south) and rear (north) elevation. The front windows will present no privacy impacts. The west and east windows have been minimized in size and will be clerestory windows to reduce privacy impacts to immediate adjacent neighbors with one-story residences.

4. In an area that is predominately 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.

The subject property is located in a neighborhood consisting of single-story houses. The proposed house's narrow configuration, tall and narrow front porch, large blank two-story walls along the sides, and lack of modulation on the sides make the house appear out of scale with other homes in the neighborhood.

5. When adding a second-story addition in a one-story area, consider providing 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.

The second story is set back approximately 6 feet (at closest point) feet from the first floor building line. Although the staggering of the second floor on top of the first floor is satisfactory, this alone will not make the proposed house compatible with the one-story neighborhood context.

6. In an area that is predominately one story, the addition of a second-story balcony, especially in a flatland neighborhood, can have an effect on privacy. In these areas, balconies in rear yards are discouraged.

The applicant is not requesting the approval of any balconies.

7. When designing a second-story addition, consider that all sides of the second story are visible. Window treatment on a second-story windows is encouraged.

The applicant has incorporated decorative elements in the proposed two-story single-family residence, including window trim and shutters. The architectural design of the proposed house could be enhanced by incorporating windows with mullions (grid) throughout the house, installing shutters that are more in scale with the window size, and installing shutters on the second floor stairwell window along the front elevation.

The following is a discussion of the applicable Subcommittee Guidelines for single-story additions:

1. Design the front yard and any other visible elevations especially corner houses with a variety of materials. Most houses have the exterior elevations that are primarily stucco. Providing alternative materials 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).

The proposed house will be designed with stacked brick veneer that wraps around 24-inches on the side.

2. Design the house to fit into the architectural context of the surrounding neighborhood.

The neighborhood's architectural style is mostly traditional with ranch style elements. The design of the house can be improved to be made more compatible with the one-story setting.

3. Window treatment on windows are encouraged including stucco popouts, wood trim, potshelves, shutters, recessed windows, etc. or provide a variety of windows types (bay windows, octagonal windows, other shapes, etc.) Consider painting window treatment in contrasting color to the house.

The applicant has incorporated decorative elements in the proposed two-story single-family residence, including window trim and shutters. The architectural design of the proposed house could be enhanced by incorporating windows with mullions (grid) throughout the house, installing shutters that are more in scale with the window size, and installing shutters on the second floor stairwell window along the front elevation.

REQUIRED FINDINGS

1. The lot and proposed development is consistent with the general plan, zoning, and meets all other applicable code requirements.

The lot and proposed building are consistent with the Residential Low (1.1-2.0 dwelling units per acre) General Plan designation and "Single Family Residential" (R-1) zoning in that it consists of an addition to an existing single-family home. The project meets all applicable requirements of the "Single Family Residential" (R-1) Zone, Area District I.

2. The development utilizes buildings materials, color schemes, and a roof style which blend with the existing structure, if any, and results in development which is harmonious in scale and mass with the surrounding residences.

Although the proposed house's architectural style is compatible with the architectural style of homes in the neighborhood, the size and design of the proposed house exhibits excessive bulk and mass that is not consistent with homes in the area. The size for the proposed two-story house is 3.26 times larger than the average house within the neighborhood. ***Staff cannot support this finding.***

3. The development is sensitive and not detrimental to convenience and safety of circulation for pedestrians and vehicles.

The proposed house will be accessible from an existing driveway off of East Norma Avenue, and will not negatively impact circulation or safety for pedestrians and vehicles. The subject property is developed with setbacks that comply with the Municipal Code. The proposed house does not have a negative effect on the convenience and safety of circulation for pedestrians or vehicles in that it will not result in any visual obstructions adjacent to a right-of-way that would affect convenience and safety of circulations for pedestrians and vehicles.

4. The development can be adequately served by existing or required infrastructure and services.

The lot is adequately served by existing infrastructure (streets, sewer, water, etc.). The proposed additions are not anticipated to require additional infrastructure or services beyond that provided for the existing residences nearby. Therefore, the development can be adequately served by existing infrastructure and services.

5. The design of the structure has given consideration to the privacy of surrounding properties through the usage and placement of windows and doors, cantilevers, decks, balconies, minimal retaining walls, trees and other buffering landscaping materials.

The design of the house has given consideration to the privacy of the surrounding properties by reducing the potential impact of privacy by utilizing clerestory windows on the west (side) and east (side) elevations that are at least 5 feet from the second-story floor. No cantilevers, decks, and/or balconies are proposed.

6. The development is sensitive to the natural terrain, minimizes necessary grading, de-emphasizes vertical massing which could disrupt the profile of a natural slope, and does not impede any scenic vistas or views open to the public or surrounding properties.

The proposal is sensitive to the natural terrain in that there are no major terrain modifications. Any necessary precise grading for construction will require that a grading permit be obtained from the Engineering Division. Given that the project site is relatively flat, the proposed addition would not impede on any scenic views open to the public or from surrounding properties.

GENERAL PLAN CONSISTENCY

The proposed project is consistent with the General Plan. The proposal is consistent with the following General Plan Policies and Actions:

- a. Policy 3.1: Preserve existing house stock.

ENVIRONMENTAL DETERMINATION

The proposal is considered to be categorically exempt, pursuant to Section 15303 (Class 3, New Construction) of the California Environmental Quality Act (CEQA), as the proposal involves the construction of a single-family residence.

CONCLUSION

The applicant is requesting a Conditional Use Permit (CUP) to allow for the construction of a 1,381 square foot first floor addition, a 1,430 square foot second-story addition, and a 24 square foot entry porch to the existing single-story residence. The proposed house will have a total floor area of 3,711 square feet. The project requires a CUP because the house with the proposed additions would exceed the 35% maximum floor area ratio by more than 25%.

Due to the excessive mass and bulk presented by the proposed house in relation to the single-story homes in the neighborhood, planning staff is unable to support the following Conditional Use Permit finding:

The development utilizes buildings materials, color schemes, and a roof style which blend with the existing structure, if any, and results in development which is harmonious in scale and mass with the surrounding residences.

STAFF RECOMMENDATIONS

Due to the excessive mass and bulk presented by the proposed house in relation to the size of homes within the neighborhood, staff is recommending that the Planning Commission continue the public hearing to a date uncertain to allow the applicant time to redesign the project to make it more compatible with the neighborhood.

Submitted by: Rene Aguilar, Planning Assistant

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

PRECISE PLAN 20-03

CONDITIONAL USE PERMIT 20-05

CATEGORICAL EXEMPTION

APPLICANT: Asaph Guirguis

LOCATION: 901 N. Sunset Avenue

REQUEST: The applicant is requesting a precise plan and conditional use permit to allow for the construction of a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station.

BACKGROUND

The project site is a 20,900-square foot parcel with an existing gas station. The gas station was initially approved in 1964 through UUP 93. Currently, the site has a 1,200 square foot mechanic shop, 400 square foot convenience store, 1,445 square foot fuel pump canopy (including four dispensers), and a Healy tank approved through Planning Director Modification 08-27.

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN	"Neighborhood Commercial" (N-C) and "Neighborhood - Medium Density Residential"
SURROUNDING LAND USES AND ZONING	North: Multi-Family - 45 (MF-45); Administrative Offices West: Residential Single Family (R-1); Religious Facility East: Unincorporated Los Angeles County; Residential Homes South: Residential Single Family (R-1); Religious School
CURRENT DEVELOPMENT	Gas and Service Station
LEGAL NOTICE	Legal Notice was published in the San Gabriel Valley Tribune, and was mailed to 120 owners and occupants of the properties located within 300 feet of the subject site.

DISCUSSION

Precise Plan (PP)

The project site is a 20,900-square foot parcel with an existing gas station. The site has a 1,200 square foot mechanic shop, 400 square foot convenience store, 1,445 square foot fuel pump canopy (including four dispensers), and a Healy tank. The site is located on the northwest corner of Sunset Avenue and Badillo Street. A precise plan is required for the proposed car wash and additional fuel pump canopy.

The parcel has a zone designation of “Neighborhood Commercial” (N-C) and a General Plan land use designation of “Neighborhood-Medium”. The property to the north has a zone designation of “Multi-Family 45” (MF-45) and a land use designation of “Neighborhood-Medium” and is currently used as an administrative office. The property to the west and south has a zone designation of “Single-Family Residential” (R-1), a land use designation of “Civic: Public Institution” and currently has a religious facility. The property to the east belongs to unincorporated LA County and is currently developed with a single family residential home.

SITE LAYOUT

Building Placement and Setbacks

The subject site is a corner property and Badillo Street is considered the front of the property. The proposed car wash will have a front setback of 46 feet, 3 inches, a side setback of 13 feet, 6 inches, and a rear setback of 45 feet, 9 inches. The proposed additional fuel pump canopy will have a front setback of 16 feet. The proposed expansion of the existing convenience store and mechanic shop will have a front setback of 46 feet, 3 inches, and a rear setback of 29 feet, 6 inches. These setbacks are in compliance with the minimum standards set forth in Section 26-577 of the West Covina Municipal Code. Additionally, the applicant has provided a 6-foot wide landscape buffer along the west perimeter of the site, pursuant to Section 26-572(g) of the Municipal Code, which requires a minimum of six (6) feet of landscaping when either the rear or side yard is adjacent to residential zoning.

Trash Enclosure

A trash enclosure is proposed in the corner of the north and west property line. Staff has included a condition for the enclosure to be designed with colors and materials to match the proposed commercial building. Additionally, conditions requiring the applicant to add a solid architectural cover and for the new enclosure to be constructed to meet National Pollutant Discharge Elimination System (NPDES) requirements also are included in the resolution.

Landscaping

The applicant is providing approximately 1,928 square feet (11-percent) of on-site landscaping, which exceeds the minimum requirement of 8-percent of the lot size. A condition of approval requiring review and approval of a landscape plan is included in the resolution.

PROPOSED ARCHITECTURE

The proposed car wash and expanded convenience store and mechanic shop will feature a more modern design, replacing the existing 70's style building. The main entrance of the convenience store is comprised of glass double doors (with overhead windows). The front and side elevation also includes multiple metal canopy awnings above the convenience store windows. The interior elevation of the mechanic shop will be reduced from 3 bay doors to 2 bay doors. The proposed car wash building will match the architectural style of the convenience store/mechanic shop building.

Materials

The height of the proposed carwash is 16 feet and includes a decorative cornice molding along the top of the parapet. The height of the convenience store starts at 18 feet facing Badillo Street and steps down to 13 feet, 7 inches for the mechanic shop section.

Exterior materials include a variety of neutral-colored stucco, including "Yuma and Marmello" for the main facade of the building with an architectural reveal treatment, "Aluminum Espresso" for the metal canopies and "Capricorn" for the decorative cornice molding.

PARKING

The Municipal Code requires one parking space for every 250 square feet of gross floor area for retail uses and one (1) parking space for each two (2) employees with a minimum of two (2) such spaces plus one (1) parking space for each service bay. In this instance, the proposed commercial building requires a total of 7 parking spaces. The number of proposed parking spaces is in compliance with the minimum standards set forth in Section 26-582 of the West Covina Municipal Code.

On-site Circulation

On-site parking is proposed parallel to the carwash and parallel to the rear (North) property line with ingress/egress points at Sunset Avenue and Badillo Street. A handicap stall is being proposed parallel to the landscaping on the corner of Sunset Avenue and Badillo Street.

Conditional Use Permit (CUP)

The applicant is requesting a conditional use permit (CUP) to allow for the upgraded operation of an Auto Service Station including a proposed accessory car wash.

According to the property owner, Asaph Guirguis, he purchased the gas station approximately six months ago and hopes to make it a "modern state of the art" gas station to serve the City and the immediate neighborhood. Mr. Guirguis hopes that after remodeling the station it would be a site that is source of pride for the City as well as a better revenue source due to increase gas volume and income. A survey performed by Mr. Guirguis' consultants has concluded that an express car wash is needed for the neighborhood and will economically thrive when constructed.

The gas station and convenience store will be open 24 hours a day for the convenience of the customers, the mechanic shop will be open from 8.00 AM to 5.00 PM and the car wash will be open from 8.00 AM to 7.00 PM. The convenient store will be offering goods and cold drinks in a modern interior setting. Customers can pay for the car wash when they pay at the pumps, or they can walk inside the store and pay for the car wash. The gas station site will be well lit for security and safety of employees and the customers, and will have one attendant 24 hours a day.

REQUIRED FINDINGS

Precise Plan

Before an application for a precise plan may be granted, the following findings must be made:

1. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan .

The proposed development of a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station, is consistent with the general

plan. The subject site has a General Plan land use designation of Neighborhood-Medium. The General Plan describes the Neighborhood-Medium land use designation as predominately residential with small scale commercial at key locations, primarily at intersections and adjacent to corridors.

The Our Prosperous Community 2.1 of the General Plan states “Maintain and enhance the City's current tax base.” As such, the proposed development is consistent with the City’s General Plan since it will provide an additional service to the community and will contribute to the City's sales tax revenue.

2. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.

The subject site is located in the “Neighborhood Commercial” (N-C) zone. The proposed project complies with all applicable standards of the Municipal Code, including: setbacks, building height, landscape, and parking.

3. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The existing gas station and other auxiliary uses onsite are longstanding. The gas station site is not in the California Environmental Agency's lists of Leaking Underground Storage Tank Cleanup Sites (LUST) and Hazardous Waste and Substances sites (Cortese). The project would require permits and approval from the Engineering Division, Building Division, and Fire Department. Therefore, the granting of a precise plan to allow the construction of additional square footage of the convenience store/mechanic shop, a new car wash, and a new fuel pump canopy would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

4. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.

The subject site is suitable to accommodate the proposed additions to the service station. The subject site is also a corner parcel where ingress/egress is accessible from Sunset Avenue and Badillo Street.

5. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and to not interfere with orderly development in the vicinity.

The proposed building covers approximately 24 percent of the subject parcel and features a modern style of architecture. The proposed maximum building height on the parcel is 18 feet. The proposed development incorporates on-site parking parallel to the carwash and parallel to the rear (North) property line, as well as on-site landscaping. The subject site is located in an area where commercial uses currently are prevalent.

Conditional Use Permit

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

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

The existing gasoline station and its auxiliary uses are longstanding. The proposed development will allow the applicant to provide additional services to the community and will contribute to the City's sales tax revenue.

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

The existing gas station and other auxiliary uses onsite are longstanding. The gas station site is not in the California Environmental Agency's lists of Leaking Underground Storage Tank Cleanup Sites (LUST) and Hazardous Waste and Substances sites (Cortese). The project would require permits and approval from the Engineering Division, Building Division, and Fire Department. Therefore, the granting of a precise plan to allow the construction of additional square footage of the convenience store/mechanic shop, a new car wash, and a new fuel pump canopy would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

3. 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 with the land and uses in the neighborhood and make it compatible thereto.

The subject site is located in the "Neighborhood Commercial" (N-C) zone. The project complies with all applicable standards of the Municipal Code, including: setbacks, building height, landscape, and parking.

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

As the facility is existing the traffic generations will not be channeled through residential areas. The existing conditions also provide efficient and safe public access and circulation.

5. 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.

The granting of the conditional use permit to allow for the upgraded operation of an auto service station with an accessory car wash, will not adversely affect the West Covina General Plan since the proposed use does not conflict with the site's land use designation of "Neighborhood Commercial" The project would be consistent with the General Plan Policy 2.1 (Our Prosperous Community), which is to "Maintain and enhance the City's current tax base."

GENERAL PLAN CONSISTENCY

The proposed project is consistent with the General Plan. The proposal is consistent with the following General Plan Policy:

- a. Policy 2.1 Maintain and enhance the City's current tax base.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities) in that the existing gasoline station is located in an area where all public services and facilities are available to allow for maximum development allowed in the General Plan, the cumulative area proposed is less than 10,000 square feet, and the project site is not located in an environmentally sensitive area.

Staff searched the California Environmental Agency's lists of Leaking Underground Storage Tank Cleanup Sites (LUST) and Hazardous Waste and Substances sites (Cortese) and did not find the project site identified in these lists.

The project site has a permit to operate Underground Storage Tank (UST) facilities.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt a resolution approving Precise Plan No. 20-03, and Conditional Use Permit No. 20-05.

Submitted by: Camillia Martinez, Assistant Planner

Attachments

Attachment No. 1 - Resolution (PP)

Attachment No. 1 - Resolution (CUP)

Attachment No. 3 - Business Operations Plan

PLANNING COMMISSION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 20-03

PRECISE PLAN NO. 20-03

CATEGORICAL EXEMPTION

APPLICANT: Asaph Guirguis

LOCATION: 901 N. Sunset Avenue

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 precise plan to:

Construct a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station. On that certain property described as:

Assessor's Parcel No. 8435-024-026, in the records of the Los Angeles County Assessor; and

WHEREAS, the Planning Commission upon giving the required notice did on the 28th day of July 2020, conduct a duly advertised public hearing as prescribed by law to consider said application.

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

1. The project consists of a proposal to construct a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station. The site is located on the corner of North Sunset Avenue and Badillo Street. A precise plan is required for the proposed gas station improvements and additions.

2. Appropriate findings for approval of a precise plan of design are as follows:
 - a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.
 - b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provision of the Municipal Code.
 - c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.
 - d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.
 - e. The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.
3. The proposal is considered to be categorically exempt, pursuant to Section 15301 (Class 1, Existing Facilities) of the California Environmental Quality Act (CEQA), in that the existing gasoline station is located in an area where all public services and facilities are available to allow for maximum development allowed in the General Plan, the cumulative area proposed is less than 10,000 square feet, and the project site is not located in an environmentally sensitive area.

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 development of a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station, is consistent with the general plan. The subject site has a General Plan land use designation of Neighborhood-Medium. The General Plan describes the Neighborhood-Medium land use designation as predominately residential with small scale commercial at key locations, primarily at intersections and adjacent to corridors.

The Our Prosperous Community 2.1 of the General Plan states “Maintain and enhance the City's current tax base.” As such, the proposed development is consistent with the City's General Plan since it will provide an additional service to the community and will contribute to the City's sales tax revenue.

- b. The subject site is located in the “Neighborhood Commercial” (N-C) zone. The proposed project complies will all applicable standards of the Municipal Code, including: setbacks, building height, landscape, and parking.
 - c. The existing gas station and other auxiliary uses onsite are longstanding. The gas station site is not in the California Environmental Agency's lists of Leaking Underground Storage Tank Cleanup Sites (LUST) and Hazardous Waste and Substances sites (Cortese). The project would require permits and approval from the Engineering Division, Building Division, and Fire Department. Therefore, the granting of a precise plan to allow the construction of additional square footage of the convenience store/mechanic shop, a new car wash, and a new fuel pump canopy would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.
 - d. The subject site is suitable to accommodate the proposed additions to the service station. The subject site is also a corner parcel where ingress/egress is accessible from Sunset Avenue and Badillo Street.
 - e. The proposed building covers approximately 24 percent of the subject parcel and features a modern style of architecture. The proposed maximum building height on the parcel is 18 feet. The proposed development incorporates on-site parking parallel to the carwash and parallel to the rear (North) property line, as well as on-site landscaping. The subject site is located in an area where commercial uses currently are prevalent.
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Precise Plan No. 20-03 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 Community Development Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued.
3. That the precise plan shall not be effective for any purpose until the applicant (or a duly authorized representative) has filed at the office of the Community Development Director, his affidavit stating he is aware of, and accepts, all conditions of this precise plan as set forth below. Additionally, no permits shall be issued until the applicant (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 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.
5. That the approval of the precise plan is subject to the following conditions:

PLANNING DIVISION

- a) Comply with plans reviewed by the Planning Commission on July 28, 2020.
- b) These conditions of approval shall be printed on or attached to the working drawings submitted to the Building Division for approval.
- c) That the project complies with all requirements of the "Neighborhood-Commercial" Zone and all other applicable standards of the West Covina Municipal Code.
- d) The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- e) The approved use shall be in compliance with the Noise Ordinance (Chapter 15).
- f) This precise plan approval shall become null and void if building permit is not obtained within two (2) years of the date of this approval.
- g) The applicant shall sign an affidavit accepting all conditions of this approval.
- h) That any proposed change to the approved site plan, floor plan or elevations be reviewed by the Planning Division, Building Division, and Fire and Police Departments and that the written authorization of the Community Development Director shall be obtained prior to implementation.
- i) All outstanding fees and Development Impact Fees will be due at the time of building permit issuance.
- j) A total of seven (7) on-site parking spaces shall be maintained, including one (1) handicap parking space. All standard parking spaces shall have minimum dimensions of 8.5' x 18'.
- k) In order to comply with parking requirements, the building shall be no greater than 800 square feet in net floor area for the convenience store and 930 square feet in net area of the mechanic shop.

- l) A minimum distance of 25 feet shall be maintained for vehicular back-up purposes.
- m) A six-foot landscape buffer shall be maintained along the west property line.
- n) A five-foot landscape buffer shall be maintained along the north property line.
- o) All architectural design shall be consistent throughout the property.
- p) All new gutters and downspouts shall not project from the vertical surface of the building pursuant to Section 26 568 (a) (3).
- q) Prior to the issuance of building permits the applicant shall demonstrate, to the satisfaction of the Community Development Director, that all roof mounted mechanical equipment is placed behind a permanent parapet wall and is completely restricted from all ground level views, pursuant to Section 26-568 of the Municipal Code.
- r) The location of new electrical transformers, vaults, antennas, mechanical and all other equipment not indicated on the approved plans must be approved by the Community Development Director prior to the issuance of building permit. Provide construction details prior to issuance of a building permit.
- s) All new ground-mounted, wall-mounted and/or roof-mounted equipment shall be screened from all views, in a manner that is architecturally compatible with the main building. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Community Development Director for review and approval prior to the issuance of building permits.
- t) All new pole mounted parking lot lighting shall be accurately indicated on the grading plan and shall be located within landscaped or hardscaped area. Pole locations shall be accurately staked prior to installation by the Engineer.
- u) An outdoor lighting plan showing electrolier types and locations, average illumination levels, points of minimum illumination and photometric data in conformance with Planning Commission Resolution No. 2513 and as requested shall be submitted to and approved by the Planning Division and the City Engineer.
- v) A parking lot lighting plan showing electrolier types and locations, average illumination levels, points of minimum illumination and photometric data in conformance with Planning Commission Resolution No. 2513 and as requested shall be submitted to and approved by the City Engineer.

- w) Building and parking lot lighting is required to be architecturally integrated with the building design. Standard security wall packs are not acceptable unless they are provided with hooding that is architecturally compatible with the building.
- x) The proposed project is required to comply with Section 7050.5 of the California Health and Safety Code in the unlikely event that human remains are encountered during construction. If human remains of Native American origin are discovered during construction activities, the proposed project would be required to comply with state laws, under the jurisdiction of the Native American Heritage Commission (Public Resources Code Section 5097), relating to handling of Native American burials.
- y) If archaeological resources are discovered during excavation or grading activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, state, and local guidelines, including those set forth in the Public Resources Code Section 21083.2.
- z) That prior to final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced and the site shall be kept free of diseased or dead plant materials and litter at all times. The applicant shall coordinate with the applicable water district to determine if the water district has any specific requirements for water efficient landscaping.
- aa) All landscape areas shall be maintained at all times. Damaged vegetation shall be replaced and the site shall be kept free of diseased or dead plant materials and litter at all times.
- bb) Clinging vines shall be installed on all retaining or freestanding walls to assist in deterring graffiti.
- cc) Graffiti-resistant coatings shall be used on all walls, fences, sign structures, or similar structures to assist in deterring graffiti.
- dd) Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day.
- ee) All outdoor trash areas shall be screened on all sides from public view by a minimum 5'6" high decorative block wall with a gate constructed of durable materials per the standard Engineering Division plans. If the trash enclosure is visible from a public right-of-way, an architectural cover shall be required. If an architectural cover or an alternate design is required or preferred, then approval of construction details by the Building Division is required prior to construction.

- ff) This approval does not include 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 and the sign criteria of the shopping center.
- gg) Any sidewalk, hardscape or parking facility, with potholes, broken, raised or depressed sections, large cracks, mud and/or dust, accumulation of loose material, faded or illegible pavement striping or other deterioration shall be repaired.
- hh) Parking lots or other paved areas with a cracked, broken or otherwise deteriorating surface, in excess of ten (10) percent of the surface area shall be considered a nuisance and shall be repaired.
- ii) The paved areas at the site shall be maintained clean and free of oil stains. All paved areas shall be pressure washed as needed to maintain the site in a clean and orderly manner.
- jj) All new utilities shall be placed underground prior to issuance of Certificate of Occupancy. All relocated on-site utility service lines shall be underground when the cost or square footage of an addition or alteration exceeds 50% of the existing value or area. WCMC 23-273.
- kk) The applicant shall indemnify, hold harmless and defend the City Of West Covina (City), its agents, officers, and employees from any claim, action, proceeding or damages against the City, its agents, officers, or employees to attack, set aside, void, or annul the approval by the City of this case file. Further, the applicant shall indemnify, hold harmless and defend the City Of West Covina (City), its agents, officers, and employees from any claim, action, proceeding or damages against the City, its agents, officers, or employees arising out of the action, inaction or negligence of the applicant, its employees, officers, agents, contractors, subcontractors, successors or assigns in planning, engineering, constructing or in any manner carrying out the file or any improvements required for the case file. The indemnity shall be contained in a written document approved by the City Attorney.
- ll) Comply with all requirements of the "Art in Public Places" ordinance (WCMC Chapter 17), prior to the issuance of building permits. Artwork shall be installed or required fee paid prior to issuance of Certificate of Occupancy.
- mm) 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 Redevelopment Agency and that the written authorization of the Planning Director shall be obtained prior to implementation.
- nn) Prior to requesting a final inspection by the Building Division, the Planning Division shall inspect the development.

- oo) All approved materials and colors shall be clearly indicated on the plans.
- pp) All parking facilities shall comply with the "Parking Lot Design and Lighting Standards."
- qq) The Zoning Code gives provisions for up to two one-year extensions to keep entitlements active. Therefore, prior to final approval, (if building 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.
- rr) The new development shall comply with the Development Impact Fees (Ordinance No. 2286 and Resolution No. 2015-81). Development Impact Fees for non-residential development are calculated at \$1.51 per square foot. The code allows for a credit for existing structures to be demolished.
- ss) 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.
- tt) BUILDING DIVISION
 - 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 2020 County of Los Angeles Building Codes. Plans shall be submitted for plan check and required permits shall be obtained from the Building & Safety Division prior to start of construction.
 - 3. Separate application(s), plan check(s), and permit(s) is/are required for:
 - New Fuel Island Canopy
 - New Underground Fuel Storage Tanks
 - Grading (*see Engineering Division for requirements*)
 - Demolition work
 - Retaining walls (*see Engineering Division for requirements*)
 - Required masonry or concrete perimeter walls or trash enclosures
 - Signs
 - Fire sprinkler/Alarm systems (*see Fire Department Prevention Bureau for requirements*)
 - Plumbing
 - Mechanical
 - Electrical

4. A soils and geology report required to address the potential for and the mitigation measures of any seismic induced landslide/liquefaction. Soils report shall address foundation design and site preparation requirements.
5. All on-site utility service lines shall be placed underground. WCMC 23-273.
6. New construction, alterations or repair to required masonry or concrete perimeter walls or trash enclosures shall be completed with a valid building permit.
7. Los Angeles County Health Department approval is required for food services. Please contact (626) 430-5560 for additional information.
8. Sanitation District Industrial Waste approval or waiver is required. Please contact (562) 699-7411 Ext 2900 for additional information.
9. Proof of payment of School Development Fees required prior to permit issuance.
10. A Prior to issuance of building permits, the applicant shall submit and obtain approval for a Waste Management Plan (WMP) for Construction and Demolition providing:
 - Estimated volume or weight of materials that can be reused or recycled.
 - Estimated maximum volume or weight of materials that can be reused or recycled
 - Identify the vendor or facility that the applicant proposes to use to collect and receive the materials.
 - Estimated volume of waste materials that will be landfilled.
 - Identify any special or specific activities that will be used to comply with the Recycling and Disposal requirements.
 - Submit Security Deposit.
11. Prior to final inspection and approvals, the applicant shall submit documentation and obtain approval from the WMP Compliance Official showing that the Waste Diversion Requirement has been met, and shall include the following information:
 - Receipts from the vendor and/or facility that collected and received each material, showing the actual volume or weight of that material.
 - A copy of the previously approved WMP for the project adding the actual volume or weight of each material diverted or disposed of at a landfill.
 - Security Deposit will not be returned until this has been accomplished
 - Any additional information the applicant believes is relevant to assist in making the determination that the necessary efforts to comply have been achieved.

12. All work shall be completed with a valid permit and in accordance with applicable Building Regulations. Final building inspection and approvals shall be completed prior to the occupancy or use of the buildings or structures.

DESIGN CONSIDERATIONS

13. Change Irwindale Avenue to Sunset Avenue on sheets A-2, L-1 & L-2 to clarify location.
14. Trash enclosure elevations reflect roof projection. Not allowed due to location of property line.
15. Site plan needs to show compliance with the State of California Accessibility regulations including:
 - Building entrances are 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.
 - Show truncated domes for pedestrian warning around perimeter of a 5-foot landing area for vehicle traffic warning at main entrance/exit for convenience store.

uu) ENGINEERING DIVISION

1. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
2. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a. Observation of cleared areas and benches prepared to receive fill;
 - b. Observation of the removal of all unsuitable soils and other materials;
 - c. The approval of soils to be used as fill material;
 - d. Inspection of compaction and placement of fill;
 - e. The testing of compacted fills; and
 - f. The inspection of review of drainage devices.
3. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.

4. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
5. Stormwater Planning Program LID Plan Checklist (Form PC) completed by Engineer of Record shall be copied on the first sheet of Grading Plans.
6. Comply with all regulations of the Los Angeles Regional Water Quality Control Board and Article II of Chapter 9 of the West Covina Municipal Code concerning Stormwater/Urban Run-off Pollution control.
7. LID review shall be completed prior submitting grading plans for plan review.
8. The required street improvements shall include those portions of roadways contiguous to the subject property and include:
 - a. Remove and reconstruct existing driveway approaches shall be removed and reconstructed to meet current ADA requirements.
 - b. Repair all damaged and off-grade curbs, gutters and sidewalks.
9. The developer shall either pay an in-lieu fee equal to the estimated cost of street rehabilitation based on Los Angeles County Land Development Division Bond Calculation Sheets prior to the issuance of building permits or provide street rehabilitation work up to centerline of all streets contiguous to subject property.
10. Adequate provision shall be made for acceptance and disposal of surface drainage entering the property from adjacent areas.
11. Parking lot and driveway improvements on private property for this use shall comply with Planning Commission Resolution No. 2513 and be constructed to the City of West Covina Standards.

TRAFFIC COMMENTS

12. Parking spaces 4 thru 7 as shown on the plan should be striped with parking ticks.
13. Parking spaces 2 and 3 should also be striped with no wheel stops. The wheel stops as shown make the parking with a "head on" design. Cars traveling in the opposite direction would need to perform a U turn to utilize parking.
14. Dimensions of parking for spaces 4 thru 7 need to be shown on the proposed site plan A2.

15. Wheel chair accessible parking space should meet ADA requirements as shown on page ADA-2 of the plans #13. The ADA space needs to be 9' wide and 18' long.
16. A wheel stop in this location with no raised planters etc. would be subject to cars entering off of Badillo Street potentially running over the wheel stop to use the handicapped space.
17. The pedestrian path from the ADA parking space to the building needs to meet ADA requirements along the path and entering the store.
18. The ADA travel path to the market should not travel over part of the cement pad for the underground tanks.
19. All pedestrian travel from the proposed parking to the building entrance should be shown on the plan.
20. The queue lane for the car wash need to be painted (up to parking space #4 so that cars know where to queue to wait for car wash and do not block the drive aisle or parking spaces while waiting.
21. There may need to be a painted keep clear zone across the car wash queue lane for accessing the trash enclosure.
22. The Proposed Site Plan needs to show the dimensions of the fuel truck because the route for the truck delivery as shown does not look like the turn can be made from Sunset Ave to the underground tanks as they enter the driveway. As shown below this is a draft Truck Turning Radius for a 45' truck. The applicant needs to submit a full turning radius for a Fuel Truck for Approval.

vv) POLICE DEPARTMENT

1. 20p (1280 x 720) minimum recording resolution is required. Increased resolution of 1080p (1920 x 1080) or better is encouraged.
2. Minimum H.264 video compression. H.265 is also acceptable.
3. Real-time recording at 30 fps per camera at 720p resolution.
4. Use caution when purchasing systems, and ensure that each camera will be recording at full resolution and frame rate at the minimum spec, whether it is 720p, 1080p, or better. Recording devices often have limitations and will sometimes be advertised as supporting 720p or 1080p; however the advertising does not explain that the higher resolution is only for limited channels and when maxed out will provide reduced resolution.

5. Minimum 30 day storage retention and archival for each camera (all video) at 720p resolution, 30fps (full frame rate and resolution).
6. Design your camera system to ensure that the privacy of your patrons is not infringed, and do not view or record areas where your patron(s) would have an expectation of privacy. Typically this is easily resolved by the placement of the camera and is not an issue. However where this could present a problem as the need for both coverage and privacy exists in the same area, camera technology exists that allows for the best of both worlds. Called 'video masking', 'window blanking', and by other names, it allows the area within a larger view to be masked so that private areas cannot be seen, however surrounding areas are still viewable.
7. The recording device must contain a USB port for police department personnel to easily access system and download video.
8. Video should be exportable in an open file format.

ww) FIRE DEPARTMENT

1. Chapter 23 of the 2019 California Fire Code will apply in it's entirety to any/all applicable proposed additions to the existing gas station. Additionally, we reserve the right to add or change requirements as necessary during the formal plan check process.

Planning Commission Resolution No.

Precise Plan No. 20-03

July 28, 2020 - Page 14

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 28th day of July, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATE: July 28, 2020

EXPIRATION DATE: July 28, 2022 if not used

Shenna Heng, Chairperson
Planning Commission

Mark Persico, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 20-05

CONDITIONAL USE PERMIT NO. 20-05

CATEGORICAL EXEMPTION

APPLICANT: Asaph Guirguis

LOCATION: 901 N. Sunset Avenue

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 for the upgraded operation of an existing gas station, including the installation of a 905-square foot car wash/equipment room, expansion of the convenience store within a portion of the existing mechanic shop, a 190-square foot office and restroom addition, and a 925-square foot additional fuel pump canopy (including two additional dispensers and an additional fuel storage tank), on a 20,900-square foot parcel with an existing gas station. On certain property described as follows:

Assessor Parcel No. 8435-024-026 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 28th day of July 2020, 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 for the upgraded operation of an auto service station with an accessory car wash.
2. 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 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 conditional use permit will not adversely affect the general plan of the city, or any other adopted plan of the city.*
3. Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt (Class 1, Existing Facilities) in that the existing gasoline station is located in an area where all public services and facilities are available to allow for maximum development allowed in the General Plan, the cumulative area proposed is less than 10,000 square feet, and the project site is not located in an environmentally sensitive area.

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 existing gasoline station and its auxiliary uses are longstanding. The proposed development will allow the applicant to provide additional services to the community and will contribute to the City's sales tax revenue.
 - b. The existing gas station and other auxiliary uses onsite are longstanding. The gas station site is not in the California Environmental Agency's lists of Leaking Underground Storage Tank Cleanup Sites (LUST) and Hazardous Waste and Substances sites (Cortese). The project would require permits and approval from the Engineering Division, Building Division, and Fire Department. Therefore, the granting of a precise plan to allow the

- construction of additional square footage of the convenience store/mechanic shop, a new car wash, and a new fuel pump canopy would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.
- c. The subject site is located in the “Neighborhood Commercial” (N-C) zone. The project complies with all applicable standards of the Municipal Code, including: setbacks, building height, landscape, and parking.
 - d. As the facility is existing the traffic generations will not be channeled through residential areas. The existing conditions also provide efficient and safe public access and circulation.
 - e. The granting of the conditional use permit to allow for the upgraded operation of an auto service station with an accessory car wash, will not adversely affect the West Covina General Plan since the proposed use does not conflict with the site’s land use designation of “Neighborhood Commercial” The project would be consistent with the General Plan Policy 2.1 (Our Prosperous Community), which is to “Maintain and enhance the City's current tax base.”
2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Conditional Use Permit No. 20-05 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 Community Development 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 Community Development 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 28, 2020.
 - b. Comply with all conditions of approval from UUP 93.
 - c. Comply with all applicable sections of the West Covina Municipal Code.
 - d. Comply with all requirements of the “Neighborhood Commercial” (N-C) Zone and all other applicable standards of the West Covina Municipal Code.
 - e. Conditional Use Permit No. 20-05 allows for the upgraded operation of an auto service station with an accessory car wash.
 - f. Any addition or modification of the use shall require the submittal of a new conditional use permit.
 - g. The hours of operation for the mechanic shop shall be limited to: 8:00 a.m. to 5:00 p.m.
 - h. The hours of operation for the carwash shall be limited to: 8:00 a.m. to 7:00 p.m.
 - i. Noise levels for the carwash shall not exceed 70db(A) at the property line. If the property line is adjacent to residential property, the noise level shall not exceed 65db(A).
 - j. The wash and dry mechanism shall be contained entirely within a building.
 - k. A water recovery system shall be installed, and in operation at all times.
 - l. All wash fluids used shall be biodegradable and environmentally safe.
 - m. The car wash shall in no way interfere with the primary function of motor fuel distribution, automobile access, or traffic circulation.
 - n. The approval of the carwash does not include any accessory items such as vacuums. Accessory items normally associated with a carwash may be permitted in the future through a Minor Site Plan Review application.
 - o. Per Section 26-664 of the West Covina Municipal Code, alcoholic beverage sales are prohibited on the site.

- p. Vehicles being worked on or repaired by the mechanic shop shall only be stored or parked on designated parking spaces. Overnight storage/parking of vehicles shall only be allowed within the mechanic shop building.
- q. Noise levels shall not exceed the ambient noise level by more than (5) five decibels as measured outside of the tenant space.
- r. The applicant shall preserve the existing landscaping and fence screening on-site from any nearby streets and adjacent properties. The applicant shall replace the fence and/or landscaping to maintain the screening.
- s. 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.
- t. 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 Community Development Director shall be obtained prior to implementation.
- u. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.
- v. The operation of the facility shall comply with the West Covina Noise Ordinance.
- w. 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.
- x. This approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.

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 28th day of July, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DATE: July 28, 2020

EXPIRATION DATE: July 28, 2022 if not used

Shenna Heng, Chairperson
Planning Commission

Mark Persico, Secretary
Planning Commission

Business operation plan

ARCH GAS STATION

901 N Sunset Ave, West Covina, Ca 91790

DATE: June 19, 2020

Arco gas station on 901 N. Sunset avenues in West Covina Ca. has been a gas station for the last forty years. The existing gas station was under the same management and consists of an 800 S.F mechanic shop, small snack shop, four old dispensers with eight pumping positions, and one gasoline canopy. Overall the station is a structure with a lot of differed maintenance including the landscape.

Mr. Sam Guirguis purchased the gas station approximately six months ago and hopes to make it a modern state of the art gas station with all the conveniences and amenities that is deserving of the city of West Covina and the immediate neighborhood. Mr. Sam hopes after repurposing and remodeling the station it would be a site that is source of pride for the city as well as a better revenue source due to increase gas volume and income.

The improvements and scope of work including the remodeling the gas station would be as follows:

1. Expanding the convenient store to 800 S. F. by decreasing the mechanic shop by 400 S.F.
2. Addition of an automated express car wash with no vacuums or attendant.
3. Addition of a 925 S.F. of gasoline canopy on south side of the property.
4. Addition of two new dispensers under the new canopy.
5. Addition of a new office and restroom for mechanic shop.
6. Repositioning of seven parking including handicap parking for a beater flow of traffic.
7. Designing a new trash enclosure for a better architectural harmony on the property.
8. Redesigning the landscaping with all new trees and vegetation for better curb appeal.

The gas station with all the changes and the new modern look will be managed by Mr. Sam who is a very experienced operator and became the number one business owner with the highest sales of all the retails in the city of Covina. The survey performed by car wash and convenient store consultants has concluded that an express car wash is needed for the neighborhood and economically thrives when constructed. The site will be open 24 hours a day for the convenience of the customers, the mechanic shop will be open from 8.00 AM to 5.00 P.M and the car wash will be open from 8.00 AM to 7.00 PM. The convenient store will be offering goods and cold drinks in a modern interior setting. Customers can pay for the car wash when they pay at the pumps or they can walk inside and pay for the car wash. The gas station site will be well lit for security and safety of employees and the customs with one attendant 24 hours a day.

Atabak Youssefzadeh –Project architect

City of West Covina
Memorandum
A G E N D A

ITEM NO. 4.

DATE: July 28, 2020

TO: Planning Commission

FROM: Planning Division

SUBJECT: Study Session for Design Guidelines for Wireless Telecommunication Facilities in the Public Right-of-Way

BACKGROUND:

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 (Attachment No. 1) to address the FCC Order pertaining to aesthetic requirements being reasonable, not burdensome, and published in advance. At its May 14, 2019 and July 23, 2019 meetings, the Planning Commission held study sessions on wireless facilities in the public right-of-way. During the July 23, 2019 study session, the Planning Commission voted 3-2 to direct staff to draft an ordinance that:

- References Design Guidelines in order to allow flexibility for modifications that may be needed in the future;
- Allows administrative review by staff for all wireless facilities in compliance with Design Guidelines and Planning Commission review if not in compliance with Design Guidelines;
- Identifies a review threshold that requires wireless telecommunication facilities to be at least 250 feet from another wireless telecommunication in order to qualify for administrative review by staff;
- Requires wireless telecommunication facilities to be set back 15 to 30 feet from residential structures (depending on zoning designation).

Commissioners Heng and Holt were the dissenting votes. Commissioner Heng felt that there should be more Planning Commission discussion on the subject.

Subsequent to that discussion, Administrative Use Permit (AUP) applications were submitted for 5 small wireless facilities in the public right-of-way proposed on top of replacement street light poles in the Woodside Village area. These facilities were located off of Amar Road, east of Azusa Avenue. The Planning Commission approved the AUP applications on July 23, 2019 and an appeal was filed on August 5, 2019. On October 1, 2019 the City Council voted 3-2 to overturn the Planning Commission's decision to approve the 5 small wireless facilities and denied the AUP applications. The City Council felt that the proposed small wireless facilities were not sufficiently concealed. Councilmembers Shewmaker and Johnson were the dissenting votes and felt that the proposals should be referred back to the Planning Commission.

On November 26, 2019 and January 28, 2020, the Planning Commission held public hearings to review Code Amendment No. 16-03 and adopted Resolution No. 20-6018 recommending that the City Council approve the presented Ordinance.

At its May 5, 2020 meeting, the City Council reviewed Code Amendment No. 16-03 and adopted Ordinance No. 2470 (Attachment No. 2).

DISCUSSION:

The purpose of this study session is to review the adopted Design Guidelines for Wireless Telecommunication Facilities in the Public Right-of-Way ('Design Guidelines') and obtain direction from the Planning Commission on potential changes to its content.

The following are suggested discussion items that the Planning Commission may consider:

Format and Content of the Document

For reference, staff included adopted Design Guidelines from the Cities of San Dimas, El Monte, and Costa Mesa in the report as attachments (Attachment Nos. 3-5). The format of West Covina's Design Guidelines is similar to San Dimas' simple and straight forward format. El Monte's Design Guidelines contains very helpful photographs of acceptable design examples. While Costa Mesa's Design Guidelines contains a list of City preferences and a diagram indicating an example of a facility that would require a discretionary application and one that would be approved ministerially. Staff is recommending that the Planning Commission consider keeping the current Design Guidelines format with photographs of acceptable design examples. Staff will present photographs of design examples to the Planning Commission during the meeting.

Staff reached out to wireless carriers/providers and previous applicants who requested to be a part of this discussion. Items/photographs provided to staff by these interested parties have been included in this report as attachments (Attachment Nos. 6 and 7).

Location

The location has been addressed in the Ordinance. This will be deleted because it is no longer necessary.

Other Content

Staff will go over the existing Design Guidelines point by point for Commission discussion.

Other References

Staff has attached (Attachment No. 8) an informational article found in the July 2020 edition of Planning Magazine entitled "Coming Soon to a Neighborhood Near You?" This article may be useful in helping to better understand how "small-cell" technology operates.

RECOMMENDATION:

Accept the report to support discussion pertaining to the Design Guidelines for Telecommunication Facilities in the Public Right of Way, and provide further direction/input to staff.

Submitted by: Jo-Anne Burns, Planning Manager

Attachments

Attachment No. 1 - Signed Resolution Design Guidelines

Attachment No. 2 - Ordinance No. 2470

Attachment No. 3 - El Monte Design Guidelines

Attachment No. 4 - San Dimas Design Guidelines

Attachment No. 5 - Costa Mesa Design Guidelines

Attachment No. 6 - Crown Castle Materials

Attachment No. 7 - Verizon Materials

Attachment No. 8 - Planning Magazine Article

**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.

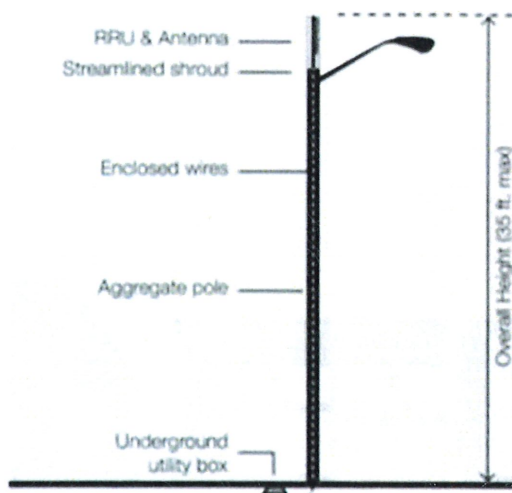
Wires & Cables – Wires and cables should be contained within the shroud and run inside the pole for an orderly appearance. If wiring cannot be contained within the pole, all wiring shall be contained within a conduit that is subdued or matches the adjacent surface and is UV protected.

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.

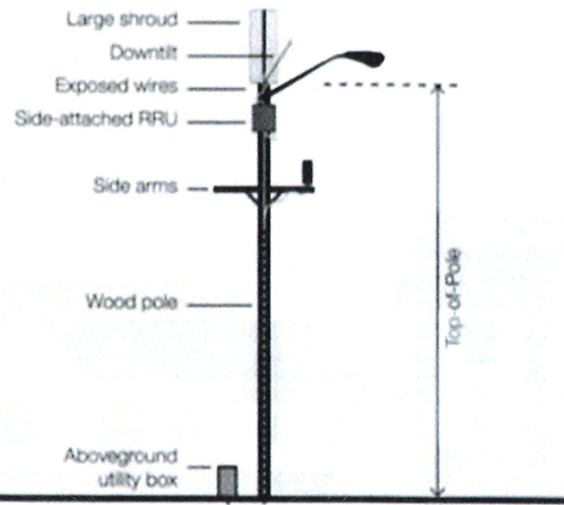
Construction Approach (including power and metering) - Separate freestanding meter pedestals should not be used. Metering should be wireless when possible, and underground if wireless metering is infeasible.

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



ORDINANCE NO. 2470

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA APPROVING CODE AMENDMENT
NO. 16-03, RELATED TO WIRELESS TELECOMMUNICATION
FACILITIES IN THE PUBLIC RIGHT OF WAY**

WHEREAS, the City's provisions for wireless telecommunication facilities were last updated in 2011.; and

WHEREAS, the City's Municipal Code currently does not have explicit regulations pertaining specifically to wireless telecommunication facilities in the public right-of-way; and

WHEREAS, on the 16th day of February 2016, the City Council initiated a code amendment related to wireless telecommunication facilities in the public right-of-way; and

WHEREAS, the Planning Commission, did on May 14, 2019 and July 23, 2019, conduct study sessions to consider the initiated code amendment; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 26th day of November 2019 and 28th day of January 2020, conduct a duly advertised public hearing as prescribed by law to make recommendations to the City Council to approve Code Amendment No. 16-03; and

WHEREAS, the City Council, upon giving the required notice, did on the 5th day of May 2020, conduct a duly advertised public hearing as prescribed by law on the proposed ordinance; and

WHEREAS, based on review of the State CEQA Guidelines, the City Council finds and determines that the proposed ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment; and

WHEREAS, the City Council has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

**WHEREFORE, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF
WEST COVINA HEREBY ORDAINS AS FOLLOWS:**

SECTION NO. 1: Section 26-246 of the West Covina Municipal Code is hereby amended to read as follows:

Sec. 26-246. - Planning commission may grant conditional use permits for projects located within all land-use zones.

- (a) Because there are uses that possess unique characteristics and which are impractical to include in a specific zone as a matter of right, a conditional use permit may be granted for such uses.
- (b) Notwithstanding any other provisions of this chapter, the planning commission, after application therefor and hearing, after notice in the manner provided in division 1 of this article, may authorize the conditional uses included herein if it finds the proposed location of any such uses will not be detrimental to adjacent property or to the public welfare; and that the uses are essential or desirable to the public convenience and welfare.

SECTION NO. 2: Section 26-246.5 is hereby added to Chapter 26, Article VI, Division 3 of the West Covina Municipal Code to read as follows:

Sec. 26-246.5 - Planning commission and city council review for projects located within the public right-of-way

- (a) Because there are public right-of-way uses that possess unique characteristics and which are impractical to allow as a matter of right, a conditional use permit may be granted for such uses.
- (b) Notwithstanding any other provisions of this chapter, the planning commission, after application therefor and hearing, after notice in the manner provided in division 1 of this article, may render a recommendation for city council consideration.
- (c) The city council, after notice in the manner provided in division 1 of this article, may consider the planning commission's recommendation and may authorize the public right-of-way conditional uses upon determining that the findings required by Sec. 26-685-11500 have been met.

SECTION NO. 3: Section 26-247 (Required findings for conditional use permit) of the West Covina Municipal Code is hereby amended to read as follows:

- (a) Prior to the granting of a conditional use permit for projects located within all land-use zones it shall be found:

- (1)(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.

- (2)(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.
- (3)(e)—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.
- (4)(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.
- (5)(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.
- (b) Prior to the granting of a conditional use permit for projects located within the public right-of-way it shall be found that the findings required by Sec. 26-685-11500 have been met.

SECTION NO. 4: The Chapter 26, Article XII, Division 16 title of the West Covina Municipal Code is hereby amended to read as follows:

DIVISION 16 – WIRELESS TELECOMMUNICATION FACILITIES WITHIN ALL LAND-USE ZONES

SECTION NO. 5: Section 26-685.983 (Exemptions.) of the West Covina Municipal Code is hereby amended to read as follows:

The regulations of this division do not apply to the following:

- (1) Single ground-mounted, building-mounted, or roof-mounted receive-only AM/FM radio or television antennas, DBS dish antennas, amateur and/or citizens band radio antennas, for the sole use of the occupant of the parcel on which the antenna is located.
- (2) Wireless telecommunications facilities owned and operated by the city or other public agency when used for emergency response services, public utilities, operations, and maintenance.
- (3) This exemption does not apply to free-standing or roof-mounted satellite dish antennas greater than twenty-one (21) inches in diameter.
- (4) Wireless telecommunication facilities located in the public right-of-way, which are regulated under Article XII (Special Regulations for Unique Uses), Division 29 (Wireless Telecommunication Facilities in the Public Right-of-Way) of this chapter.

SECTION NO. 6: Section 26-685.984(a) through (b) of the West Covina Municipal Code is hereby amended to read as follows:

- (a) No wireless telecommunication facilities are permitted in residential zones except for the following:
 - (1) Wireless telecommunication facilities listed under section 26-685.983(1) and (2).
 - (2) Wireless telecommunication facilities located in the public right-of-way, which are regulated under Article XII (Special Regulations for Unique Uses), Division 29 (Wireless Telecommunication Facilities in the Public Right-of-Way) of this chapter.
 - (3) Wireless telecommunication facilities located in residential zones that are developed with permitted nonresidential uses.
 - (4) Wireless telecommunication facilities consisting of roof-mounted antennas located on multiple-family residential buildings.
- (b) Antennas with a solid or wire-mesh surface with a diameter or maximum width greater than twelve (12) feet are prohibited in residential zones.

SECTION NO. 7: Division 29 is hereby added to Chapter 26, Article XII of the West Covina Municipal Code to read as follows:

DIVISION 29 – WIRELESS TELECOMMUNICATION FACILITIES IN THE PUBLIC RIGHT-OF-WAY

Sec. 26-685.11000. – Purpose

This division sets forth a uniform and comprehensive set of development standards for the permitting, development, placement, design, installation, operation, and maintenance of wireless telecommunication facilities within the city's public right-of-way. The purpose of these regulations is to provide clear and reasonable criteria to assess and process applications in a consistent and expeditious manner, while reducing the impacts associated with wireless telecommunications facilities. This division provides standards necessary (1) for the preservation of the public right-of-way ("PROW") in the city for the maximum benefit and use of the public, (2) to promote and protect public health and safety, community welfare, and the aesthetic quality of the city consistent with the goals, objectives and policies of the general plan, and (3) to provide for the orderly, managed and efficient development of wireless telecommunications facilities in accordance with the state and federal laws, rules and regulations, including those regulations of the Federal Communications Commission ("FCC") and California Public Utilities Commission ("CPUC"), and (4) to ensure that the use and enjoyment of the PROW is not inconvenienced by the use of the PROW for the placement of wireless facilities.

Sec. 26-685.11100. - Applicability

- (1) This division applies to the siting, construction or modification of any and all wireless telecommunications facilities proposed to be located in the public right-of-way.
- (2) Pre-Existing Facilities in the PROW. Nothing in this division shall validate any existing illegal or unpermitted wireless facilities. All existing wireless facilities shall comply with

and receive an encroachment permit, when applicable, in order to be considered legal and conforming.

(3) This division does not apply to the following: (a)

Amateur radio facilities;

(b) OTARD antennas;

(c) Facilities owned and operated by the city for its use or for public safety purposes; (d)

Any entity legally entitled to an exemption pursuant to state or federal law or governing franchise agreement, excepting that to the extent such the terms of state or federal law, or franchise agreement, are preemptive of the terms of this division, then the terms of this division shall be severable to the extent of such preemption and all remaining regulations shall remain in full force and effect. Nothing in the exemption shall apply so as to preempt the city's valid exercise of police powers that do not substantially impair franchise contract rights;

(e) Installation of a COW or a similar structure for a temporary period in connection with an emergency or event at the discretion of the city engineer, but no longer than required for the emergency or event, provided that installation does not involve excavation, movement, or removal of existing facilities.

(4) Public Use. Except as otherwise provided by state or federal law, any use of the PROW authorized pursuant to this division will be subordinate to the city's use and use by the public.

Sec. 26-685.11200. - Definition

- (1) "Accessory equipment" means any and all on-site equipment, including, without limitation, back-up generators and power supply units, cabinets, coaxial and fiber optic cables, connections, equipment buildings, shelters, vaults, radio transceivers, transmitters, pedestals, splice boxes, fencing and shielding, surface location markers, meters, regular power supply units, fans, air conditioning units, cables and wiring, to which an antenna is attached in order to facilitate the provision of wireless telecommunication services.
- (2) "Antenna" means any system of wires, poles, rods, reflecting discs, or similar devices of various sizes, materials and shapes including but not limited to solid or wire-mesh dish, horn, spherical, or bar configured arrangements, used for the transmission or reception of electromagnetic signals.
- (3) "Antenna array" shall mean two or more antennas having active elements extending in one or more directions, and directional antennas mounted upon and rotated through a vertical mast or tower interconnecting the beam and antenna support, all of which elements are deemed to be part of the antenna.
- (4) "Approval authority" means the city official responsible for reviewing applications for small cell permits and vested with the authority to approve, conditionally approve or deny such applications.
- (5) "Base station" shall have the meaning as set forth in Title 47 Code of Federal Regulations (C.F.R.) Section 1.40001(b)(1), or any successor provision. This means a structure or

equipment at a fixed location that enables FCC -licensed or authorized wireless communications between user equipment and a communications network (regardless of the technological configuration, and encompassing DAS and small cells). "Base station" does not encompass a tower or any equipment associated with a tower. Base station includes, without limitation:

- (a) Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- (b) Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small cells).
- (c) Any structure other than a tower that, at the time the relevant application is filed with the city under this division, supports or houses equipment described in paragraphs 1. and 2. of this definition that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.
- (d) "Base station" does not include any structure that, at the time the relevant application is filed under this division, does not support or house equipment described in paragraphs 1. and 2. of this definition. Other structures that do not host wireless telecommunications facilities are not "base stations."

As an illustration and not a limitation, the FCC's definition of "base station" refers to any structure that actually supports wireless equipment even though it was not originally intended for that purpose. Examples include, but are not limited to, wireless facilities mounted on buildings, utility poles, light standards or traffic signals. A structure without wireless equipment replaced with a new structure designed to bear the additional weight from wireless equipment constitutes a base station.

- (5) "Cellular" means an analog or digital wireless telecommunications technology that is based on a system of interconnected neighboring cell sites.
- (6) "City" means the City of West Covina.
- (7) "Code" means the West Covina Municipal Code.
- (8) "Collocation" means the placement of antennas, dishes, or similar devices owned or used by two (2) or more telecommunication providers on one (1) antenna support structure, building, pole, or structure.
- (9) "Concealed " or "concealment" means camouflaging techniques that integrate the transmission equipment into the surrounding natural and/or built environment such that the average, untrained observer cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique.
- (10) "COW" means a "cell on wheels," which is a portable, self-contained wireless telecommunications facility that can be moved to a location and set up to provide wireless telecommunication services, which facility is temporarily rolled in, or temporarily installed,

at a location. Under this division, the maximum time a facility can be installed to be considered a COW is five days. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

- (11) "Decorative pole" means any pole that includes decorative or ornamental features, design elements and/or materials intended to enhance the appearance of the pole or the public rights-of-way in which the pole is located.
- (12) "Distributed antenna system" or "DAS" means a network of spatially separated antennas (nodes) connected to a common source (a hub) via a transport medium (often fiber optics) that provide wireless telecommunications service within a specific geographic area or building. DAS includes the transport medium, the hub, and any other equipment to which the DAS network or its antennas or nodes are connected to provide wireless telecommunication services.
- (13) "Eligible facilities request" means any request for modification to an existing eligible support structure that does not substantially change the physical dimensions of such structure, involving:
 - (a) Collocation of new transmission equipment;
 - (b) Removal of transmission equipment;
 - (c) Replacement of transmission equipment (replacement does not include completely replacing the underlying support structure); or
 - (d) Hardening through structural enhancement where such hardening is necessary to accomplish the eligible facilities request, but does not include replacement of the underlying support structure.

"Eligible facilities request" does not include modifications or replacements when an eligible support structure was constructed or deployed without proper local review, was not required to undergo local review, or involves equipment that was not properly approved. "Eligible facilities request" does include collocation facilities satisfying all the requirements for a non-discretionary collocation facility pursuant to Government Code Section 65850.6.

- (14) "Eligible support structure" means any support structure located in the PROW that is existing at the time the relevant application is filed with the city under this division.
- (15) "Existing" means a support structure, wireless telecommunications facility, or accessory equipment that has been reviewed and approved under the city's applicable zoning or permitting process, or under another applicable state or local regulatory review process, and lawfully constructed prior to the time the relevant application is filed under this division. However, a support structure, wireless telecommunications facility, or accessory equipment that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is "existing" for purposes of this division. "Existing" does not apply to any structure that (1) was illegally constructed without all proper local agency approvals, or (2) was constructed in noncompliance with such approvals. "Existing" does not apply where an existing support structure is proposed to be replaced in furtherance of the proposed wireless telecommunications facility.

- (16) "Facility(ies)" means wireless telecommunications facility(ies).
- (17) "FCC" means the Federal Communications Commission.
- (18) "FCC shot clock" means the presumptively reasonable time frame within which the city generally must act on a given wireless application, as defined by the FCC and as may be amended from time to time. The shot clock shall commence on "day zero," which is the day the WTFP application is submitted.
- (19) "Ground-mounted" means mounted to a pole, tower or other freestanding structure which is specifically constructed for the purpose of supporting an antenna or wireless telecommunications facility and placed directly on the ground at grade level.
- (20) "Lattice tower" means an open framework structure used to support one or more antennas, typically with three or four support legs.
- (21) "Located within (or in) the public right-of-way" includes any facility which in whole or in part, itself or as part of another structure, rests upon, in, over or under the PROW.
- (22) "Ministerial permit" means any city-issued non-discretionary permit required to commence or complete any construction or other activity subject to the city's jurisdiction. Ministerial permits may include, without limitation, a building permit, construction permit, electrical permit, encroachment permit, excavation permit and/or traffic control permit.
- (23) "Modification" means a change to an existing wireless telecommunications facility that involves any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, changes in size, shape, color, visual design, or exterior material. "Modification" does not include repair, replacement or maintenance if those actions do not involve whatsoever any expansion, alteration, enlargement, intensification, reduction, or augmentation of an existing wireless telecommunications facility.
- (24) "Monopole" means a structure composed of a pole or tower used to support antennas or related equipment. A monopole includes a monopine, monopalm and similar monopoles camouflaged to resemble faux trees or other faux objects attached on a monopole (e.g. water tower).
- (25) "Mounted" means attached or supported.
- (26) "OTARD antennas" means antennas covered by the "over-the-air reception devices" rule in 47 C.F.R. sections 1.4000 et seq. as may be amended or replaced from time to time.
- (27) "Permittee" means any person or entity granted a wireless telecommunication facilities permit (WTFP) pursuant to this division.
- (28) "Personal wireless services" shall have the same meaning as set forth in 47 United States Code Section 332(c)(7)(C)(i), as may be amended or superseded, which defines the term as commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services.

- (29) "Planning director" means the director of community development, or his or her designee.
- (30) "Pole" means a single shaft of wood, steel, concrete or other material capable of supporting the equipment mounted thereon in a safe and adequate manner and as required by provisions of this code.
- (31) "Public right-of-way" or "PROW" means a strip of land acquired by reservation, dedication, prescription, condemnation, or easement that allows for the passage of people and goods. The PROW includes, but is not necessarily limited to, streets, curbs, gutters, sidewalks, roadway medians, parkways, and parking strips. The PROW does not include land owned, controlled or operated by the city for uses unrelated to streets or the passage of people and goods, such as, without limitation, parks, city hall and community center lands, city yards, and lands supporting reservoirs, water towers, police or fire facilities and non-publicly accessible utilities.
- (32) "City Engineer" means the City Engineer, or his or her designee.
- (33) "Replacement" refers only to replacement of transmission equipment, wireless telecommunications facilities or eligible support structures where the replacement structure will be of like-for-like kind to resemble the appearance and dimensions of the structure or equipment replaced, including size, height, color, landscaping, materials and style.
 - (a) In the context of determining whether an application qualifies as an eligible facilities request, the term "replacement" relates only to the replacement of transmission equipment and does not include replacing the support structure on which the equipment is located.
 - (b) In the context of determining whether a SWF application qualifies as being placed upon a new eligible support structure or qualifies as a collocation, an application proposing the "replacement" of the underlying support structure qualifies as a new pole proposal.
- (34) "Radiofrequency emissions" (RF) means the electromagnetic signals transmitted and received using wireless telecommunication antennas.
- (35) "Section 6409" means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, codified as 47 U.S.C. § 1455(a), as may be amended. The Middle Class Tax Relief and Job Creation Act of 2012 is also referenced herein occasionally as the "Spectrum Act".
- (36) "Small cell" means a low-powered antenna (node) that has a range of ten meters to two kilometers. The nodes of a "small cell" may or may not be connected by fiber. "Small," for purposes of "small cell," refers to the area covered, not the size of the facility. "Small cell" includes, but is not limited to, devices generally known as microcells, picocells and femtocells.
- (37) "Small cell network" means a network of small cells.
- (38) "Substantial change" has the same meaning as "substantial change" as defined by the FCC at 47 C.F.R. 1.40001(b)(7). Notwithstanding the definition above, if an existing

pole-mounted cabinet is proposed to be replaced with an underground cabinet at a facility where there are no pre-existing ground cabinets associated with the structure, such modification may be deemed a non-substantial change, in the discretion of the planning director and based upon his/her reasonable consideration of the cabinet's proximity to residential view sheds, interference to public views and/or degradation of concealment elements. If undergrounding the cabinet is technologically infeasible such that it is materially inhibitive to the project, the planning director may allow for a ground mounted cabinet. A modification or collocation results in a "substantial change" to the physical dimensions of an eligible support structure if it does any of the following:

- (a) It increases the height of the structure by more than ten percent or more than ten feet, whichever is greater;
- (b) It involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
- (c) It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets. However, for towers and base stations located in the public rights-of-way, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure;
- (d) It entails any excavation or deployment outside the current site. For purposes of this subsection, excavation outside the current site occurs where excavation more than 12 feet from the eligible support structure is proposed;
- (e) It defeats the concealment or stealthing elements of the eligible support structure; or
- (f) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs 1. through 4. of this definition.
- (g) For all proposed collocations and modifications, a substantial change occurs when:
 - (i) The proposed collocation or modification involves more than the standard number of new equipment cabinets for the technology involved, but not to exceed four equipment cabinets;
 - (ii) The proposed collocation or modification would defeat the concealment elements of the support structure; or
 - (iii) The proposed collocation or modification violates a prior condition of approval, provided however that the collocation need not comply with any prior condition of approval that is inconsistent with the thresholds for a substantial change described in this section.

The thresholds and conditions for a "substantial change" described in this section are disjunctive such that the violation of any individual threshold or condition results in a substantial change. The height and width thresholds for a substantial change described in this section are cumulative for each individual support structure. The cumulative limit is measured from the physical dimensions of the original structure for base stations, and for all other facilities sites in the PROW from the smallest physical dimensions that existed on or after February 22, 2012, inclusive of originally approved-appurtenances and any modifications that were approved prior to that date.

(39)"Support structure" means a tower, pole, base station or other structure used to support a wireless telecommunications facility.

(40)"SWF" means a "small wireless facility" as defined by the FCC in 47 C.F.R. 1.6002(l) as may be amended, which are personal wireless services facilities that meet all the following conditions that, solely for convenience, have been set forth below:

(a)The facility:

- (i) Is mounted on an existing or proposed structure 50 feet or less in height, including antennas, as defined in Title 47 C.F.R. Section 1.1320(d); or
- (ii) Is mounted on an existing or proposed structure no more than ten percent taller than other adjacent structures; or
- (iii) Does not extend an existing structure on which it is located to a height of more than 50 feet or by more than ten percent, whichever is greater;

(b)Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 C.F.R. Section 1.1320(d)), is no more than three cubic feet in volume;

(c)All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

(d)The facility does not require antenna structure registration under 47 C.F.R. Part 17;

(e)The facility is not located on Tribal lands, as defined under Title 36 C.F.R. Section 800.16(x); and

(f) The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in Title 47 C.F.R. Section 1.1307(b).

(41)"Telecommunications tower" or "tower" bears the meaning ascribed to wireless towers by the FCC in 47 C.F.R. § 1.40001(b)(9), including without limitation a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed

wireless services such as microwave backhaul, and the associated site. This definition does not include utility poles.

(42) "Transmission equipment" means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(43) "Utility pole" means any pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility services regulated by the California Public Utilities Commission. A telecommunications tower is not a utility pole.

(44) "Wireless telecommunications facility" means a mechanical device, land, and/or structure that is used to transmit and/or receive electromagnetic signals, including but not limited to antennas, microwave dishes, horn, and other types of equipment for the transmission or receipt of such signals, free-standing wireless facilities, equipment buildings or cabinets, parking areas, and other accessory development. Exceptions: The term "wireless telecommunications facility" does not apply to the following:

(a) Government-owned and operated telecommunications facilities.

(b) Emergency medical care provider-owned and operated telecommunications facilities.

(c) Mobile services providing public information coverage of news events of a temporary nature.

(d) Any wireless telecommunications facilities exempted from this code by federal law or state law.

(45) "Wireless telecommunications services" means the provision of services using a wireless telecommunications facility or a collocation facility, and shall include, but not be limited to, the following services: personal wireless services as defined in the Federal Telecommunications Act of 1996 at 47 U.S.C. § 332(c)(7)(C) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

(46) "WTFP" means a "wireless telecommunications facility permit" required by this division, which may be categorized as either a major WTFP or a minor WTFP.

Sec. 26-685.11300. - Wireless telecommunications facility permit (WTFP) review authority.

(1) Administration. The planning director is responsible for administering this division. As part of the administration of this division, the director may:

(a) Interpret the provisions of this division;

- (b) Develop forms and procedures for submission of applications for placement or modification of wireless facilities, and proposed changes to any support structure consistent with this division;
- (c) Collect, as a condition of the completeness of any application, any fee established by this division;
- (d) Establish deadlines for submission of information related to an application, and extend or shorten deadlines where appropriate and consistent with federal laws and regulations;
- (e) Issue any notices of incompleteness, requests for information, or conduct or commission such studies as may be required to determine whether a permit should be issued;
- (f) Require, as part of, and as a condition of completeness of any application, that an applicant for a wireless telecommunication facilities permit send notice to members of the public that may be affected by the placement or modification of the wireless facility and proposed changes to any support structure;
- (g) Subject to appeal as provided herein, determine whether to approve, approve subject to conditions, or deny an application; and
- (h) Take such other steps as may be required to timely act upon applications for placement of wireless telecommunication facilities, including issuing written decisions and entering into agreements to mutually extend the time for action on an application.

(2) Administrative review ("Minor WTFP") required.

- (a) Certain wireless telecommunication facilities, collocations, modifications, or replacements to an eligible support structure is subject to the planning director's review of an Administrative Review application, if the following criteria are met:
 - (i) The proposal is determined to be for a SWF, or an eligible facilities request; and
 - (ii) The proposal complies with the adopted Design Guidelines for Wireless Telecommunication Facilities in the PROW; and
 - (iii) The location of the proposed wireless telecommunication facility is no less than 500 feet from an existing or approved wireless telecommunication facility location; and
 - (iv) The location of any proposed SWF is no less than 500 feet from the location of a proposed SWF within the same application bundle.
- (b) In the event that the planning director determines that any minor WTFP application submitted does not meet the application criteria of this division, the director shall convert the application to a major WTFP and refer it to the planning commission for consideration at a public hearing.

- (3) Major Wireless Telecommunications Facilities Permit ("Major WTFP") required. All new wireless telecommunications facilities or replacements, collocations, or modifications to a wireless telecommunications facility that are not qualified for an Administrative Review shall require a Major WTFP subject to planning commission hearing and approval unless otherwise provided for in this division.
- (4) Other Permits Required. In addition to any permit that may be required under this division, the applicant must obtain all other required prior permits or other approvals from other city departments/divisions, or state or federal agencies. Any permit granted under this division is subject to the conditions and/or requirements of other required prior permits or other approvals from other city departments/division, state or federal agencies. Building and encroachment permits, and all city standards and requirements therefor, are applicable. The Planning Director and/or Planning Commission approval of any permits pursuant to this division does not constitute an encroachment permit, and/or other permits issued by other city departments/division to allow the physical installation of the wireless telecommunications facility.

Sec. 26-685.11400. - Wireless telecommunications facility permit application submittal requirements.

- (1) General. The applicant shall submit a paper copy and an electronic copy of any application, amendments, modifications, or supplements to a WTFP application, or responses to requests for information regarding a WTFP, including all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate or otherwise deploy wireless facilities within the city's jurisdictional and territorial boundaries within the PROWs, in accordance with the provisions of this section.
- (a) The city requires a pre-application submittal meeting for a major WTFP. The city does not require a pre-application submittal meeting for a minor WTFP; however, the city strongly encourages applicants to schedule and attend a pre-application submittal conference with the approval authority for all proposed minor WTFP projects, and particularly those that involve more than five minor WTFPs.
- (i) Pre-submittal conferences do not cause the FCC shot clock to begin and are intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other city departments/divisions responsible for application review; and application completeness issues.
- (ii) To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to bring any draft applications or other materials so that city staff may provide informal feedback and guidance about whether such applications or other materials may be incomplete or unacceptable. The approval authority shall use reasonable efforts to provide the applicant with an appointment within five working days after receiving a written request and any applicable fee or deposit to reimburse the city for its reasonable costs to provide the services rendered in the pre-submittal conference.

- (iii) Any request for a pre-submittal conference shall be in writing and shall confirm that any drafts to be provided to the city at the pre-submittal conference will not be deemed as "submissions" triggering the start of any FCC shot clock.
 - (b) All applications for WTFPs shall be initially submitted to the planning division. Each applicant shall fully and completely submit to the city a written application on a form prepared by the Planning division.
 - (c) Major WTFP applications must be submitted to the planning division at a scheduled application submission appointment. City staff will endeavor to provide applicants with an appointment within five business days after receipt of a written request therefor. A WTFP application will only be reviewed upon submission of a complete application therefor. A pre-submission appointment is not required for minor WTFPs.
 - (d) For SWF, applicants may submit up to five individual applications for a WTFP in a batch; provided, however, that SWF in a batch must be proposed with substantially the same equipment in the same configuration on the same support structure type. Each application in a batch must meet all the requirements for a complete application, which includes without limitation the application fee for each site in the batch. If any application in a batch is incomplete, the entire batch shall be deemed incomplete. If any application is withdrawn or deemed withdrawn from a batch as described in this division, the entire batch shall be deemed withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied.
 - (e) If the wireless telecommunications facility will also require the installation of fiber, cable, or coaxial cable, such cable installations shall be included within the application form and processed in conjunction with the proposal for vertical support structure(s). Applicants shall simultaneously request fiber installation or other cable installation when seeking to install antennas in the PROW. Standalone applications for the installation of fiber, cable, or coaxial cable, or accessory equipment designed to serve an antenna must include all features of the wireless telecommunications facility proposed.
- (2) Application Contents—Minor WTFPs. The content of the application form for facilities subject to a minor WTFP shall be determined by the planning director in addition to all other information reasonably deemed necessary, but at a minimum shall include the following:
- (a) The name of the applicant, its telephone number, mailing address, electronic mail address, and contact information, and if the applicant is a wireless infrastructure provider, the name and contact information for the wireless service provider that will be using the wireless facility.
 - (b) The name of the owner of the structure, if different from the applicant, and a signed and notarized owner's authorization for use of the structure.
 - (c) A complete description of the proposed wireless telecommunications facility and any and all work that will be required to install or modify it, including, but not limited to, details regarding proposed excavation, if any; detailed site plans showing the location of the wireless telecommunications facility, and dimensioned drawings with specifications for each element of the wireless facility, clearly describing the site and all structures and facilities at the site before and after installation or modification; and a dimensioned map

identifying and describing the distance to the nearest residential dwelling unit and any historical structure within 250 feet of the facility. Before and after 360 degree photo simulations shall be provided.

- (d) Documentation sufficient to show that the proposed facility will comply with generally-applicable health and safety provisions of the municipal code and the FCC's radio frequency emissions standards.
- (f) A copy of the lease or other agreement, if any, between the applicant and the owner of the property to which the proposed facility will be attached.
- (g) If the application is for a SWF, the application shall state as such and shall explain why the proposed facility meets the definition of a SWF.
- (h) If the application is for an eligible facilities request, the application shall state as such and must contain information sufficient to show that the application qualifies as an eligible facilities request, which information must demonstrate that the eligible support structure was not constructed or deployed without proper local review, was not required to undergo local review, or involves equipment that was not properly approved. This shall include copies of all applicable local permits in-effect and as-built drawings of the current site. Before and after 360 degree photo simulations shall be provided, as well as documentation sufficient to show that the proposed facility will comply with generally-applicable health and safety provisions of the municipal code and the FCC's radio frequency emissions standards.
- (i) For SWFs, the application shall also contain:
 - (i) Application Fee. The applicant shall submit the applicable SWF WTFP application fee established by city council resolution. Batched applications for Major WTFP projects must include the applicable application fee for each SWF in the batch.
 - (ii) Construction Drawings. The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a California licensed or registered engineer, that depict all the existing and proposed improvements, equipment and conditions related to the proposed project, which includes without limitation any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features. The construction drawings shall: (i) contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number, and physical dimensions; (ii) identify all structures within 500 feet from the proposed project site and indicate such structures' overall height above ground level; (iii) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection; and (iv) demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.

- (iii) Site Survey. For any SWF proposed to be located within the PROW, the applicant shall submit a survey prepared, signed, and stamped by a California licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments and other structures within 500 feet from the proposed project site, which includes without limitation all: (i) traffic lanes; (ii) all private properties and property lines; (iii) above and below-grade utilities and related structures and encroachments; (iv) fire hydrants, roadside call boxes and other public safety infrastructure; (v) streetlights, decorative poles, traffic signals and permanent signage; (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; (vii) benches, trash cans, mailboxes, kiosks and other street furniture; and (viii) existing trees, planters and other landscaping features.
- (iv) Photo Simulations. The applicant shall submit site photographs and 360 degree photo simulations that show the existing location and proposed SWF in context from at least three vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point.
- (v) Project Narrative and Justification. The applicant shall submit a written statement that explains in plain factual detail whether and why the proposed wireless facility qualifies as a SWF as defined by the FCC in 47 C.F.R. 1.6002(l). A complete written narrative analysis will state the applicable standard and all the facts that allow the city to conclude the standard has been met—bare conclusions not factually supported do not constitute a complete written analysis. As part of the written statement the applicant must also include (i) whether and why the proposed support is a structure as defined by the FCC in 47 C.F.R. § 1.6002(m); and (ii) whether and why the proposed wireless facility meets each required finding for a SWF permit as provided in Section 12.18.060 (Review Procedure).
- (vi) RF Compliance Report. The applicant shall submit an RF exposure compliance report that certifies that the proposed SWF, as well as any collocated wireless facilities, will comply with applicable federal RF exposure standards and exposure limits. The RF report must be prepared and certified by an RF engineer acceptable to the city. The RF report must include the actual frequency and power levels (in watts ERP) for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.
- (vii) Regulatory Authorization. The applicant shall submit evidence of the applicant's regulatory status under federal and California law to provide the services and construct the SWF proposed in the application.
- (viii) Site Agreement. For any SWF proposed to be installed on any structure owned or controlled by the city and located within the public rights-of-way, the applicant must

enter into a site agreement prepared on a form prepared by the city and approved by the city attorney that states the terms and conditions for such non-exclusive use by the applicant. No changes shall be permitted to the city's form site agreement except as may be indicated on the form itself. Any unpermitted changes to the city's form site agreement shall be deemed a basis to deem the application incomplete.

(ix) Acoustic Analysis. The applicant shall submit an acoustic analysis prepared and certified by an acoustic engineer for the proposed SWF and all associated equipment including all environmental control units, sump pumps, temporary backup power generators and permanent backup power generators demonstrating compliance with the following noise regulations:

1.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.;

2.At no time shall equipment noise from any facility exceed an exterior noise level of 55 dBA three feet from the source of the noise if the facility is located in the public right-of-way adjacent to a business, commercial, manufacturing, utility or school zone; provided, however, that for any such facility located within 500 feet of any property zoned residential or improved with a residential use, such equipment noise shall not exceed 45 dBA three feet from the sources of the noise.

3.The acoustic analysis shall also include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. In lieu of an acoustic analysis, the applicant may submit evidence from the equipment manufacturer that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable limits.

(x) Wind Load Analysis. The applicant shall submit a wind load analysis with an evaluation of high wind load capacity and shall include the impact of modification of an existing facility.

(xi) Environmental Data. A completed environmental assessment application, or in the alternative any and all documentation identifying the proposed WTFP as exempt from environmental review (under the California Environmental Quality Act, Public Resources Code 21000— 21189, the National Environmental Policy Act, 42 U.S.C. §4321 et seq., or related environmental laws). Notwithstanding any determination of environmental exemption issued by another governmental entity, the city reserves its right to exercise its rights as a responsible agency to review de novo the environmental impacts of any WTFP application.

(xii) Traffic Control Plan. A traffic control plan when the proposed installation is on any street in a non-residential zone. The city shall have the discretion to require a traffic control plan when the applicant seeks to use large equipment (e.g. crane).

(xiii) Landscape Plan. A scaled conceptual landscape plan showing existing trees and vegetation and all proposed landscaping, concealment, screening and proposed

irrigation with a discussion of how the chosen material at maturity will screen the SWF and its accessory equipment.

(xiv) CPCN. Certification that applicant is a telephone corporation or a statement providing the basis for its claimed right to enter the PROW. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.

(xvi) Master Deployment Plan. A master deployment plan showing the locations of existing and proposed small wireless facilities over the next two years.

(j) If the applicant contends that denial of the application would prohibit or effectively prohibit the provision of service in violation of federal law, or otherwise violate applicable law, the application must provide all information on which the applicant relies on in support of that claim. Applicants are not permitted to supplement this showing if doing so would prevent the city from complying with any deadline for action on an application or FCC shot clock.

(3) Application Contents— Major WTFPs. The application form for a major WTFP shall require the following information, in addition to all other information determined necessary by the planning director:

(a) The name, address, and telephone number of the applicant, owner, and the operator of the proposed wireless telecommunication facility.

(b) If the applicant does not, or will not, own the support structure, the applicant shall provide a duly-executed letter of authorization from the owner of the structure. If the owner of the support structure is the applicant, but such owner/applicant will not directly provide wireless telecommunications services, the owner/applicant shall provide a duly-executed letter of authorization from the person(s) or entity(ies) that will provide those services.

(c) A full written description of the proposed wireless telecommunications facility and its purpose.

(d) Detailed engineering plans of the proposed wireless telecommunications facility and related report prepared by a professional engineer registered in the state documenting the following:

(i) Height/elevation, diameter, layout and design of the facility, including technical engineering specifications, economic and other pertinent factors governing selection of the proposed design, together with evidence that demonstrates that the proposed facility has been designed to be the least intrusive equipment within the particular technology available to the carrier for deployment.

(ii) A photograph and model name and number of each piece of the facility or proposed antenna array and accessory equipment included.

(iii) Power output and operating frequency for the proposed antenna array (including any antennas existing as of the date of the application serving the carrier identified in the application).

- (iv) Total anticipated capacity of the wireless telecommunications facility for the subject carrier, indicating the number and types of antennas and power and frequency ranges, which can be accommodated.
 - (v) Sufficient evidence of the structural integrity of the support structure as required by the city.
 - (e) A written description identifying the geographic service area to be served by the proposed WTFP, plus geographic or propagation maps showing applicant's service area objectives.
 - (f) A justification study which includes the rationale for selecting the proposed wireless telecommunication facility design, support structure and location. A detailed explanation of the applicant's coverage objectives that the proposal would serve, and how the proposed use is the least intrusive means for the applicant to cover such objectives. This shall include:
 - (i) A meaningful comparative analysis that includes all factual reasons why the proposed location and design deviates from, or is the least compliant means of, or not the least intrusive location and design necessary to reasonably achieve the applicant's reasonable objectives of covering an established significant gap (as established under state and federal law).
 - (ii) The study shall include all eligible support structures and/or alternative sites evaluated for the proposed major WTFP, and why the alternatives are not reasonably available, technically feasible options that most closely conform to the local values. The alternative site analysis must include the consideration of at least two eligible support structures; or, if no eligible support facilities are analyzed as alternatives, why no eligible support facilities are reasonably available or technically feasible.
 - (iii) If a portion of the proposed facility lies within a jurisdiction other than the city's jurisdiction, the applicant must demonstrate that alternative options for locating the project fully within one jurisdiction or the other is not a viable option. Applicant must demonstrate that it has obtained all approvals from the adjacent jurisdiction for the installation of the extra-jurisdictional portion of the project.
 - (g) Site plan(s) to scale, specifying and depicting the exact location of the proposed wireless telecommunications facility, location of accessory equipment in relation to the support structure, access or utility easements, existing utilities, adjacent land uses, and showing compliance with all design and safety requirements set forth in this division.
 - (h) A completed environmental assessment application, or in the alternative any and all documentation identifying the proposed WTFP as exempt from environmental review (under the California Environmental Quality Act, Public Resources Code 21000-21189, the National Environmental Policy Act, 42 U.S.C. § 4321 et seq., or related environmental laws). Notwithstanding any determination of environmental exemption issued by another governmental entity, the city reserves its right to exercise its rights as a responsible agency to review de novo the environmental impacts of any WTFP application.
 - (i) An accurate visual impact analysis showing the maximum silhouette, view-shed analysis, color and finish palette and proposed screening for the wireless telecommunications facility, including scaled photo simulations from at least three different angles.

- (j) Completion of the RF emissions exposure guidelines checklist contained in Appendix A to the FCC's "Local Government Official's Guide to Transmitting Antenna RF Emission Safety" to determine whether the facility will be "categorically excluded" as that term is used by the FCC.
 - (k) For a facility that is not categorically excluded under the FCC regulations for RF emissions, the applicant shall submit an RF exposure compliance report prepared and certified by an RF engineer acceptable to the city that certifies that the proposed facility, as well as any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable federal RF exposure standards and exposure limits. The RF report must include the actual frequency and power levels (in watts effective radio power "ERP") for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.
 - (l) Copies of any documents that the applicant is required to file pursuant to Federal Aviation Administration regulations for the proposed wireless telecommunications facility.
 - (m) A noise study prepared by a qualified acoustic engineer documenting that the level of noise to be emitted by the proposed wireless telecommunications facility will comply with this code, including Chapter 15, Article IV (Noise Regulations) of this code.
 - (n) A traffic control plan. The city shall have the discretion to require a traffic control plan when the applicant seeks to use large equipment (e.g., crane).
 - (o) A scaled conceptual landscape plan showing existing trees and vegetation and all proposed landscaping, concealment, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the wireless telecommunication facility.
 - (p) Certification that applicant is a telephone corporation, or a statement providing the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.
 - (q) Evidence that the proposed wireless facility qualifies as a personal wireless services facility.
 - (r) Address labels for use by the city in noticing all property owners and occupants of properties within 300 feet of the proposed wireless telecommunication facility and, if applicable, all public hearing information required by the municipal code for public noticing requirements.
 - (s) Any other information and/or studies reasonably determined to be necessary by the planning director(s) may be required.
- (4) Application Fees and Deposits. For all WTFPs, application fee(s) and the establishment of deposits to cover outside consultant costs shall be required to be submitted with any

application, as established by city council resolution and in accordance with California Government Code Section 50030.

(a) Reasonable costs of city staff, consultant and attorney time (including that of the city attorney) pertaining to the review, processing, noticing and hearing procedures directly attributable to a WTFP shall be reimbursable to the city. To this end, the planning director, as applicable, may require applicants to enter a deposit reimbursement agreement, in a form approved by the city attorney, or other established deposit accounting mechanism for purposes of obtaining an applicant deposit from which the direct costs of city processing of an application may be drawn-down.

(5) Effect of State or Federal Law on Application Process. In the event a state or federal law prohibits the collection of any information or application conditions required by this section, the planning director is authorized to omit, modify, or add to that request from the city's application form in consultation with the city attorney. Requests for waivers from any application requirement of this section shall be made in writing to the planning director. The planning director may grant a request for waiver if it is demonstrated that, notwithstanding the issuance of a waiver, the city will be provided all information necessary to understand the nature of the construction or other activity to be conducted pursuant to the WTFP sought. All waivers approved pursuant to this subsection shall be (1) granted only on a case-by-case basis, and (2) narrowly-tailored to minimize deviation from the requirements of the municipal code.

(6) Applications Deemed Withdrawn. To promote efficient review and timely decisions, any application governed by this division will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the city on any application within 30 calendar days after the application is deemed incomplete in a written notice to the applicant. The planning director (as applicable) may grant a written extension for up to an additional 30 calendar days when the applicant submits a written request prior to the application deemed automatically withdrawn that shows good cause to grant the extension.

(7) Waiver of Applications Superseded by Submission of New Project. If an applicant submits a WTFP application, but substantially revises the proposed facility during the application process prior to any city hearing or decision on such application, the substantially revised application shall be deemed a new application for all processing purposes, including FCC shot clocks, and the prior submittals deemed waived and superseded by the substantially revised application. For purposes of this subparagraph, "substantially revised" means that the project as initially-proposed has been alternately proposed for a location 300 feet or more from the original proposal or constitutes a substantial change in the dimensions or equipment that was proposed in the original WTFP application.

(8) Rejection for Incompleteness. WTFPs will be processed, and notices of incompleteness provided, in conformity with state, local, and federal law. If such an application is incomplete, it may be rejected by the planning director by notifying the applicant in writing and specifying the material omitted from the application.

Sec. 26-685.11500. - Review procedure.

(1) General. Wireless telecommunications facilities shall be installed and modified in a manner that minimizes risk to public safety and utilizes installation of new support structures or

equipment cabinets in the PROW only after all existing and replacement structure options have been exhausted, and where feasible, places equipment underground, and otherwise maintains the integrity and character of the neighborhoods and corridors in which the facilities are located; ensures that installations are subject to periodic review to minimize the intrusion on the PROW; and ensures that the city bears no risk or liability as a result of the installations, and that such use does not inconvenience the public, interfere with the primary uses of the PROW, or hinder the ability of the city or other government agencies to improve, modify, relocate, abandon, or vacate the PROW or any portion thereof, or to cause the improvement, modification, relocation, vacation, or abandonment of facilities in the PROW.

(2) Collocation Encouraged. Where the facility site is capable of accommodating a collocated facility upon the same site in a manner consistent with the permit conditions for the existing facility, the owner and operator of the existing facility shall allow collocation of third-party facilities, provided the parties can mutually agree upon reasonable terms and conditions therefor.

(3) Findings Required for Approval of a WTFP.

(a) Minor WTFP for SWF. For minor WTFP applications proposing a SWF, the planning director or planning commission shall approve such application if, on the basis of the application and other materials or evidence provided in review thereof, all of the following findings can be made:

- (i) The facility qualifies as a SWF;
- (ii) The facility is not detrimental to the public health, safety, and welfare;
- (iii) The SWF meets applicable requirements and standards of state and federal law;
- (vi) The facility meets applicable requirements under this division and complies with the adopted Design Guidelines.

(b) Minor WTFP for EFR. For minor WTFP applications proposing an eligible facilities request, the planning director shall approve such application if, on the basis of the application and other materials or evidence provided in review thereof, all of the following findings can be made:

- (i) That the application qualifies as an eligible facilities request; and
- (ii) That the proposed facility will comply with all generally-applicable laws.

(c) Major WTFP. No major WTFP shall be granted unless all of the following findings are made by the applicable decision-maker:

- (i) The proposed wireless telecommunications facility has been designed and located in compliance with all applicable provisions of this division;
- (ii) If applicable, the applicant has demonstrated its inability to locate on an eligible support structure;
- (iii) The applicant has provided sufficient evidence supporting the applicant's claim that it has the right to enter the public right-of-way pursuant to state or federal law, or the

applicant has entered into a franchise agreement with the city permitting them to use the public right-of-way;

(iv) If applicable, the applicant has provided sufficient evidence supporting the applicant's claim that compliance with the adopted Design Guidelines would be technically infeasible;

(v) The applicant has demonstrated the proposed installation is designed such that the proposed installation represents the least intrusive means possible, supported by factual evidence and a meaningful comparative analysis to show that all alternative locations and designs identified in the application review process were technically infeasible or not reasonably available.

(4)Noticing. The provisions in this section describe the procedures for the approval process, any required notice and public hearings for a WTFP application.

(a)Major WTFP Applications. Any major WTFP application shall require notice and a public hearing. The public hearing notices shall be provided as set forth in Section 26-206 of the West Covina Municipal Code.

(5)Notice of Decision. Within five days after any decision to grant, approve, deny, or conditionally grant any WTFP application, the planning director, as applicable, shall provide written notice based on substantial evidence in the written administrative record including the following:

(a)A general explanation of the decision, including the findings required for the decision, if any, and how those findings were supported or not supported by substantial evidence;

(b)A general description of the property involved;

(c)Information about applicable rights to appeal the decision, costs to appeal, and explanation of how that right may be exercised; and

(d)To be given by first class mail to the project applicant and property owner;

(e)Once a WTFP is approved, no changes shall be made to the approved plans without review and approval in accordance with this division.

(f) Because Section 332(c)(7) of the Telecommunications Act preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, no decision upon a WTFP shall be premised upon the environmental or health effects of RF emissions, nor shall public comments be considered to the extent they are premised upon the environmental or health effects of RF emissions.

(6)Appeals.

(a)An appeal by a wireless infrastructure provider must be taken jointly with the wireless service provider that intends to use the wireless facility. Because Section 332(c)(7) of the Telecommunications Act preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, appeals of WTFP decision premised on the environmental effects of radio frequency emissions will not be considered.

(b) WTFP Appeals. Any person claiming to be adversely affected by a decision of a major WTFP pursuant to this division may appeal such decision as provided in accordance with the appeal provisions in Section 26-212 of the West Covina Municipal Code.

Sec. 26-685.11600 - Design and development standards.

(1) Wireless Telecommunication Facility Design and Development Standards. Wireless telecommunication facilities in the PROW are subject to the design and development standards and conditions of approval set forth herein. All wireless telecommunication facilities shall be designed and maintained as to minimize visual, noise and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the following standards:

(a) Concealment. All Wireless telecommunication facilities shall employ concealment, screening, undergrounding, and camouflage methods and techniques in order to ensure that the facility is visually screened and blends into the environment to prevent the facility from dominating the surrounding area, as well as to be compatible with the architectural character of the surrounding buildings or structures per the adopted Design Guidelines.

(b) Location.

- (i) Wireless telecommunication facilities shall not be located within the center median of any street.
- (ii) SWFs shall not be located within 15 feet from any structure used for residential purposes in the PCD-1 zone.
- (iii) SWFs shall not be located within 30 feet from any structure used for residential purposes in all other land-use zones outside of the PCD-1 zone.
- (iv) SWFs may not encroach onto or over any private or other property outside the PROW unless on a recorded utility easement.
- (v) Wireless telecommunication facilities shall not be located within the drip-line of any tree located on private property as set forth in Section 26-294 (Protection of trees during development activity) of this code.
- (vi) All wireless telecommunications facilities subject to a major WTFP shall not be located in the PROW adjacent to properties used for residential purposes.
- (vii) All wireless telecommunications facilities subject to a major WTFP shall not be located in the PROW within 100 feet of designated historic buildings.

(c) Noise. All wireless telecommunication facilities and accessory equipment shall comply with all applicable noise control standards and regulations stated in this division, including the following:

- (i) 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.;
- (ii) At no time shall equipment noise from any facility exceed an exterior noise level of 55 dBA three feet from the source of the noise if the facility is located in the

public right-of-way adjacent to a business, commercial, manufacturing, utility or school zone; provided, however, that for any such facility located within 500 feet of any property zoned residential or improved with a residential use, such equipment noise shall not exceed 45 dBA three feet from the sources of the noise.

- (d) Landscaping. Wireless telecommunication facilities shall not displace any existing landscape features in the PROW unless: (1) such displaced landscaping is replaced with plants, trees or other landscape features approved by the public services director or his or her designee and (2) the applicant submits and adheres to a landscape maintenance plan. The landscape plan must include existing vegetation, and vegetation proposed to be removed or trimmed, and the landscape plan must identify proposed landscaping by species type, size and location. Landscape maintenance shall be performed in accordance to the public services director, or his or her designee. To preserve existing landscaping in the PROW, all work performed in connection with wireless telecommunication facilities shall not cause any street trees to be trimmed, damaged or displaced. If any street trees are damaged or displaced, the applicant shall be responsible, at its sole cost and expense, to plant and maintain replacement trees at the site for the duration of the permit term.
- (e) No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the city.
- (f) Accessory Equipment. Not including the electric meter, all accessory equipment shall be located underground unless city staff determines that there is no room in the PROW for undergrounding or that undergrounding is not feasible. Such accessory equipment shall be enclosed with a structure and shall be fully screened and camouflaged, including the use of landscaping, architectural treatment or other acceptable alternate screening method. Required electrical meters or cabinets shall be screened and/or camouflaged per the adopted Design Guidelines.
- (g) Support Structures. Only pole-mounted antennas shall be permitted in the PROW. Mounting to all other forms of support structure in the PROW are prohibited.

 - (i) Utility Poles. Wireless telecommunication facilities proposed to be installed on an existing utility pole must install all antennas above the pole unless the applicant demonstrates that mounting the antennas above the pole would be technically infeasible as supported by clear and convincing evidence in the written record. The maximum height of any antenna or equipment above the pole shall not exceed five (5) feet. Antennas must be concealed within a shroud. All cables, wires and other connectors must be concealed within the side-arm mount or extension arm of a wood pole and within the inside of any other pole. The maximum horizontal separation between the antenna and the pole shall be the minimum separation required by applicable health and safety regulations.
 - (ii) Streetlight Poles. The maximum height of any antenna and equipment shall not exceed five (5) feet above the existing height of other streetlight pole(s) installed along the same street.
 - (iii) Replacement Poles. If an applicant proposes to replace a pole that is an eligible support structure to accommodate the proposed facility, the replacement pole shall be designed to resemble the appearance and dimensions of existing poles near the

proposed location, including size, height, color, materials and style to the maximum extent feasible.

- (iv) New, Non-Replacement Poles. Wireless telecommunication facilities on a new, non-replacement pole must install a new streetlight pole substantially similar to the city's and/or electric utility provider's standards and specifications but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. The pole diameter shall not exceed 12 inches. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome, and shall comply with the following:

1. The new pole must function for a purpose other than placement of a wireless facility (e.g., street light, street sign poles, etc.).
2. The design must match the dimensions and design of existing and similar types of poles and antennas in the surrounding areas.

- (h) Obstructions; Public Safety. SWF and any associated equipment or improvements shall not physically interfere with or impede access to any:

- (i) Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, incommode the public's use of the right-of-way, or cause safety hazards to pedestrians and motorists.
- (ii) A facility shall not be located within any portion of the public right of-way interfering with access to a fire hydrant, fire station, fire escape, water valve, underground vault, valve housing structure, or any other public health or safety facility.
- (iii) Doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way;

- (2) Eligible Facilities Request Design and Development Standards. Approved eligible facilities requests for which the findings set forth in Section 26-685.11500 have been made are subject to the following, unless modified by the approving authority:

- (a) WTFP Subject to Conditions of Underlying Permit. Any WTFP granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit and all such conditions that were applicable to the facility prior to approval of the subject eligible facility request.

- (b) No Permit Term Extension. The city granting, or granting by operation of law, of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the city's granting, or granting by operation of law, of an eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall

have the same term as the underlying permit or other regulatory approval for the subject tower or base station.

(c)No Waiver of Standing. The city's granting, or granting by operation of law, of an eligible facilities request does not waive, and shall not be construed to waive, any standing by the city to challenge Section 6409(a) of the Spectrum Act, any FCC rules that interpret Section 6409(a) of the Spectrum Act, or any modification to Section 6409(a) of the Spectrum Act.

(3)Conditions of Approval. All wireless telecommunication facilities shall be subject to conditions of approval as reasonably imposed by the planning director or the approving city body, as applicable, as well as any modification of the conditions of approval deemed necessary by the planning director or approving city body.

Sec. 26-685.11700 Operation and maintenance standards.

All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards:

(1)The permittee shall at all times maintain compliance with all applicable federal, state, and local laws, regulations and other rules, including, without limitation, those applying to use of the PROW. The permittee shall ensure that all equipment and other improvements to be constructed and/or installed in connection with the approved WTFP are maintained in a manner that is not detrimental or injurious to the public health, safety, and general welfare and that the aesthetic appearance is continuously preserved, and substantially the same as shown in the approved plans at all times relevant to the WTFP.

(2)Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the permittee, owner, operator or any designated maintenance agent at its sole cost within 48 hours:

(a)After discovery of the need by the permittee, owner, operator, or any designated maintenance agent; or

(b)After permittee, owner, operator, or any designated maintenance agent receives notification from the city.

(3)Insurance. The permittee shall obtain and maintain throughout the term of the permit a type and amount of insurance as specified by city's risk management. The relevant policy(ies) shall name the city, its elected/appointed officials, commission members, officers, representatives, agents, and employees as additional insured. The permittee shall use its best efforts to provide 30 days prior notice to the city engineer of the cancellation or material modification of any applicable insurance policy.

(4)Indemnities. The permittee and, if applicable, the owner of the property upon which the wireless facility is installed shall defend, indemnify and hold harmless the city, its agents, officers, officials, and employees (a) from any and all damages, liabilities, injuries, losses, costs, and expenses, and from any and all claims, demands, law suits, writs of mandamus, and other actions or proceedings brought against the city or its agents, officers, officials, or employees to challenge, attack, seek to modify, set aside, void or annul the city's approval of

the permit, and (b) from any and all damages, liabilities, injuries, losses, costs, and expenses, and any and all claims, demands, law suits, or causes of action and other actions or proceedings of any kind or form, whether for personal injury, death or property damage, arising out of or in connection with the activities or performance of the permittee or, if applicable, the private property owner or any of each one's agents, employees, licensees, contractors, subcontractors, or independent contractors. In the event the city becomes aware of any such actions or claims the city shall promptly notify the permittee and, if applicable, the private property owner and shall reasonably cooperate in the defense. The city shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the city's defense, and the property owner and/or permittee (as applicable) shall reimburse the city for any costs and expenses directly and necessarily incurred by the city in the course.

- (5)Performance Bond. Prior to issuance of a wireless encroachment permit, the permittee shall file with the city, and shall maintain in good standing throughout the term of the approval, a performance bond or other surety or another form of security for the removal of the facility in the event that the use is abandoned or the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to 100 percent of the cost of removal of the facility as specified in the application for the WTFP or as that amount may be modified by the city engineer in the permit based on the characteristics of the installation. The permittee shall reimburse the city for staff time associated with the processing and tracking of the bond, based on the hourly rate adopted by the city council. Reimbursement shall be paid when the security is posted and during each administrative review.
- (6)Adverse Impacts on Adjacent Properties. Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification, and removal of the facility. All facilities, including each piece of equipment, shall be located and placed in a manner so as to not interfere with the use of the PROW, impede the flow of vehicular or pedestrian traffic, impair the primary use and purpose of poles/signs/traffic signals or other infrastructure, interfere with outdoor dining areas or emergency facilities, or otherwise obstruct the accessibility of the PROW.
- (7)Contact Information. Each permittee of a wireless telecommunications facility shall provide the city engineer with the name, address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator and the agent responsible for the maintenance of the facility ("contact information"). Contact information shall be updated within seven days of any change.
- (8)All facilities, including, but not limited to, telecommunication towers, poles, accessory equipment, lighting, fences, walls, shields, cabinets, artificial foliage or camouflage, and the facility site shall be maintained in good condition, including ensuring the facilities are reasonably free of:
- (a)Subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to city streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems (water, sewer, storm drains, gas, oil, electrical, etc.) that result from any

activities performed in connection with the installation and/or maintenance of a wireless facility in the PROW;

(b) General dirt and grease;

(c) Chipped, faded, peeling, and cracked paint;

(d) Rust and corrosion;

(e) Cracks, dents, and discoloration;

(f) Missing, discolored or damaged artificial foliage or other camouflage;

(g) Graffiti, bills, stickers, advertisements, litter and debris. All graffiti on facilities must be removed at the sole expense of the permittee within 48 hours after notification from the city;

(h) Broken and misshapen structural parts; and (i) Any damage from any cause.

(9) All trees, foliage or other landscaping elements approved as part of the facility shall be maintained in neat, safe and good condition at all times, and the permittee, owner and operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping. No amendment to any approved landscaping plan may be made until it is submitted to and approved by the planning director and public services director.

(10) The permittee shall replace its facilities, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation.

(11) Each facility shall be operated and maintained to comply with all conditions of approval. The permittee, when directed by the city, must perform an inspection of the facility and submit a report to the planning director and city engineer on the condition of the facility to include any identified concerns and corrective action taken. Additionally, as the city performs maintenance on city-owned infrastructure, additional maintenance concerns may be identified. These will be reported to the permittee. The city shall give the permittee 30 days to correct the identified maintenance concerns after which the city reserves the right to take any action it deems necessary, which could include revocation of the permit. The burden is on the permittee to demonstrate that it complies with the requirements herein. Prior to issuance of a permit under this division, the owner of the facility shall sign an affidavit attesting to understanding the city's requirement for performance of annual inspections and reporting.

(12) All facilities permitted pursuant to this division shall comply with the Americans with Disabilities Act.

(13) The permittee shall be responsible for obtaining power to the facility and for the cost of electrical usage.

(14) Interference.

(a) The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement, or property without the prior consent of the owner of

that structure, improvement, or property. No structure, improvement, or property owned by the city shall be moved to accommodate a permitted activity or encroachment, unless the city determines that such movement will not adversely affect the city or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the city's structure, improvement, or property. Prior to commencement of any work pursuant to a wireless encroachment permit, the permittee shall provide the city with documentation establishing to the city's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement, or property within the PROW or city utility easement to be affected by permittee's facilities.

(b)The facility shall not damage or interfere in any way with city property, the city's operations or the operations of prior-existing, third party installations. The city will reasonably cooperate with the permittee and/or carrier to carry out such activities as are necessary to correct the interference.

(i) Signal Interference. The permittee shall correct any such interference within 24 hours of written notification of the interference. Upon the expiration of the 24-hour cure period and until the cause of the interference is eliminated, the permittee shall cease operation of any facility causing such interference until such interference is cured.

(ii) Physical Interference. The city shall give the permittee 30 days to correct the interference after which the city reserves the right to take any action it deems necessary, which could include revocation of the permit.

(c)The city at all times reserves the right to take any action it deems necessary, in its sole discretion, to repair, maintain, alter, or improve the sites. Such actions may temporarily interfere with the operation of the facility. The city will in all cases, other than emergencies, give the applicant 30 days written notification of such planned, non-emergency actions.

(14)RF Exposure Compliance. All facilities shall comply with all standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF exposure standards. After transmitter and antenna system optimization, but prior to unattended operations of the facility, the permittee or its representative must conduct on-site post-installation RF emissions testing to demonstrate actual compliance with the FCC Office of Engineering and Technology Bulletin 65 RF Emissions Safety Rules for General Population/Uncontrolled RF Exposure in All Sectors. For this testing, the transmitter shall be operating at maximum operating power, and the testing shall occur outwards to a distance where the RF emissions no longer exceed the uncontrolled/general population limit.

(a)Testing of any equipment shall take place on weekdays only, and only between the hours of 8:30 a.m. and 4:30 p.m. Testing is prohibited on holidays and weekends.

(15)Records. The permittee shall maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that the permittee does not maintain such records as required in this condition or fails to produce true and complete copies of such records within a reasonable time after a written request from the city, any ambiguities or uncertainties that

would be resolved through an inspection of the missing records will be construed against the permittee.

- (16) Attorney's Fees. In the event the city determines that it is necessary to take legal action to enforce any of these conditions, or to revoke a permit, and such legal action is taken, the permittee shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the city, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the city should otherwise agree with permittee to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.

Sec. 26-685.11800 No dangerous condition or obstructions allowed.

No person shall install, use or maintain any wireless telecommunications facility that 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.

Sec. 26-685.11900 Nonexclusive grant; no possessory interests.

- (1) No permit or approval granted under this division shall confer any exclusive right, privilege, license or franchise to occupy or use the public right-of-way of the city for any purpose whatsoever. Further, no approval shall be construed as a warranty of title.
- (2) No possessory interest is created by a WTFP. However, to the extent that a possessory interest is deemed created by a governmental entity with taxation authority, the permittee acknowledges that the city has given to the applicant notice pursuant to California Revenue and Taxation Code Section 107.6 that the use or occupancy of any public property pursuant to a WTFP may create a possessory interest which may be subject to the payment of property taxes levied upon such interest. Wireless telecommunications facility operators shall be solely liable for, and shall pay and discharge prior to delinquency, any and all possessory interest taxes or other taxes, fees, and assessments levied against their right to possession, occupancy, or use of any public property pursuant to any right of possession, occupancy, or use created by the WTFP.
- (3) The permission granted by a WTFP shall not in any event constitute an easement on or an encumbrance against the PROW. No right, title, or interest (including franchise interest) in the PROW, or any part thereof, shall vest or accrue in permittee by reason of a wireless encroachment permit or the issuance of any other permit or exercise of any privilege given thereby.

Sec. 26-685.12000 Permit expiration; abandonment of applications.

- (1) Permit Term. Unless 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 (10) years, unless pursuant to another provision of this code it lapses sooner or is revoked. At the end of ten (10) years from the date of issuance, such permit shall automatically expire.
- (2) A permittee 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 wireless telecommunications facilities.
- (3) Timing of Installation. The installation and construction authorized by a WTFP shall begin within one year after its approval, or it will expire without further action by the city. The installation and construction authorized by a WTFP shall conclude, including any necessary post-installation repairs and/or restoration to the PROW, within 30 days following the day construction commenced.
- (4) Commencement of Operations. The operation of the approved facility shall commence no later than 90 days after the completion of installation, or the WTFP will expire without further action by the city. The permittee shall provide the planning director and city engineer notice that operations have commenced by the same date.

Sec. 26-685.12100 Cessation of use or abandonment.

- (1) A wireless telecommunications facility is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more consecutive days unless the permittee has obtained prior written approval from the director which shall not be unreasonably denied. If there are two or more users of a single facility, then this provision shall not become effective until all users cease using the facility.
- (2) The operator of a facility shall notify the planning director and city engineer in writing of its intent to abandon or cease use of a permitted site or a nonconforming site (including unpermitted sites) within ten days of ceasing or abandoning use. Notwithstanding any other provision herein, the operator of the facility shall provide written notice to the planning director and city engineer of any discontinuation of operations of 30 days or more.
- (3) Failure to inform the planning director and city engineer of cessation or discontinuation of operations of any existing facility as required by this section shall constitute a violation of any approvals and be grounds for:
 - (a) Litigation;
 - (b) Revocation or modification of the permit;
 - (c) Acting on any bond or other assurance required by this article or conditions of approval of the permit;
 - (d) Removal of the facilities by the city in accordance with the procedures established under this code for abatement of a public nuisance at the owner's expense; and/or
 - (e) Any other remedies permitted under this code or by law.

Sec. 26-685.12200 Removal and restoration— Permit expiration, revocation or abandonment.

- (1) Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the WTFP or abandonment of the facility, the permittee, owner or operator shall remove its wireless telecommunications facility and restore the site to the condition it was in prior to the granting of the WTFP, except for retaining the landscaping improvements and any other improvements at the discretion of the city. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the city. Expired, terminated or revoked wireless telecommunications facility equipment shall be removed from the site at no cost or expense to the city.
- (2) Failure of the permittee, owner or operator to promptly remove its facility and restore the property within ninety (90) days after expiration, earlier termination or revocation of the WTFP, or abandonment of the facility, shall be a violation of this code. Upon a showing of good cause, an extension may be granted by the city engineer where circumstances are beyond the control of the permittee after expiration. Further failure to abide by the timeline provided in this section shall be grounds for:

 - (a) Prosecution;
 - (b) Acting on any security instrument required by this division or conditions of approval of permit;
 - (c) Removal of the facilities by the city in accordance with the procedures established under this code for abatement of a public nuisance at the owner's expense; and/or
 - (d) Any other remedies permitted under this code or by law.
- (3) Summary Removal. In the event any city director or city engineer determines that the condition or placement of a wireless telecommunications facility located in the public right-of-way constitutes an immediate dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action (collectively, "exigent circumstances"), such director or city engineer may cause the facility to be removed summarily and immediately without advance notice or a hearing. Written notice of the removal shall include the basis for the removal and shall be served upon the permittee and person who owns the facility within five business days of removal and all property removed shall be preserved for the owner's pick-up as feasible. If the owner cannot be identified following reasonable effort or if the owner fails to pick-up the property within 60 days, the facility shall be treated as abandoned property.
- (4) Removal of Facilities by City. In the event the city removes a wireless telecommunications facility in accordance with nuisance abatement procedures stated in Chapter 15, Article IX (Administrative Nuisance Abatement) of this code or pursuant to the summary removal procedures of subsection (3), above, any such removal shall be without any liability to the city for any damage to such facility that may result from reasonable efforts of removal. In addition to the procedures for recovering costs of nuisance abatement, the city may collect such costs from the performance bond posted and to the extent such costs exceed the amount of the performance bond, collect those excess costs in accordance with this code. Unless otherwise provided herein, the city has no obligation to store such facility. Neither the permittee, owner nor operator shall have any claim if the city destroys any such facility not timely removed by

the permittee, owner or operator after notice, or removal by the city due to exigent circumstances.

Sec. 26-685.12300 Effect on other ordinances.

Compliance with the provisions of this division shall not relieve a person from complying with any other applicable provision of this code. In the event of a conflict between any provision of this division and other sections of this code, this division shall control.

Sec. 26-685.12400 State or federal law.

The implementation of this chapter and decisions on applications for placement of wireless telecommunications facilities in the PROW shall, at a minimum, ensure that the requirements of this division are satisfied, unless it is determined that the applicant has established that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations. If that determination is made, the requirements of this division may be waived, but only to the minimum extent required to avoid the prohibition or violation.

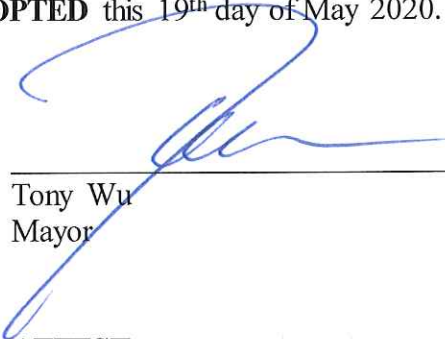
Sec. 26-685.12500 Legal nonconforming wireless telecommunications facilities in the right-of-way.

- (1) Legal nonconforming wireless telecommunications facilities are those facilities that existed but did not conform to this division on the date this division became effective.
- (2) Legal nonconforming wireless telecommunications facilities shall, within ten (10) years from the date this division became effective, be brought into conformity with all requirements of this article; provided, however, that should the owner desire to expand or modify the facility, intensify the use, or make some other change in a conditional use, the owner shall comply with all applicable provisions of this code at such time, to the extent the city can require such compliance under federal and state law.
- (3) An aggrieved person may file an appeal to the city council of any decision the planning director, city engineer, or other deciding body made pursuant to this section. In the event of an appeal alleging that the ten-year amortization period is not reasonable as applied to a particular property, the city council may consider the amount of investment or original cost, present actual or depreciated value, dates of construction, amortization for tax purposes, salvage value, remaining useful life, the length and remaining term of the lease under which it is maintained (if any), and the harm to the public if the structure remains standing beyond the prescribed amortization period, and set an amortization period accordingly for the specific property.

SECTION NO. 8: That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published as required by law.


SECTION NO. 9: This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED this 19th day of May 2020.



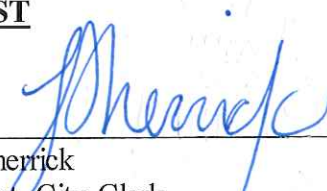
Tony Wu
Mayor

APPROVED AS TO FORM



Thomas P. Duarte
City Attorney

ATTEST



Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk, of the City of West Covina, custodian of the original records, which are public records which I maintain custody and control for the City of West Covina do hereby certify the foregoing Ordinance, being Ordinance No. 2470 as passed by the City Council of the City of West Covina, signed by the Mayor of said Council, and attested by the Assistant City Clerk, at a regular meeting of the City Council held on the 19th day of May 2020, and that the same was passed by the following vote, to wit:

AYES: Castellanos, Shewmaker, Wu
NOES: Lopez-Viado, Johnson
ABSTAIN: None
ABSENT: None



Lisa Sherrick
Assistant City Clerk

CITY OF EL MONTE DESIGN GUIDELINES FOR WIRELESS FACILITIES

- A. **Authorization.** Pursuant to El Monte Municipal Code Section 17.82.100(B), the City Council adopts this Resolution to provide design guidelines for wireless facilities consistent with the generally applicable design regulations in El Monte Municipal Code Section 17.82.100(A). The design guidelines are intended to clarify the aesthetic and public safety goals and standards in El Monte Municipal Code Chapter 17.82 for City staff, applicants and the public.
- B. **Defined Terms.** The abbreviations, phrases, terms and words used in this Resolution will have the meanings assigned to them in El Monte Municipal Code Section 17.82.020 unless context indicates otherwise.
- C. **Applicability and Exemptions.** Except as provided in El Monte Municipal Code Section 17.82.030, this Resolution shall be applicable to all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate or otherwise deploy wireless facilities within the City's jurisdictional and territorial boundaries, on private property and within the public rights-of-way.
- D. **Design Guidelines.** In addition to the development standards in El Monte Municipal Code Section 17.82.100, all new wireless facilities and collocations, modifications or other changes to existing wireless facilities that require a conditional use permit or administrative wireless permit under El Monte Municipal Code Chapter 17.82 must conform to the following design guidelines, as applicable.
 - 1. **Freestanding Wireless Facilities on Private Property.**
 - a. **General Standards.**
 - 1. **Tower-Mounted Equipment.** All tower-mounted equipment must be mounted as close to the vertical support structure as possible to reduce its overall visual profile. Applicants must mount non-antenna, tower-mounted equipment (including, but not limited to, remote radio units/heads, surge suppressors and utility demarcation boxes) directly behind the antennas to the maximum extent feasible. All tower-mounted equipment, cables and hardware must be painted with flat/neutral colors to match existing colors, subject to the approval authority's prior approval.

2. **Ground-Mounted Equipment; Shelters.** All ground-mounted equipment must be concealed underground or within an existing or new structure, opaque non-chain link fences or other enclosures subject to the approval authority's prior approval. The approval authority may require additional concealment elements as the approval authority finds necessary to blend the ground-mounted equipment and other improvements into the natural and/or built environment.

b. **Monopines.**

1. **Shape and Branching.** Monopines shall be gradually tapered from bottom to top to resemble the natural conical pine-tree shape, with shorter branches at the top and wider branches at the bottom. All monopines shall include a "crown" or "topper" installed above the monopole to create a natural point at the top. Branches shall begin at no greater than 15 feet above ground level and maintain at least 3.5 branches per vertical foot when averaged between the bottom-most branch and the highest point on the monopole (excluding any "crown" or "topper" installed above the monopole).
2. **Bark Cladding.** The entire monopole shall be fitted with faux-pine bark cladding, painted or colored with browns or other appropriate earth tones to mimic natural pine bark.
3. **Equipment Concealment Techniques.** All antennas, accessory equipment, cross arms, hardware, cables and other attachments to the monopine must be painted or colored with a flat greens, browns or other appropriate earth tones to blend into the faux pine branches. All antennas, remote radio units, tower-mounted amplifiers and other similar equipment larger than one cubic foot shall be fitted with a faux-pine "sock" with faux-pine needles. No tower-mounted equipment shall be permitted to protrude beyond the branch canopy such that it would materially alter the tapered pine shape.
4. **Concealment Material Selection and Approval.** All materials and finishes used to conceal the monopine shall be subject to prior approval by the Planning Division. Applicants shall use only high-quality materials to conceal the wireless facility. The applicant shall use color-extruded plastics for elements such as the faux-pine needles and

faux-bark cladding to prolong the like-new appearance and reduce fading caused by exposure to the sun and other weather conditions.



2. **Building-Mounted Wireless Facilities on Private Property.**

- a. **Preferred Concealment Techniques.** All applicants should, to the extent feasible, propose new non-tower wireless facilities that are completely concealed and architecturally integrated into the existing facade or rooftop features with no visible impacts from any publicly accessible areas at ground level (examples include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials). Alternatively, when integration with existing building features is not feasible, the applicant should propose completely concealed new structures or appurtenances designed to mimic the support structure's original architecture and proportions (examples include, but are not limited to, cupolas, steeples, chimneys and water tanks). Facilities must be located behind

existing parapet walls or other existing screening elements to the maximum extent feasible.



- b. **Facade-Mounted Equipment.** When wireless facilities cannot be placed behind existing parapet walls or other existing screening elements, the approval authority may approve facade-mounted equipment in accordance with this section. All facade-mounted

equipment must be concealed behind screen walls and mounted as flush to the facade as practicable. The approval authority may not approve “pop-out” screen boxes unless the design is architecturally consistent with the original building or support structure. Except in manufacturing zones, the approval authority may not approve any exposed facade-mounted antennas, including but not limited to exposed antennas painted to match the facade. To the extent feasible, facade-mounted equipment must be installed on the facade(s) along the building frontage that is the least prominent or publicly visible.



- c. **Rooftop-Mounted Equipment.** All rooftop-mounted equipment must be screened from public view with concealment measures that match the underlying structure in proportion, quality, architectural style and finish. The approval authority may approve unscreened rooftop equipment only when it expressly finds that such equipment is effectively concealed due to its low height and/or setback from the roofline.



- d. **Ground-Mounted Equipment; Shelters.** All ground-mounted equipment must be concealed underground or within an existing or new structure, opaque fences, building interior equipment room, or other enclosures subject to the approval authority's prior approval. The approval authority may require additional concealment elements as the approval authority finds necessary to blend the ground-mounted equipment and other improvements into the natural and/or built environment.

3. **Right-of-Way Wireless Facilities.**

- a. **Existing and Replacement Support Structures.** All wireless facilities in the public right-of-way must be installed on existing above-ground structures (such as light standards or utility poles) or replacement support structures whenever possible. The approval authority shall not approve any wireless facility proposed to be installed on a traffic control pole. Existing above-ground structures may be replaced with structurally hardened, fitted or reinforced support structures so long as the replacement structure is, in the approval authority's discretion, substantially similar to the existing structure to be replaced.
- b. **New Support Structures.** The approval authority shall not approve any new, non-replacement support structures unless: (a) the

applicant demonstrates that above-ground support structures within the intended service area either do not exist or are not potentially available to the applicant; or (b) the approval authority specifically finds that a new, non-replacement support structure would be more aesthetically desirable and consistent with the objectives in this Chapter than installations on existing structures near the project site. The approval authority shall have the discretion to require that any new support structure must be a streetlight that conforms to the City's streetlight standards and specifications, which the City shall maintain for street illumination and public safety purposes or other new structure other than a streetlight pole or utility pole in the public right of way (e.g. wireless telecommunication kiosk). The approval authority shall not approve any new, non-replacement wood pole.

- c. **Antennas.** Antenna(s) must be top-mounted and concealed within a single, canister-style antenna shroud (or radome). The cable connections, antenna mount and other hardware must be concealed within the antenna shroud or other cable and mounting bracket shroud that tapers or transitions from the bottom of the antenna canister to the top of the pole. GPS antennas, data transport or backhaul antennas and other similar antennas must be placed within the antenna shroud or otherwise concealed from public view through other techniques. If the antenna(s) cannot feasibly be mounted on top of the pole, the approval authority may approve side-mounted antennas concealed within a shroud or radome. All cables, wires and other connectors must be concealed within the side arm mount or other extension arm(s) to the extent feasible. The maximum separation between the antenna and the pole shall be the minimum separation required by applicable health and safety regulations (such as CPUC General Order 95).
- d. **Accessory Equipment.**
 - 1. **Installation Preferences.** All applicants should, to the extent feasible, install non-antenna accessory equipment according to the following preferences, ordered from most preferred to least preferred: (a) underground; (b) base-mounted; (c) pole-mounted; (d) ground-mounted.
 - 2. **Undergrounded Equipment.** To conceal the equipment to the maximum degree feasible, applicants must install all equipment (other than the antenna) underground in any area in which the existing utilities are primarily located underground. In all other areas, applicants shall install all equipment (other than the antenna) underground when the approval authority finds that the above-ground equipment

would unreasonably interfere with the public's ability to use the right-of-way for uses that include without limitation travel, social, expressive and/or aesthetic uses. Applicants shall not install ground-mounted electric meters to the extent feasible. When making a determination on whether to require undergrounded equipment, the approval authority shall take into account the presence of existing above-ground utilities. Mere additional expense to install and maintain an underground equipment enclosure does not exempt an applicant from this requirement. If an applicant proposes to install a facility in an area in which the existing utilities are primarily located underground, the approval authority shall have the discretion to require that the applicant install a new streetlight that conforms to the City's streetlight standards and specifications as the facility support structure. The approval authority may approve backup power sources to the extent they are installed underground.

3. **Base-Mounted Equipment.** Base-mounted equipment must be concealed within a ventilated equipment shroud or enclosure that is integrated into the base of the pole. The base equipment shroud or enclosure shall be reasonably proportional in size and consistent with the design and texture of the underlying support structure. All cables, wires and other connectors routed between the antenna and base-mounted equipment must be concealed from public view.





4. **Pole-Mounted Equipment.** All pole-mounted equipment must be installed flush to the pole to minimize the overall visual profile. If any applicable health and safety regulations prohibit flush-mounted equipment, the maximum separation between the equipment and the pole shall be the minimum separation required by such regulations. All pole-mounted equipment and required or permitted signage must face toward the street or otherwise placed to minimize visibility from adjacent sidewalks and structures to the extent feasible, unless otherwise required by state or federal law. Pole-mounted equipment may be installed behind existing or new street, traffic or other signs subject to the approval authority's discretion. All cables, wires and other connectors must be routed through conduits within the pole whenever possible, and all conduit attachments, cables, wires and other connectors must be concealed from public view to the extent feasible. To the extent that cables, wires and other connectors cannot be routed through the pole, applicants shall route them through a single external conduit or

housing, matching the existing pole color, to the extent feasible. Publicly visible spools or service loops of excess cable or fiber on aerial strand, “snow shoes” or the pole are prohibited.

5. **Ground-Mounted Equipment.** To the extent that the equipment cannot be placed in the City’s more-preferred locations, applicants may be permitted to install ground-mounted equipment in a location that does not obstruct pedestrian or vehicular traffic. All ground-mounted equipment must be placed in the least conspicuous location available within a reasonable distance from the pole. The approval authority may condition approval on new or enhanced landscaping to conceal ground-mounted equipment. The approval authority shall not approve a ground-mounted electric meter pedestal or other electric meter enclosure to the extent feasible.
 - a. **Self-Contained Cabinet or Shroud.** The equipment shroud or cabinet must contain all the equipment associated with the facility other than the antenna. All cables and conduits associated with the equipment must be concealed from view, routed directly through the concrete, metal or composite pole and undergrounded between the pole and the ground-mounted cabinet.
 - b. **Concealment.** The approval authority may require the applicant to incorporate concealment elements into the proposed design. Concealment may include, but shall not be limited to, public art displayed on the cabinet, installing a replacement pole with a decorative base for equipment concealment, strategic placement in less obtrusive locations and placement within existing or replacement street furniture such as a bus stop bench or trash bin specifically designed to conceal transmission equipment.

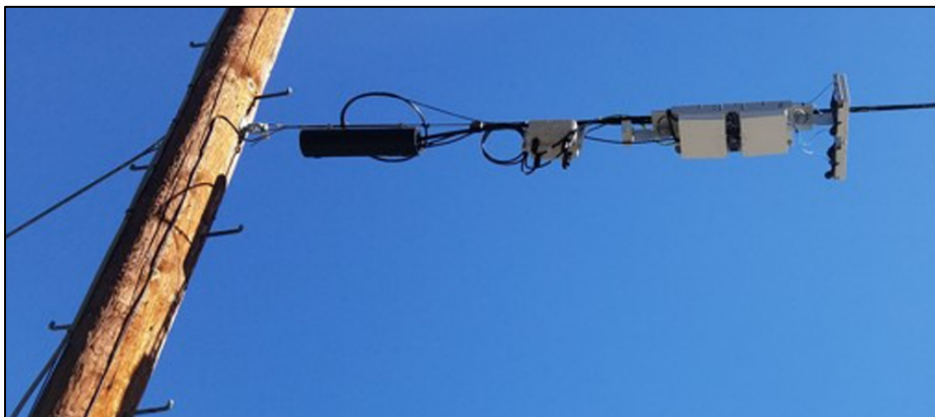




- e. **Antenna Volume.** Each antenna associated with a wireless facility in the public rights-of-way shall not exceed three (3) cubic feet in volume, and the cumulative volume for all antennas associated with a wireless facility in the public rights-of-way shall not exceed six (6) cubic feet in total volume. The volume calculation shall include any

shroud, radome or other concealment device used in connection with the antenna.

- f. **Strand-Mounted Wireless Facilities.** Strand-mounted wireless facilities are permitted provided that such facilities comply with the applicable provisions of CPUC General Order 95 and any other applicable health and safety regulations. All components of strand-mounted wireless facilities, including but not limited to the antennas, radio units, power converters, power amplifiers and fiber splice boxes, shall not exceed three cubic feet in total volume. All cable sweeps, wires, connectors, and jumpers shall be installed in a neat and professional manner. It is the policy of the City of El Monte to permit only one pair of fiber optic cable storage snow shoes ("FOCSSS") per pole-to-pole overhead span of strand. The purpose of this policy is to reduce visual clutter related to strand-mounted FOCSSS devices and the increased visual bulk created on the strand due to the stored fiber optic cable. A fiber optic system operator may request that the City Engineer issue a variance from this policy only in exceptional cases where the application of this policy would actually prohibit the provision of a telecommunications service. The approval authority shall not approve any ground-mounted equipment in connection with any strand-mounted wireless facilities, unless in the approval authority's discretion, it is the least obtrusive alternative.



*NOTE: Spooled fiber or cables are prohibited.

- g. **Illustrative Examples.** The following photographs depict wireless facility designs that the City may deem appropriate in preferred locations. These examples are illustrative only, and may not be appropriate in all cases.











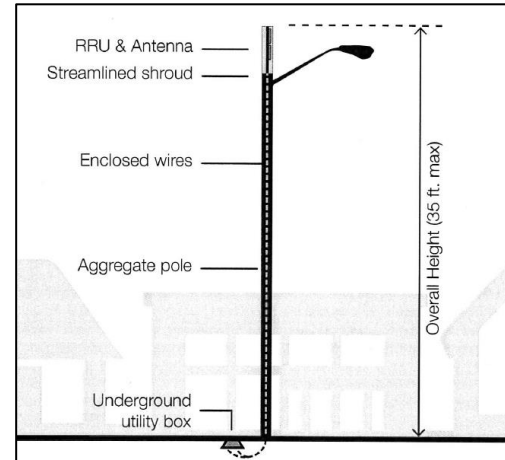
City of San Dimas

Design Guidelines for Wireless Facilities in the Public Right-of-Way

Adopted by the Planning Commission on April 4, 2019

The exhibit to the right demonstrates a design that may be ministerially reviewed and approved by Staff.

Any deviations from these guidelines require review by the Development Plan Review Board rather than a Staff level review. Deviations will only be considered by the Development Plan Review Board when the Applicant has demonstrated justification and exhaustion of alternatives.



1. **General.** The applicant shall employ screening, undergrounding and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is as visually screened as possible, to prevent the facility from dominating the surrounding area and to minimize significant view impacts from surrounding properties and public views, all in a manner that achieves compatibility with the community.
2. **General.** Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility's visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.
3. **Height.** Overall height of the equipment and supporting pole or structure shall be similar to the surrounding poles and not exceed 35 feet in height.
4. **Width.** Poles shall be a maximum diameter of 16" at the base.
5. **Material, Shape, and Color.** Replacement poles shall be aggregate/marbilite, in a mix, blend, and color to match existing poles in the vicinity, and shaped and contoured in a manner as to match existing poles in the vicinity. Equipment placed on existing wood or metal poles shall be painted to match the adjacent surface or subdued and shall be non-reflective and UV protected.
6. **Supporting Equipment.** All supporting equipment shall be located underground if possible. Antennas and RRUs that are required to be pole mounted shall be contained within a shroud that is the minimum width possible atop the pole. Pole top shrouds that are substantially wider than the pole require DPRB approval. RRUs attached to the side of the pole are discouraged and require DPRB approval. If allowed with DPRB approval, side-mounted RRUs shall be the smallest volume possible and be placed close together with minimal distance from the pole.



City of San Dimas

Design Guidelines for Wireless Facilities in the Public Right-of-Way

Adopted by the Development Plan Review Board on March 14, 2019

Continued from Front Page

- 7. Construction approach, including powering and metering.** Separate free-standing meter pedestals shall be prohibited. Metering shall be wireless when possible, and underground if wireless metering is infeasible.
- 8. Structural integrity/remediation approach.** The pole shall independently structurally support itself; methods that increase the mass of the pole or increase visual clutter such as but not limited to guide wires, bolts, sistering, etc. shall not be accepted.
- 9. Electrical integrity/remediation approach.** Wires and cables shall be contained within the shroud and run inside the pole for an orderly appearance. If an existing pole is being utilized and 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.
- 10. Signage.** Signage shall be limited to that required by government and electrical utility regulations and shall be as small and least visible as possible.
- 11. Type of Installation.** The order of preference for installation, from most preferred to least preferred, is as follows:
 - a) Existing or replacement streetlight poles;
 - b) Existing or replacement wood utility poles;
 - c) New, non-replacement streetlight poles;
 - d) New, non-replacement poles constructed solely for small wireless facilities.

**Wireless facilities shall not be permitted to be installed on City-owned decorative "Nostalgic" and "Copenhagen" light poles.*
- 12. Locational Siting.** The order of preference for locational siting, from most preferred to least preferred, is as follows:
 - a) Within commercial or industrial districts on or along arterial roads;
 - b) Within commercial or industrial districts on or along collector roads;
 - c) Within commercial or industrial districts on or along local roads;
 - d) Within residential districts on or along arterial roads;
 - e) Within residential districts on or along collector roads;
 - f) Within the Town Core;
 - g) Within 300 feet of any residential use or school

The City of San Dimas reserves the right to modify these Design Guidelines at a future time. Any application for small wireless telecommunications facilities in the right-of-way shall be subject to the Design Guidelines in place at the time of submittal of a complete application.

DESIGN GUIDELINES FOR SMALL WIRELESS FACILITIES

SECTION 1. PREFERRED STRUCTURES AND LOCATIONS

- (a) **Rule: Preferred Support Structures and Locations:** Compliance with this subsection (a) will occur if all requirements of subsection (3) of this subsection (a) are met and, for any structure proposed under subsection (a)(1) and any location proposed for subsection (a)(2), the Director determines that the applicant has demonstrated with clear and convincing evidence in the written record that each more-preferred structure and location within 750 feet of the proposed installation are “technically infeasible” as the term is used in section 19-15 of the Code. In the event of any conflict between obtaining a higher priority in subsection (a)(1) versus (a)(2), satisfying the location preferences in subsection (a)(2) shall be preferred. The Director shall not consider claims of an “effective prohibition” when making this determination of whether a structure or location is “feasible.”
- (1) **Support Structure Hierarchy.** The following is the City’s required hierarchy for support structures for small wireless facilities in the public rights-of-way, ordered from most preferred to least preferred:
- (A) existing or new replacement light standards;
 - (B) existing or new replacement City traffic signal poles;
 - (C) existing or new replacement utility poles;
 - (D) new camouflaged standalone poles;
 - (E) any other types of poles the Director determines meets the purposes of these Guidelines.
- (2) **Location Hierarchy.** The following is the City’s required hierarchy for locations for small wireless facilities in the public rights-of-way, ordered from most preferred to least preferred:
- (A) *Non-Residential Districts.*
 - (i) locations within, or immediately adjacent to, districts where residential uses are not permitted uses (e.g. industrial, commercial and industrial districts with no residential overlay) on or along major, primary or secondary arterials;
 - (ii) locations within, or immediately adjacent to, districts where residential uses are not permitted on or along divided collector arterials or collector arterials;
 - (iii) locations within, or immediately adjacent to, districts where residential uses are not permitted uses on or along local streets;
 - (B) *Residential Overlay Districts*

- (i) locations within, or immediately adjacent to, districts where residential uses would be prohibited but for an overlay district, on or along major, primary or secondary arterials;
 - (ii) locations within, or immediately adjacent to, districts where residential uses would be prohibited but for an overlay district, on or along divided collector arterials or collector arterials;
 - (iii) locations within, or immediately adjacent to, districts where residential uses would be prohibited but for an overlay district, on or along local streets;
 - (C) *Residential Districts and Schools*
 - (i) locations within, or immediately adjacent to, districts where residential uses are permitted uses on or along major, primary or secondary arterials;
 - (ii) locations within, or immediately adjacent to, districts where residential uses are permitted uses on or along divided collector arterials or collector arterials;
 - (iii) locations (a) within, or immediately adjacent to, districts where residential uses are permitted uses on or along local streets, or (b) immediately adjacent to a a day care, primary or secondary school.
- (3) **Additional Location Requirements.** The City also requires small wireless facilities in the public rights-of-way to be installed as follows.
- (A) *Setback from dwellings.* Small wireless facilities, regardless of zone, shall not be within 25 feet of any lawful dwelling unit nor within a distance equal to the total height of the pole plus the wireless facility.
 - (B) *Sight Distance Triangles.* New or new replacement poles (excluding street traffic light poles) shall not be placed within any sight distance triangles at any intersections.
 - (C) *Setbacks from Driveways.* New or new replacement poles, regardless of zone, must be placed at least 10 feet away from any driveway, and at least 50 feet from any driveways for schools, police stations, fire stations or other public or private emergency responder facilities.
 - (D) *Near Property Lines.* New or new replacement poles regardless of zone, shall be placed as close as feasible and in no event more than five feet of a property line between two parcels that abut the public right of way.
 - (E) *Historic Structures or Public Art.* New poles (including replacement poles) shall not be installed within 100 feet of designated historic structures or local landmarks or public art.
 - (F) *Facility Distance.* Facilities of the same company shall not be located within seven hundred fifty (750) feet of each other. Facilities shall not be within two hundred fifty (250) feet of any another facility of a different provider unless both facilities are located either in a commercial or industrial zone.

- (b) **Prohibited Support Structures.** Small wireless facilities shall not be permitted on the following:
- (1) existing decorative poles; or
 - (2) any utility pole scheduled for removal or relocation within 18 months from the time the Director acts on the wireless application; or
 - (3) strands or wires between any structures.
- (c) **Encroachments Over Private Property.** No small wireless antennas, accessory equipment or other improvements may encroach onto or over any private or other property outside the public rights-of-way without the property owner's express written consent.
- (d) **No Interference with Other Uses.** Small wireless facilities and any associated antennas, accessory equipment or improvements shall not be located in any place or manner that would physically interfere with or impede access to any: (1) worker access to any above-ground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors; (2) access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop; (3) worker access to above-ground or underground infrastructure owned or operated by any public or private utility agency; (4) fire hydrant or water valve; (5) access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way; or (6) access to any fire escape.
- (e) **Replacement Poles.** All replacement poles must: (1) be located as close to the removed pole as possible, no more than four feet to the extent feasible; (2) be aligned with the other existing poles along the public rights-of-way; (3) maintain the prior-existing street light illumination pattern; and (4) be compliant with all applicable standards and specifications by the city engineer or his or her designee.

SECTION 2. DESIGN STANDARDS

- (a) **Finishes.** All exterior surfaces shall be painted, colored and/or wrapped in flat, nonreflective hues that match the underlying support structure or blend with the surrounding environment. All finishes shall be subject to the Director's prior approval.
- (b) **Noise.** Small wireless facilities and all associated antennas, accessory equipment and other improvements must comply individually and cumulatively

with the requirements of Chapter XIII of Article 13 of the Municipal Code (Section 13-277 *et seq.* (“Noise Control”)), as may be amended.

- (c) **Lights.** All lights and light fixtures must be aimed and shielded so that their illumination effects are directed downwards and confined within the public rights-of-way in a manner consistent with any other standards and specifications by the city engineer or his or her designee. All antennas, accessory equipment and other improvements with indicator or status lights must be installed in locations and within enclosures that mitigate illumination impacts visible from publicly accessible areas.
- (d) **Trees and Landscaping.** Small wireless facilities and other infrastructure deployments shall not be installed (in whole or in part) within any tree drip line. No tree may be altered, removed or replaced unless such alteration, removal or replacement is approved by the City consistent with Chapter V (“Parkway Trees”, § 15-124 *et seq.*) of Title 15 of the Costa Mesa Municipal Code. Small wireless facilities and other infrastructure deployments shall not cause the removal of city installed landscaping except to the minimum extent necessary to allow the pole and related infrastructure and all other landscaping shall not be replaced with concrete.
- (e) **Signs and Advertisements.** All small wireless facilities and other infrastructure deployments that involve RF transmitters must include signage that accurately identifies the site owner/operator, the owner/operator’s site name or identification number and a toll-free number to the owner/operator’s network operations center. Small wireless facilities and other infrastructure deployments may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under FCC or other United States governmental agencies for compliance with RF emissions regulations. Signs shall be no larger than required or recommended by FCC or other United States governmental regulations.
- (f) **Site Security Measures.** Small wireless facilities and other infrastructure deployments may incorporate reasonable and appropriate site security measures, such as locks and anti-climbing devices, to prevent unauthorized access, theft or vandalism.
- (g) **Compliance with Health and Safety Regulations.** All small wireless facilities and other infrastructure deployments shall be designed, constructed, operated and maintained in compliance with all generally applicable health and safety regulations, which includes without limitation all applicable regulations for human exposure to RF emissions and compliance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 *et seq.*) and similar laws.
- (h) **Antennas.** The provisions in this subsection (h) apply to all antennas.

- (1) **Shrouding.** All antennas, radio transmission equipment (e.g., radio remote units or “RRUs”), and associated cables, jumpers, wires, mounts, masts, brackets and other connectors and hardware, must be installed within a single shroud or radome or within the pole.
 - (A) Pole-Top Mounted. The shroud height for a pole-top mounted facility shall not exceed 66 inches and the shroud width shall not exceed 120% percent of the pole diameter. The pole must be uniform in diameter. Unless it is infeasible to do so, or would otherwise violate another city requirement, all small wireless facilities on utility poles shall be pole-top mounted.
 - (B) Side-Mounted. If a small wireless facility on a utility pole cannot be pole-top mounted, it shall be side mounted. The total volume of a shroud for a side mounted facility shall not exceed six cubic feet, and the greatest distance between two points on the shroud shall not exceed 4 feet. Side-mounted antennas shall not project: (i) more than 24 inches from the support structure; or (ii) over any abutting private property. If applicable laws require a configuration different than specified herein, configuration shall be no greater than required for compliance with such laws.
 - (2) **Overall Height.** No antenna may extend more than five feet above the support structure, plus any minimum separation between the antenna and other pole attachments required by applicable health and safety regulations. The overall height of a replacement or new pole shall not exceed the height of adjacent poles of like kind or 35 feet, whichever is more restrictive.
- (i) **Undergrounded Accessory Equipment.**
- (1) **Undergrounding.** Accessory equipment (other than any emergency disconnect switches) shall be placed underground. Notwithstanding the preceding sentence, the Director may grant an exception when the applicant demonstrates by clear and convincing evidence that compliance with this section would be technically infeasible.
 - (2) **Vaults.** All accessory equipment must be installed within the sidewalk in a flush to grade underground vault that is load-rated to meet ADA and City standards. Pull boxes must be installed with approved traffic lids. Underground vaults must be constructed with a slip-resistant cover.
- (j) **Utilities.** The provisions in this subsection (j) are applicable to all utilities and other related improvements that serve small wireless facilities and other infrastructure deployments.
- (1) **Vertical Cable Risers.** All cables, wires and other connectors must be routed through conduits within the pole or other support structure, and all conduit attachments, cables, wires and other connectors must be concealed from public view. To the extent that cables, wires and other connectors cannot be

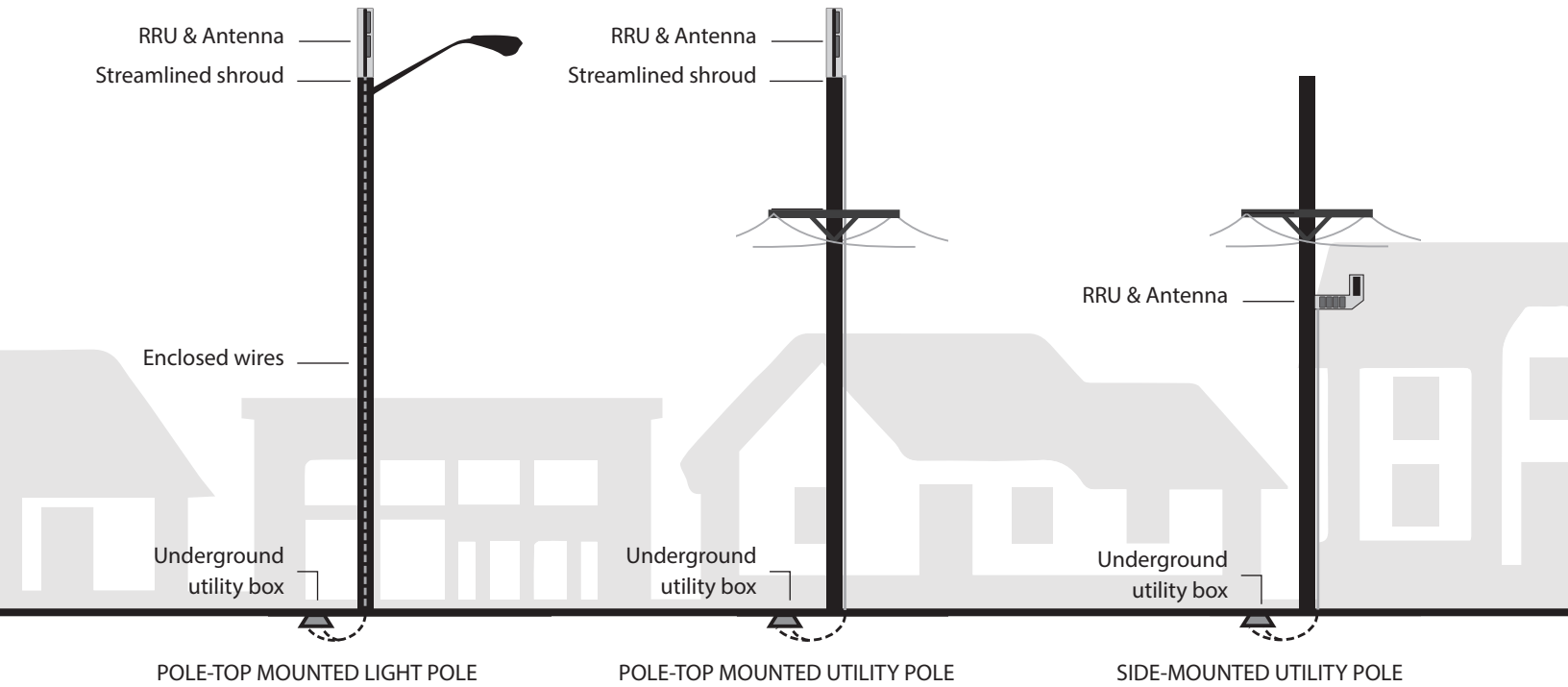
routed through the pole, such as with wood utility poles, applicants shall route them through a single external conduit or shroud that has been finished to match the underlying pole.

- (2) **Spools and Coils.** To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.
- (3) **Electric Meters.** Small wireless facilities and other infrastructure deployments shall use flat-rate electric service or other method that obviates the need for a separate above-grade electric meter. If flat-rate service is not available, applicants may install a shrouded smart meter; however, it is not preferred.
- (4) **Existing Conduit or Circuits.** To reduce unnecessary wear and tear on the public rights-of-way, applicants are encouraged to use existing conduits and/or electric circuits whenever available and technically feasible.

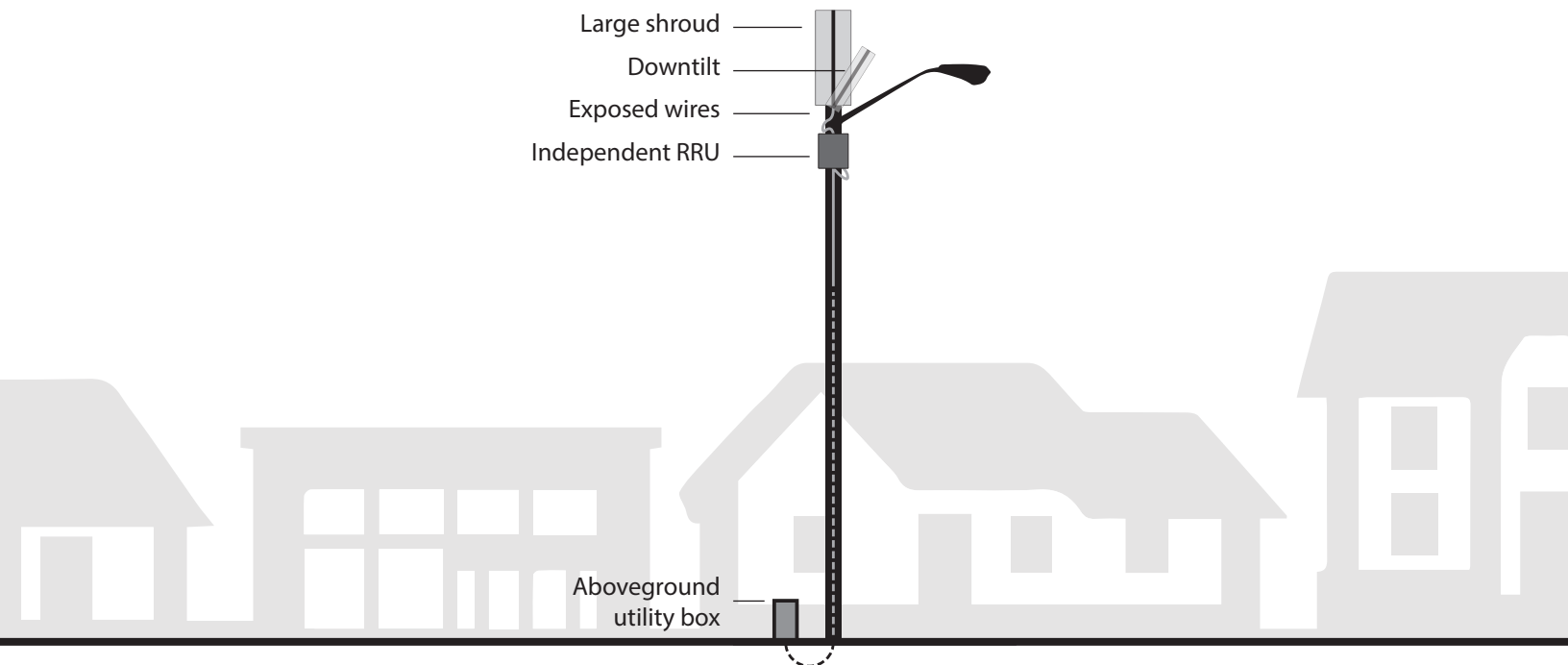


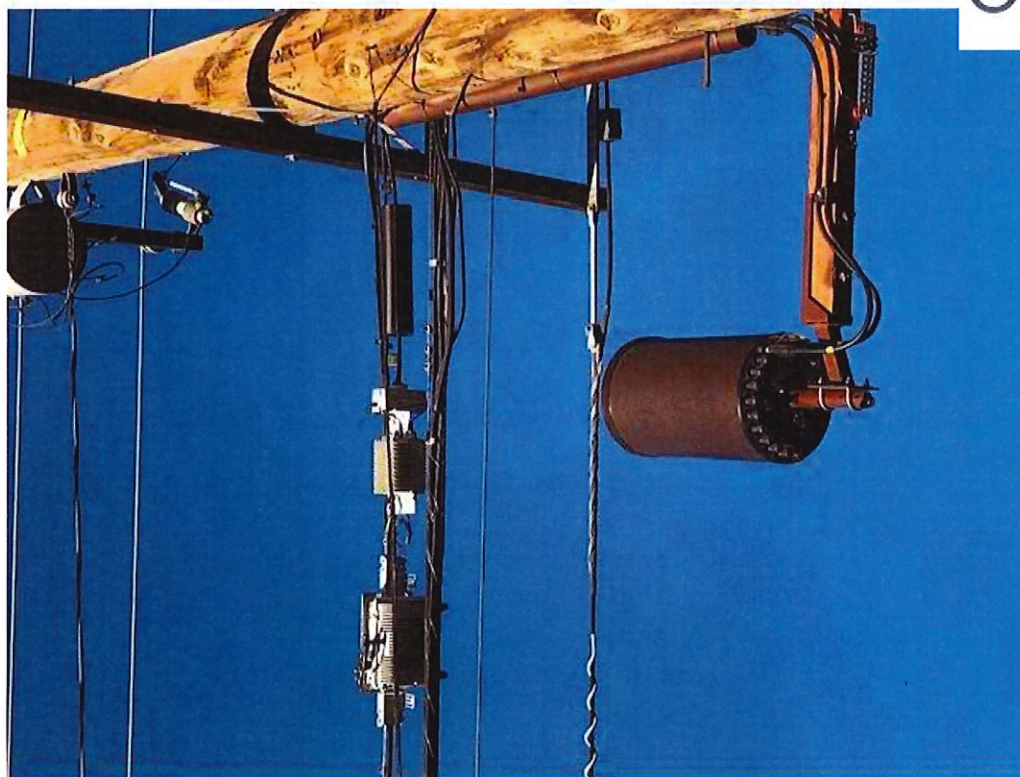
DESIGN GUIDELINES SMALL WIRELESS FACILITY

MINISTERIAL APPROVAL



DISCRETIONARY



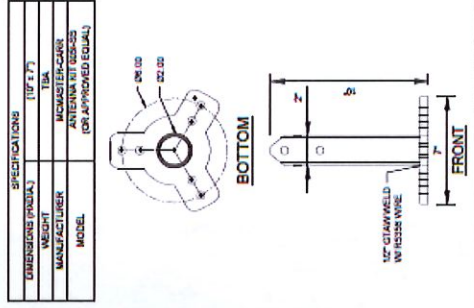
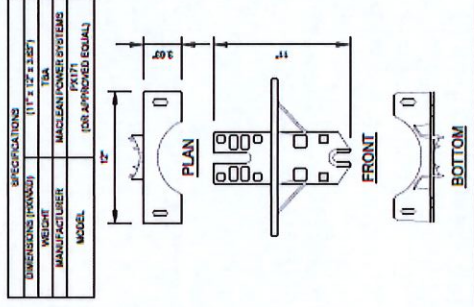
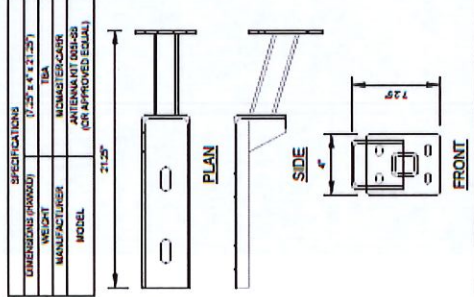
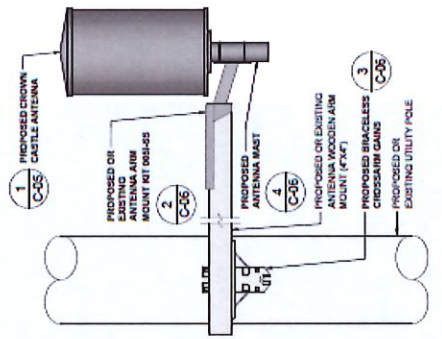
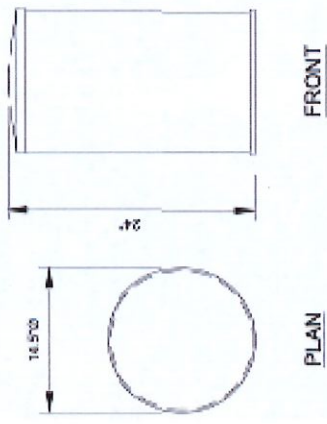


Standard Arm Mount

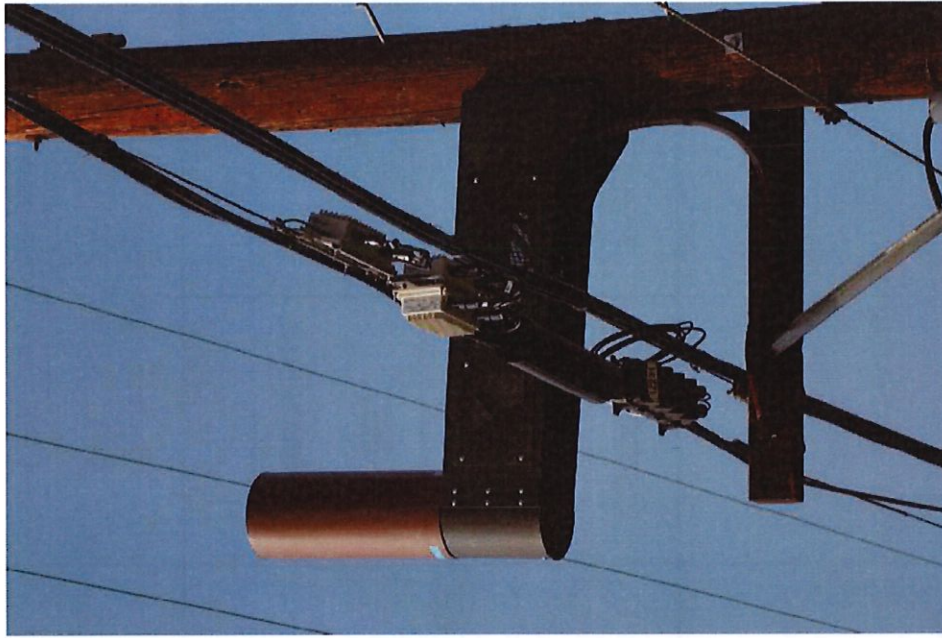


Standard Arm Mount Dimensions

SPECIFICATIONS	
DIMENSIONS (HxWxD)	(9'4" x 14'5")
WEIGHT	28 LBS W/O MOUNTING BRACKET
MANUFACTURER	AMPHENOL
MODEL	4-LIMIT360X05Fxy90 (OR APPROVED EQUAL)

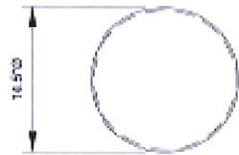


Concealment Arm

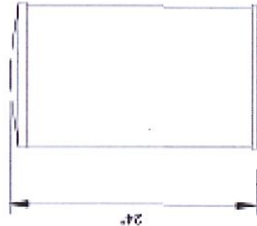


Concealment Arm Dimensions

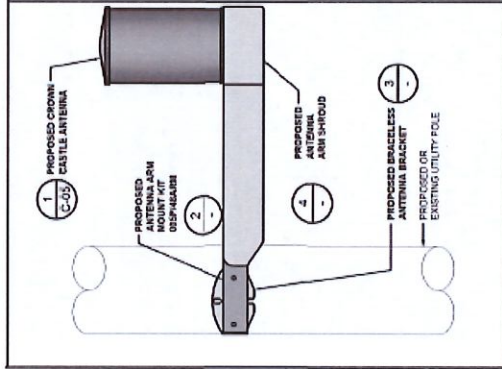
SPECIFICATIONS	
DIMENSIONS (HxWxD)	(24" x 14.5")
WEIGHT	28 LBS W/ MOUNTING BRACKET
MANUFACTURER	AMTHERCEL
MODEL	41JMT350X05FV620 (OR APPROVED EQUAL)



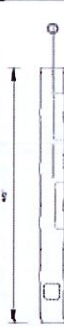
PLAN



FRONT



SPECIFICATIONS	
DIMENSIONS (HxWxD)	(4.5\"/>



PLAN



SIDE



FRONT

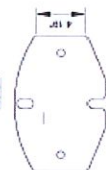
SPECIFICATIONS	
DIMENSIONS (HxWxD)	(11.75\"/>



PLAN

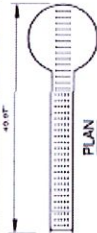


SIDE

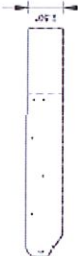


FRONT

SPECIFICATIONS	
DIMENSIONS (HxWxD)	(49.5\"/>



PLAN



SIDE



FRONT

Pole Top Shroud (Comm Only)



Pole Top Shroud (Comm Only) Dimensions

SPECIFICATIONS	
DIMENSIONS (DIA. x Ht)	(14.5" x 24")
WEIGHT	28 LBS W/O MOUNTING BRACKET
MANUFACTURER & MODEL	AMPHENOL 4U4MT360X06Fxy60

FREQUENCY: 1695-5925 MHz
GAIN: 4.9-9.4 DBI
ANTENNA VOLUME: 2.3 FT. A 3
MID BAND TILT: 2°, 4° & 6°
HIGH BAND TILT: 0° & 4°
COLOR: GREY, BROWN & BLACK

1
PROPOSED CROWN
CASTLE ANTENNA
C-05

2
PROPOSED POLE TOP
MOUNTING BRACKET

PROPOSED OR
EXISTING UTILITY POLE

SPECIFICATIONS	
DIMENSIONS (HXWXD)	(14.380" x 24.33")
WEIGHT	30.8 LBS
MANUFACTURER	AMPHENOL
MODEL	CMT-AKS-BASE (OR APPROVED EQUAL)

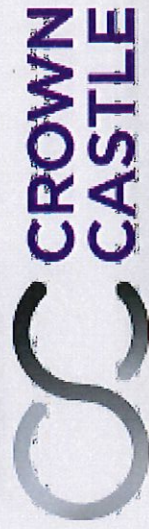
17.16" BOTTOM DIA.
14.38" TOP DIA.

24.33" 5"

ANTENNA
PER PLAN

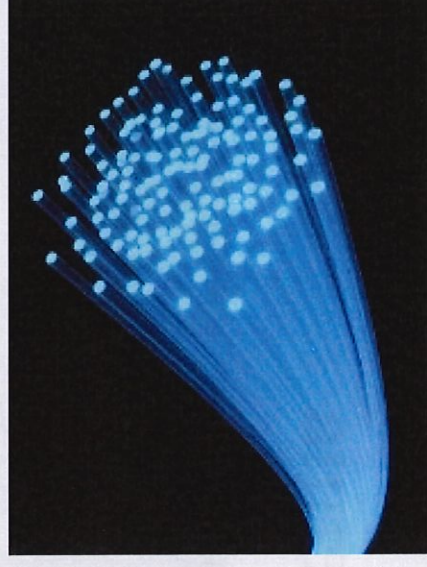
FRONT

PLAN



Site Design Materials for City of West Covina

October 25, 2019

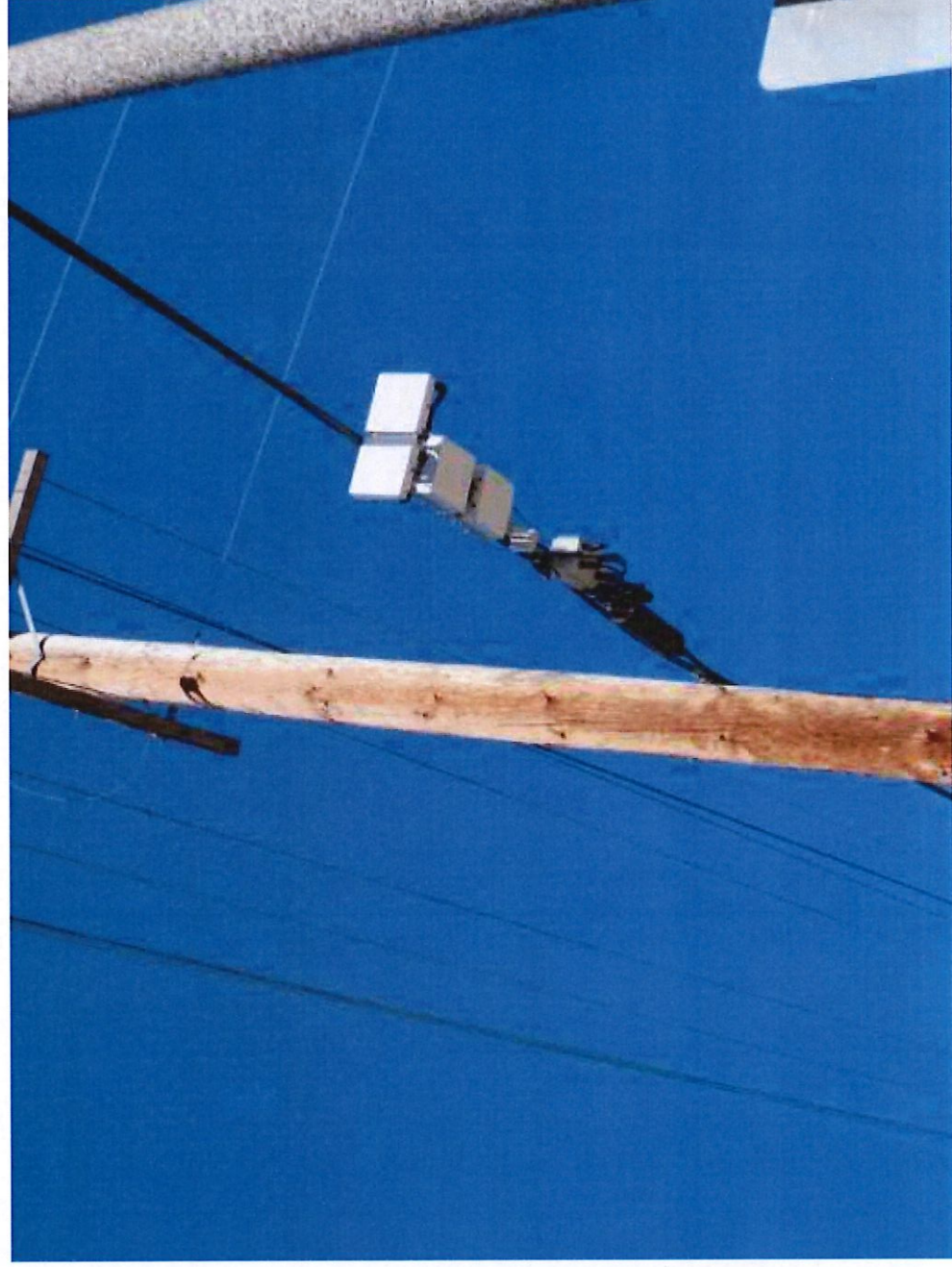


The Foundation for a Wireless World.

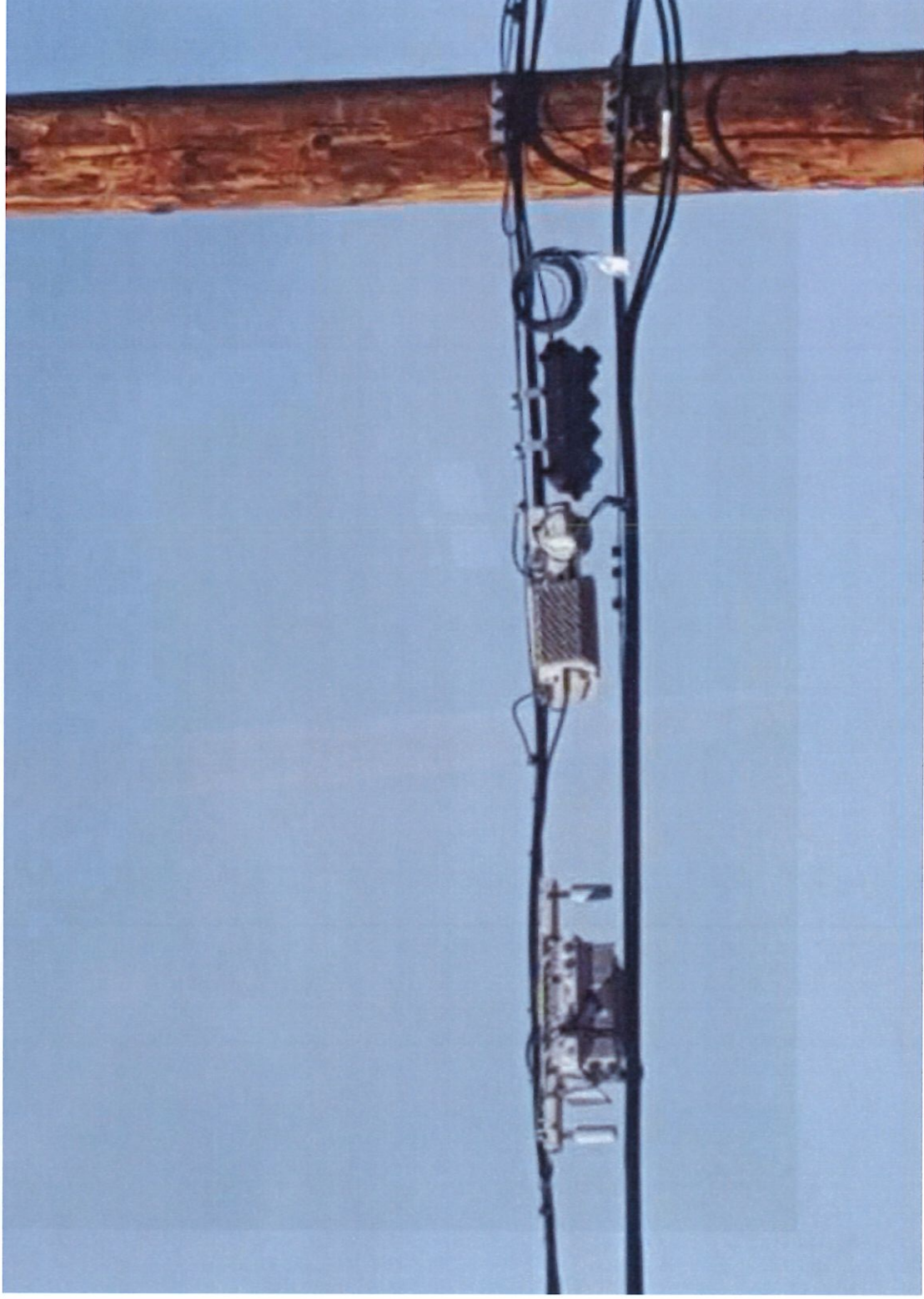
Strand Mount Antenna



Strand Mount Antenna



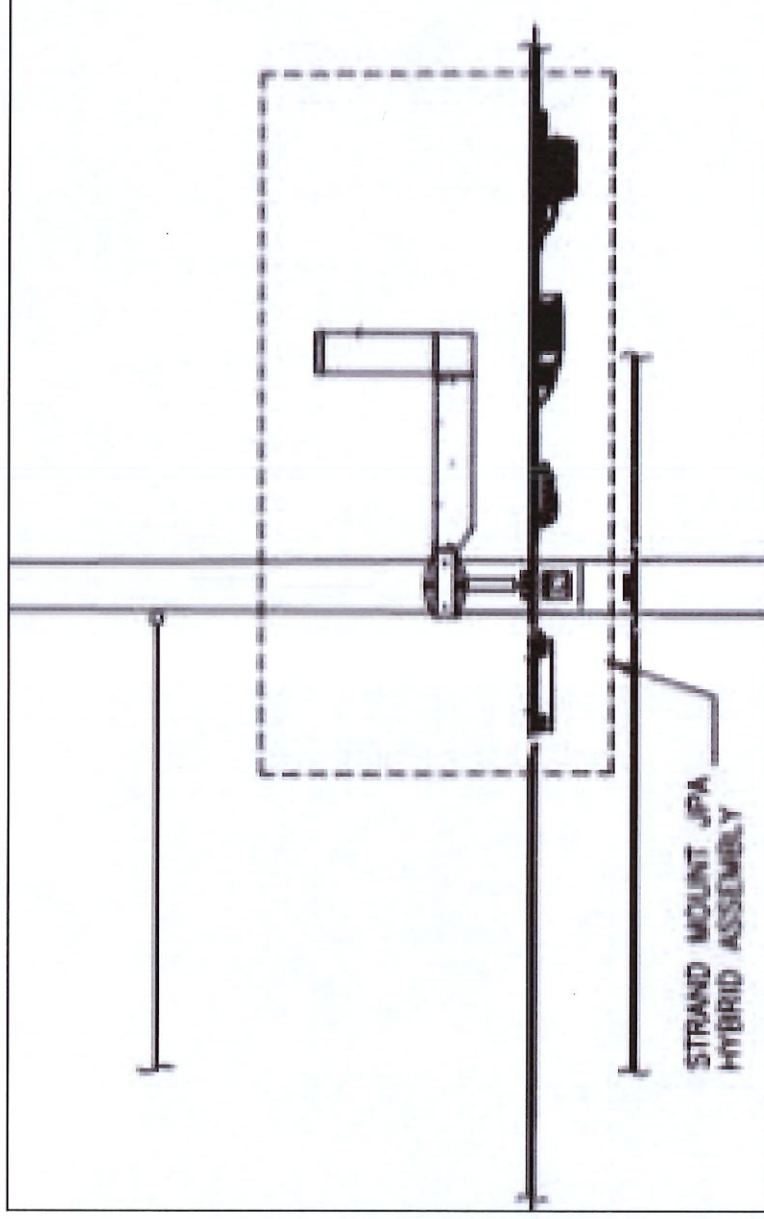
Strand Mount Antenna



Utility Pole Placements



Hybrid Strand Mount Antenna



CROWN CASTLE

CROWN CASTLE
1000 COMPOSITE DRIVE
COLUMBIA, TN 38401

LOGO

AME FIRM ADDRESS

4G & 5G TOP MOUNT ON PRIMARY POLE

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IT IS A FORFEITURE OF LAW FOR ANY PERSON, COMPANY OR FIRM TO REPRODUCE OR TRANSMIT THIS DOCUMENT IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF CROWN CASTLE.

REVISIONS

NO.	DESCRIPTION	DATE
1	QUADRANT 6 POLE DETAIL	10/1/2010
2	QUADRANT 9 POLE DETAIL	10/1/2010

REVISIONS

NO.	DESCRIPTION	DATE
1	QUADRANT 6 POLE DETAIL	10/1/2010
2	QUADRANT 9 POLE DETAIL	10/1/2010

QUADRANT 6 POLE DETAIL

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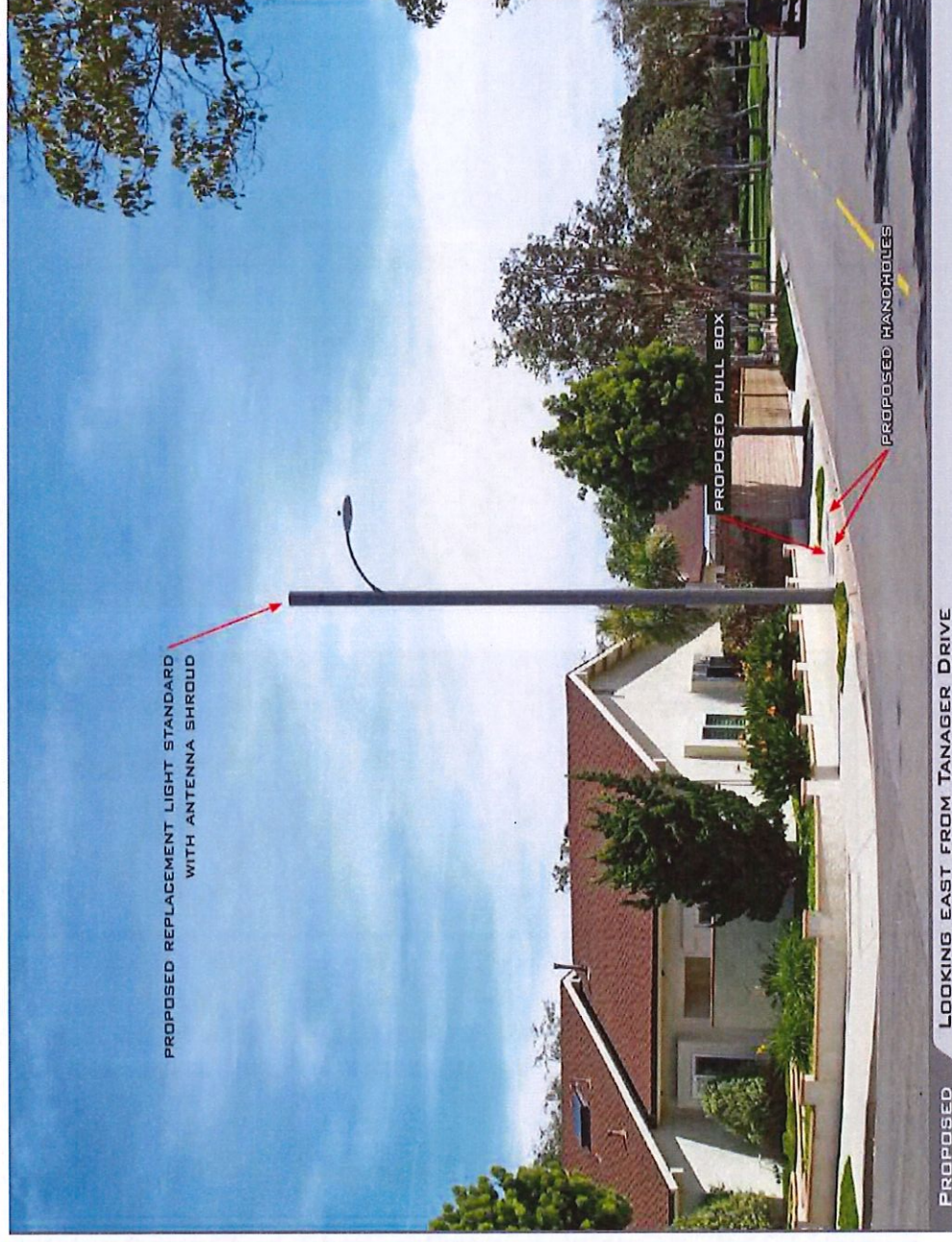
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QUADRANT 9 POLE DETAIL

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Streetlight and Pole Mount



Streetlight and Pole Mount



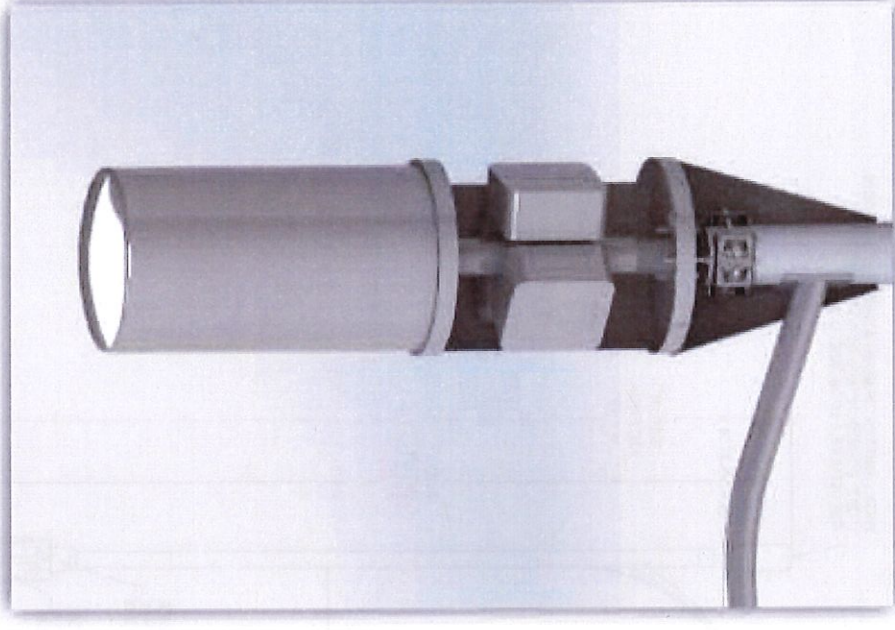
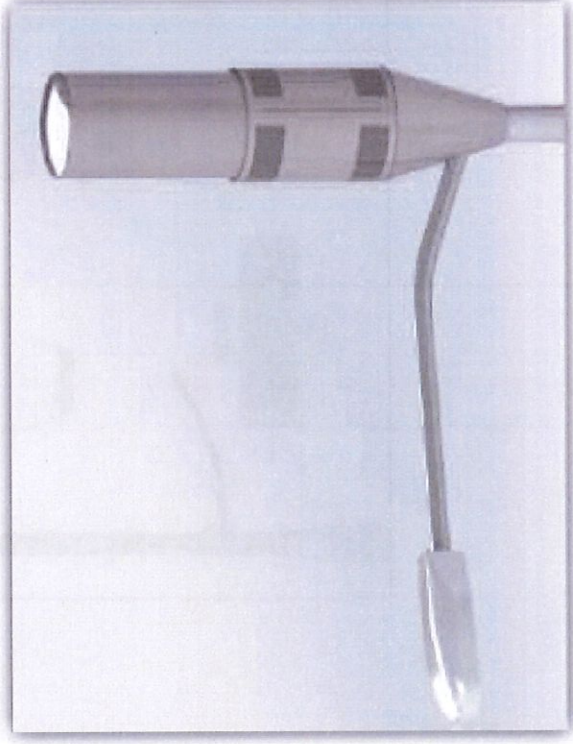
Small Cell enclosure design

MetroCell – Canister Antenna RRU Concealment Module

COMMSCOPE®

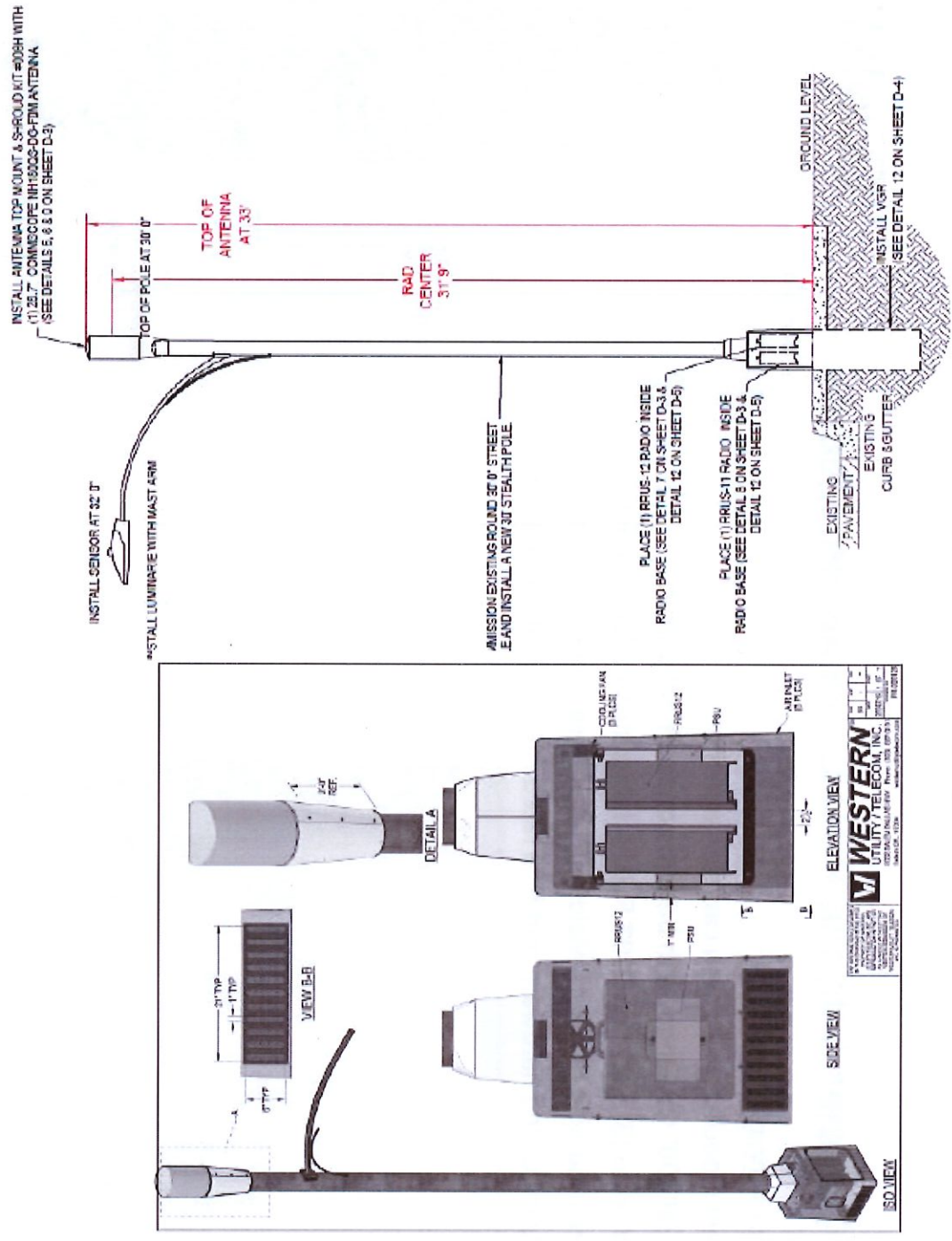
Design Specifics / Advantages

- RRU concealment module for use with canister antennas
- 15.5" OD X 20" Tall (36" OA length with bottom concealment shroud)
- Concealment for up to (3) Ericsson 2203 RRUs- Integrated diplexer options
- Variable pole size mounting bracket. Matching engineered poles available.
- Kit includes RRU mounting hardware and PIM rated FSJ1 RF jumper Cables



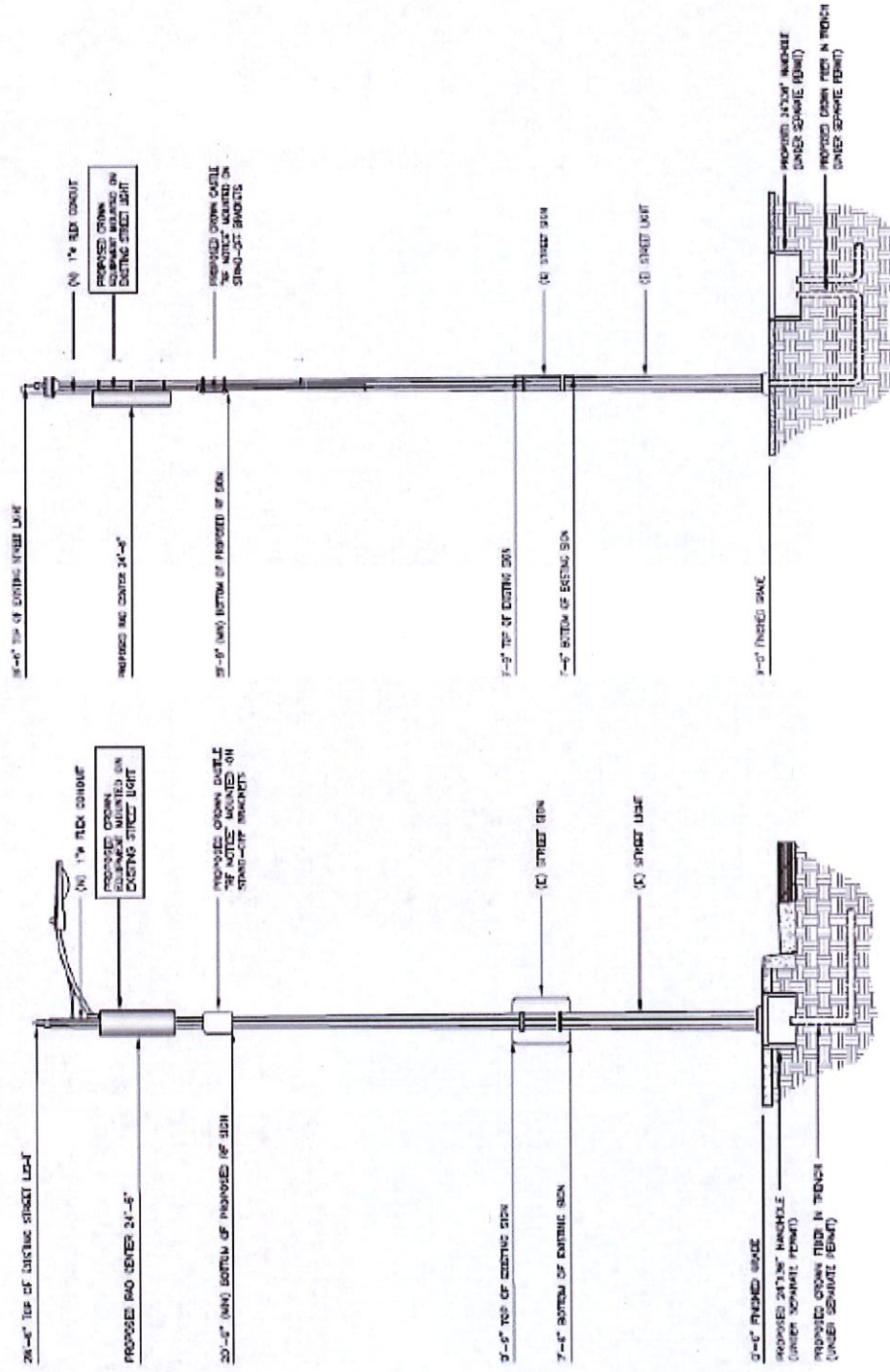
Crown Castle Proposed Installation

Scenario-Proposed Small Cell on existing streetlight with base shroud

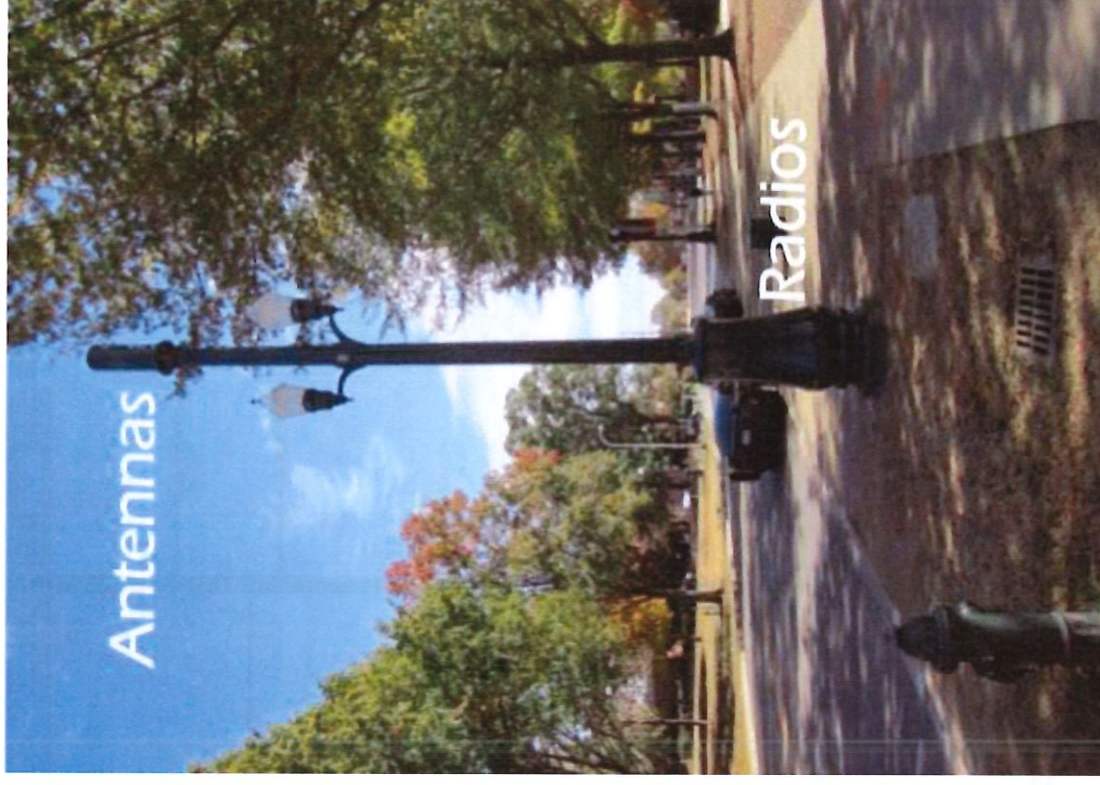


Crown Castle Proposed Installation

Scenario-Proposed Small Cell on existing streetlight



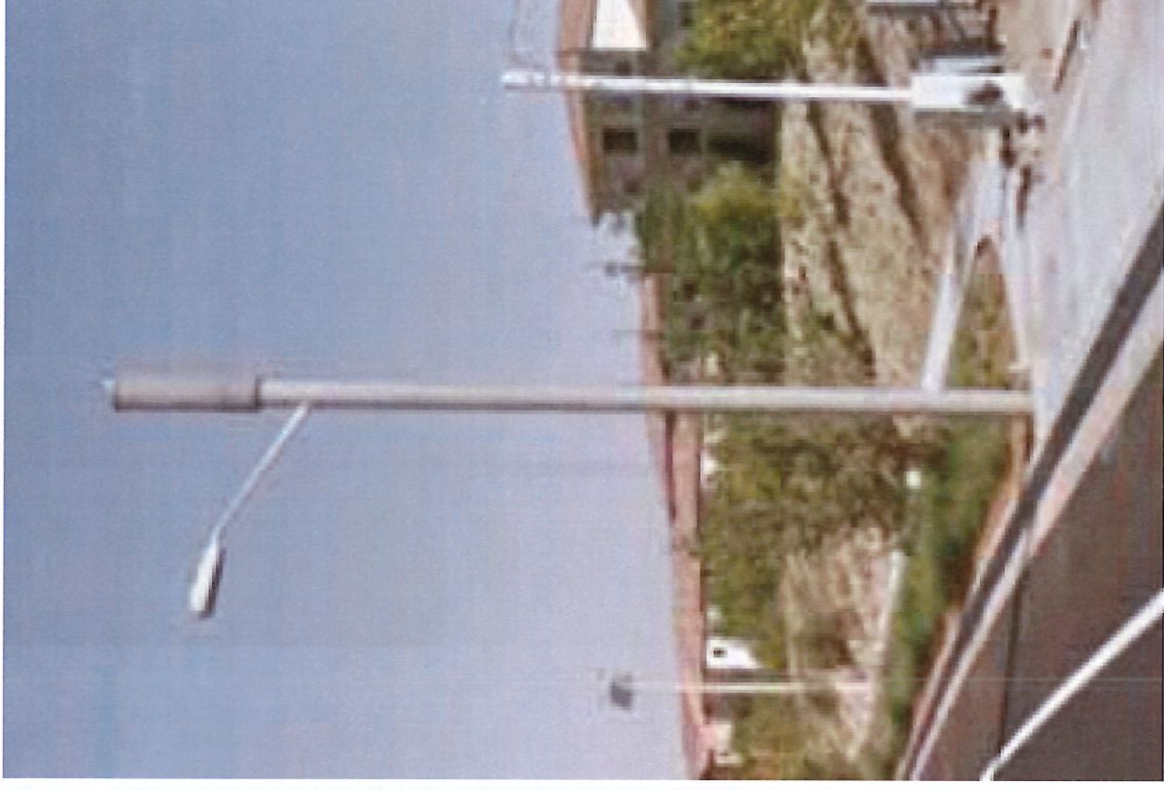
Outdoor small cell solutions



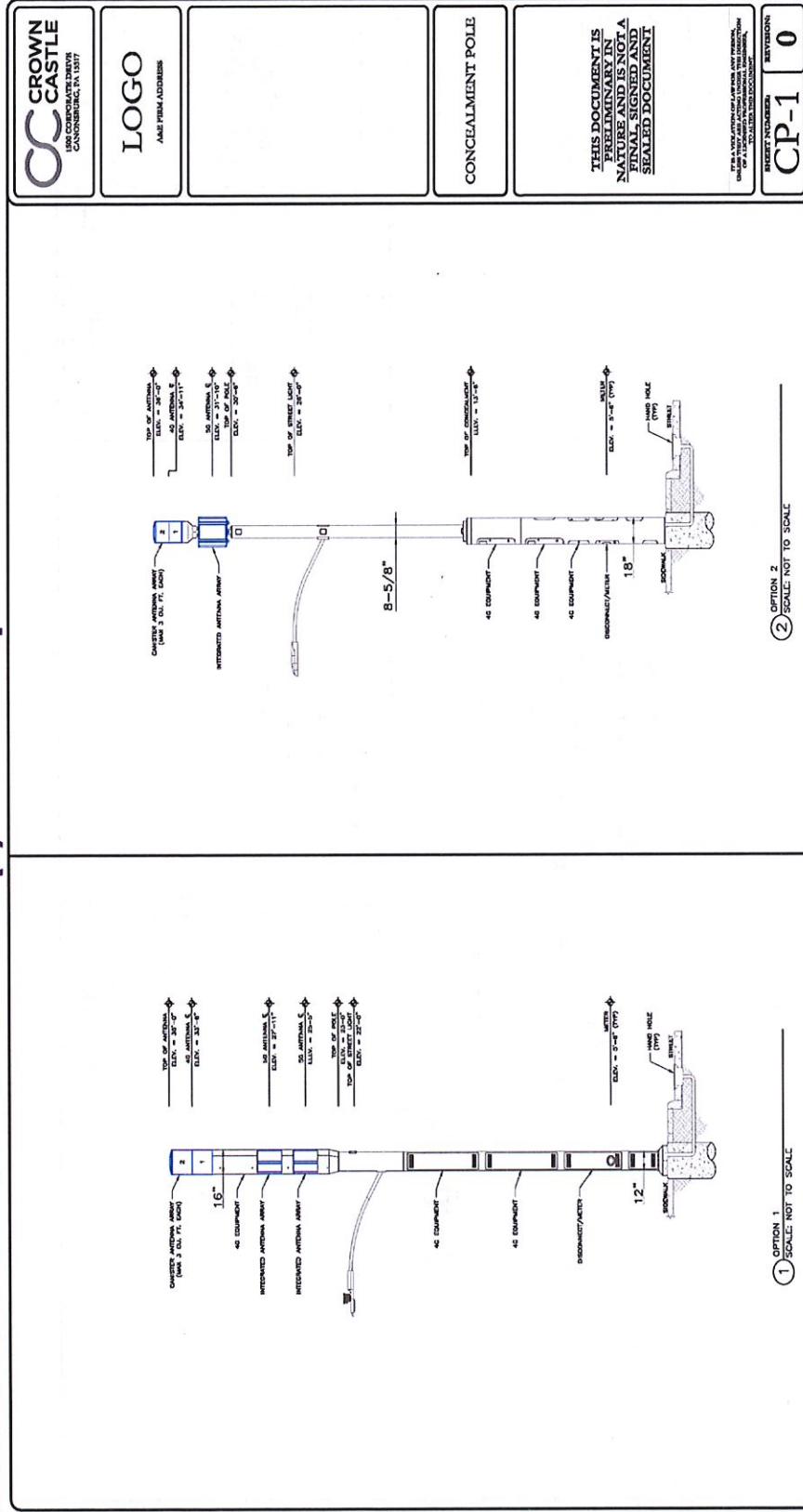
Outdoor small cell solutions



Outdoor small cell solutions

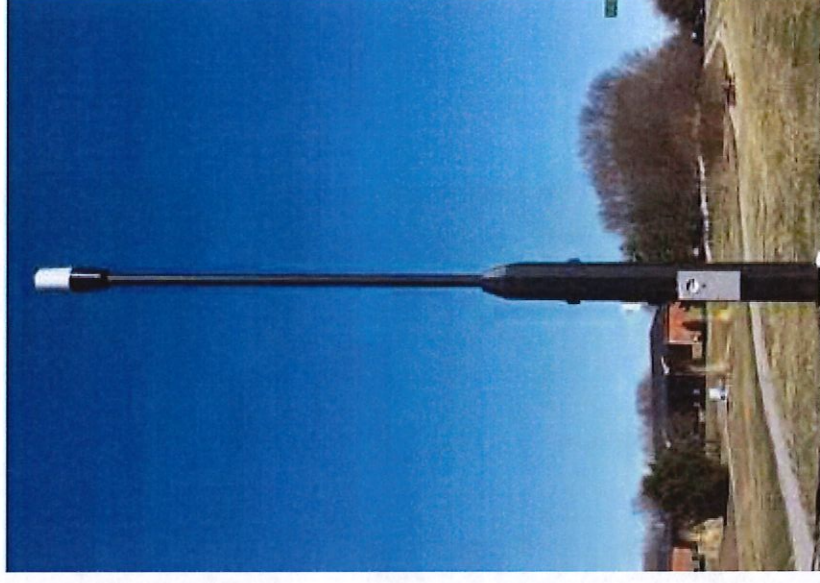


Jurisdictional drawing example.



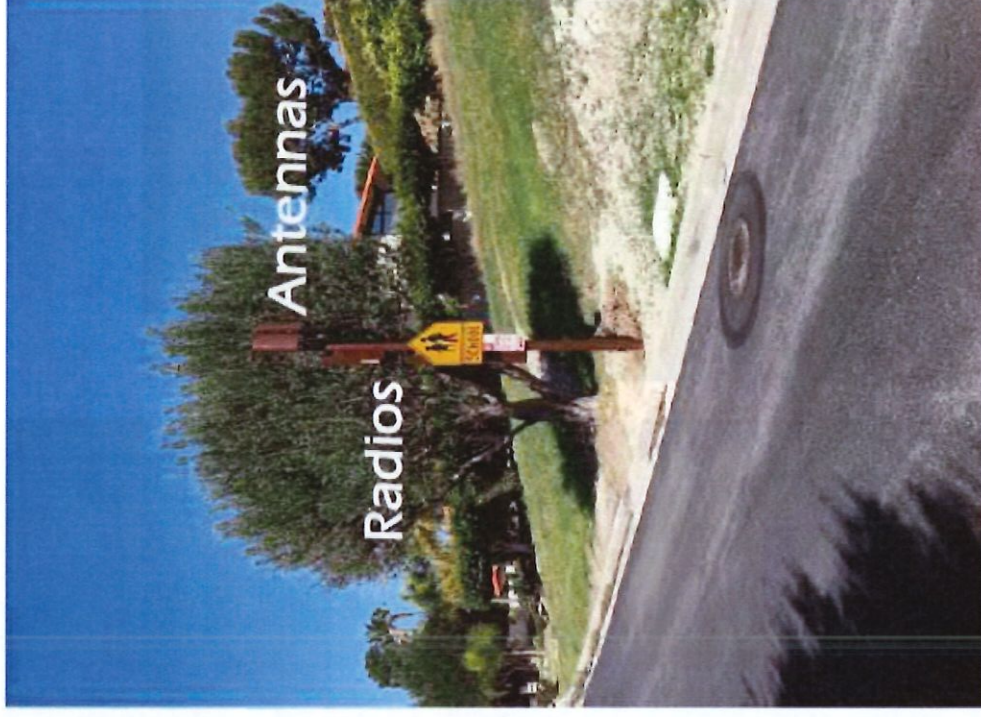
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Crown Sign Pole Design

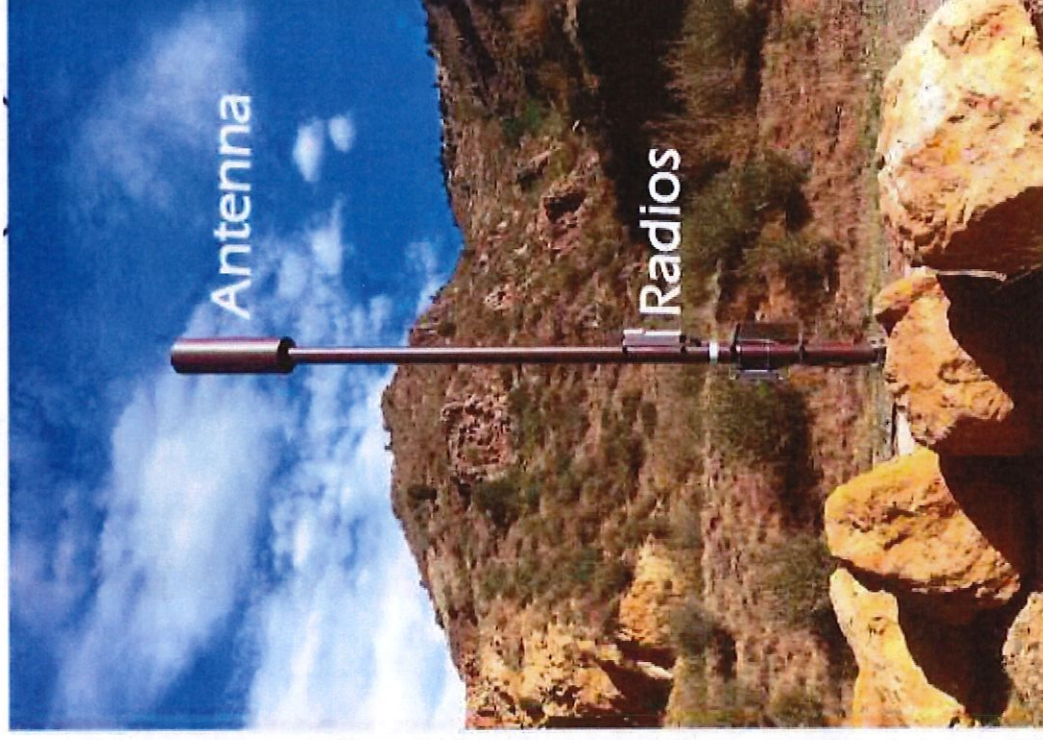


Proprietary &
Confidential

Crown Sign Pole Design



Crown Sign Pole Design



Crown Sign Pole Design



Proprietary &
Confidential

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Thank You

FOR FURTHER INFORMATION
PLEASE CONTACT:

Cynthia D. Holmes
NRE Specialist
312-933-3841
c.holmes@sure-site.com

Robert Jystad
Government Relations Manager
(310) 871-8189
robert.jystad@crowncastle.com

Jo-Anne Burns

From: Farraher, Michael J (Mike) <michael.farraher@verizonwireless.com>
Sent: Monday, June 15, 2020 11:28 AM
To: Jo-Anne Burns
Subject: Re: [E] West Covina CA Design Guidelines for Wireless Facilities in the Public Right of Way
Attachments: 4G fully shrouded.jpeg; 4G-5G.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Ms. Burns,

Attached please find a photo of a recent design that is installed in the city of Anaheim. This is our fully-shrouded 4G design. Additionally, I have attached a photo-simulation for our 4G/5G design. Additionally, I am happy to participate in the prospective workshop to provide any insight from the industry perspective. Do you have an idea of when this might take place?

Thank you,

Mike Farraher

On Mon, Jun 1, 2020 at 3:36 PM Farraher, Michael J (Mike) <michael.farraher@verizonwireless.com> wrote:
Hello Ms. Burns,

Thank you for the invitation to offer comment. I will provide you with something shortly.

Best,

Mike Farraher

On Thu, May 28, 2020 at 4:03 PM Jo-Anne Burns <JBurns@westcovina.org> wrote:

Mr. Farraher,

The City of West Covina is working on updating our Design Guidelines for Wireless Facilities in the Public Right of Way. The first step to this update is to hold a study session with the Planning Commission. During the study session, I would like to present the Planning Commission photographs of existing small wireless facilities that have been deployed, so that that they understand the various designs that are available and have been approved by other cities.

It would be greatly appreciated if you are able to provide sample photographs of existing wireless facilities that Verizon has deployed with a brief description of its design, dimensions, and location.

Thank you,

Jo-Anne Burns | Planning Manager

City of West Covina | Planning Division

Phone: (626) 939-8422 | Direct: (626) 939-8761

jburns@westcovina.org





Coming Soon to a Neighborhood Near You?

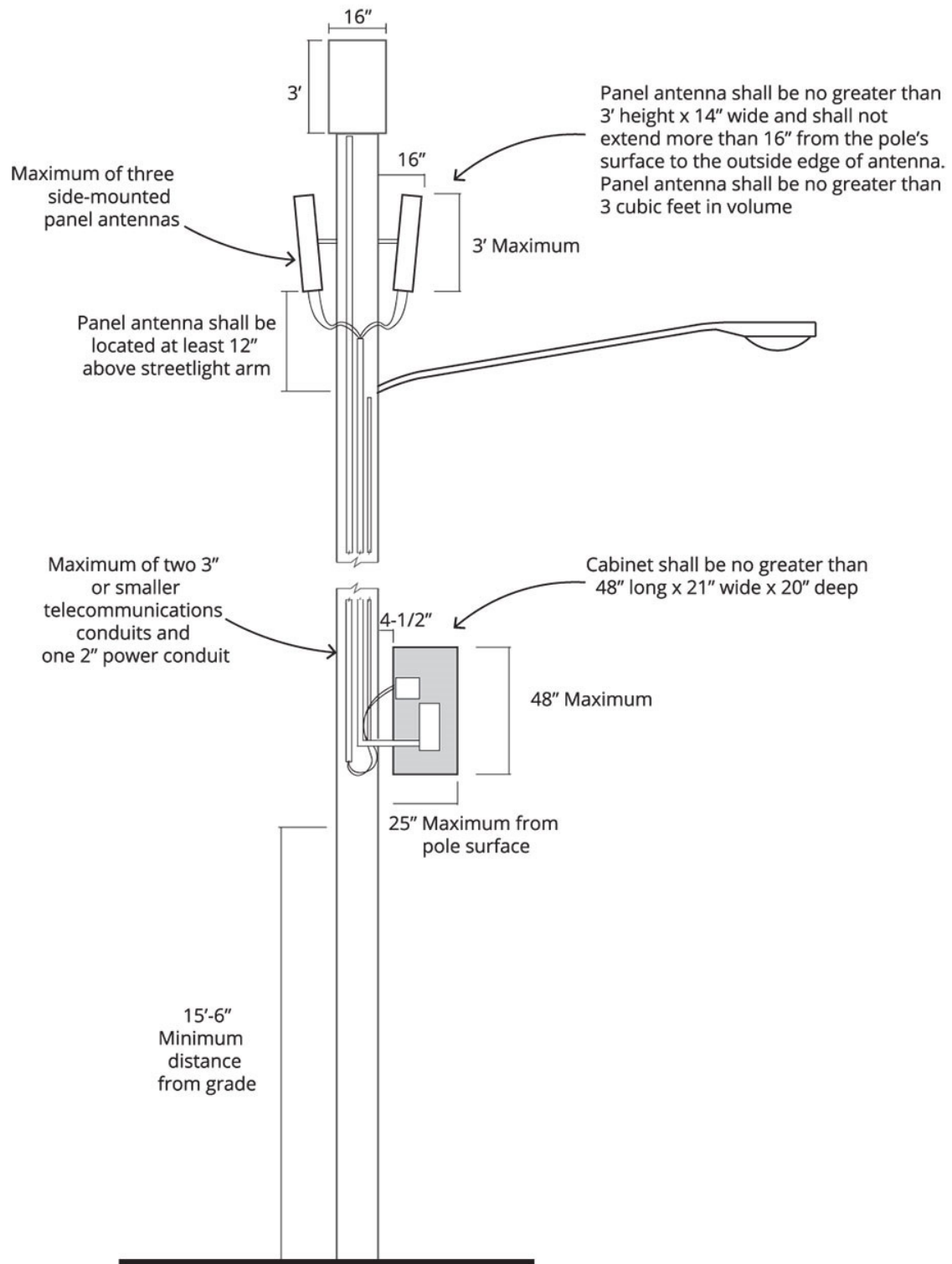
From siting and permitting to the digital divide, 5G offers U.S. communities a full spectrum of opportunities — and challenges.



A small cell on a light post in Pittsburgh. Photo courtesy Crown Castle.

By Daniel C. Vock

Fifth-generation, or 5G, data networks promise to transform cities — even society — with network speeds more than 100 times faster than the 4G networks that most of our mobile phones currently use to transmit information. 5G can also handle 100 times as many devices as current 4G infrastructure, which could allow everything from parking meters to air quality sensors to constantly share information in real time, potentially paving the way for truly "smart" cities.



A diagram of Seattle's design guidelines for a waterfront metal pole top-mount antenna. Seattle published its design standards for small wireless facilities earlier this year. Courtesy Seattle Department of Transportation.

These upgrades in speed and capacity could facilitate the deployment of a whole new range of applications, from surgeons operating remotely on patients hundreds of miles away to autonomous vehicles that communicate with nearby cars, trucks, and road infrastructure as they navigate city streets. The higher speeds would also make it easier to facilitate live video conferencing and other interactive forms of communication like virtual reality that make it easier for people to work, study, or socialize from home — functions that are front of mind for many during the COVID-19 pandemic and will likely continue to be as we look to the future.

Despite this potential, many cities have been wary of carriers installing 5G infrastructure. One way 5G equipment can carry so much more information than current equipment is by using higher frequency electromagnetic waves. But they don't travel as far as lower frequency waves, just like FM radio stations broadcast a clearer signal than their AM counterparts but don't have nearly the same range. That means, in order for 5G to work, carriers must install far more equipment, which is often mounted on existing infrastructure, like light posts, utility poles, and buildings.

The total number of cell sites, by one industry estimate, would increase by 769,000 by 2026 to achieve nationwide coverage. That's in addition to the 350,000 5G sites installed in 2018.

The 5G small-cell equipment is smaller than its predecessors — meaning it can hang from streetlights or utility poles — so wireless companies have pushed for the ability to mount them on public infrastructure. Each of the small cells has to be connected to fiber optic cables, which requires tearing up city streets where they're not already installed. All of that means costs to cities, which many local governments are trying to pass along to the mobile carriers through permit and rental fees.

Disputes between municipalities and mobile carriers over the size of the fees local governments can charge and the placement of 5G equipment are playing out in state legislative chambers, federal regulatory hearings, and more than a few courtrooms. The outcomes will have big implications for planners and the communities they serve, from the short-term surge in permit applications coming to cities and in the long-term consequences on disparities among residents in the types of technological resources they will have in their neighborhoods.



5G Installation Option: A partially concealed small cell topper on a light pole in St. Louis. Photo by Raycap.



5G Installation Option: Mounted on a combination lamp post and telephone pole in Seattle. Photo courtesy Seattle Department of Transportation.

He promoted Sioux Falls as an easy place for carriers to install 5G technologies in the hopes that mobile companies would choose it as one of the first cities they upgraded. "The strategy for the city of Sioux Falls in dealing with wireless carriers was simple: cover our costs," TenHaken testified before a congressional committee in December. "As mayor, it is not my intent to profit off carriers to deploy small cell infrastructure."

The strategy worked. When Verizon expressed interest in 2018, Sioux Falls engineers and lawyers worked with the company's representatives to develop a 5G permitting process. City workers processed mock applications for small-cell antennae installations to figure out how much time it would take them to decide whether to approve an application, and how much to charge the companies to apply for a permit. Sioux Falls employees also researched the costs for electricity and pole maintenance to help determine annual rental fees.

In the end, the city let Verizon lease its poles for 10 years, with the option for a five-year extension. Sioux Falls charged \$500 per pole in application fees and \$175 per pole in rental fees annually. It also agreed to process all applications within 60 days. Verizon began offering 5G service in Sioux Falls in November 2019, making the city of 200,000 people one of the first 18 nationwide where Verizon offered the service. The mayor expects other wireless carriers to follow.

"While states in middle America are often overlooked because we lack the population sizes compared to the coasts, our infrastructure needs are equal to those of the largest states in the nation," TenHaken told the senators last winter. "In a global economy reliant on the internet, the fifth generation of mobile infrastructure is not a 'nice to have' asset for Sioux Falls — it is a necessity."

How Does 5G Work?

5G's shorter wave signals can degrade if they encounter structures, vegetation, or rain. That means more cell towers are required to relay signals from the macrocell, or high-power, tower. 4G's longer wave signals travel for miles from the macrocell tower, unaffected by weather or buildings, but more users can slow down service.

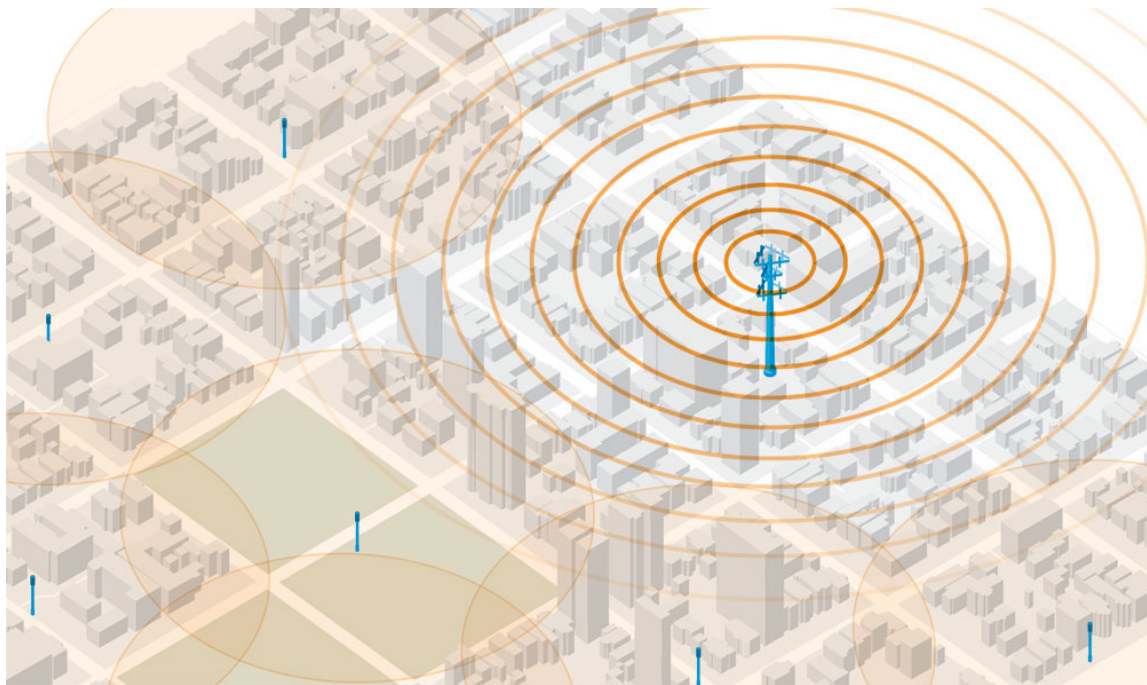


Image by Haisam Hussein.

5G technology relies on more cells than its predecessor systems in order to transmit the shorter wavelength signals. Cells can be mounted on new or retrofitted infrastructure.

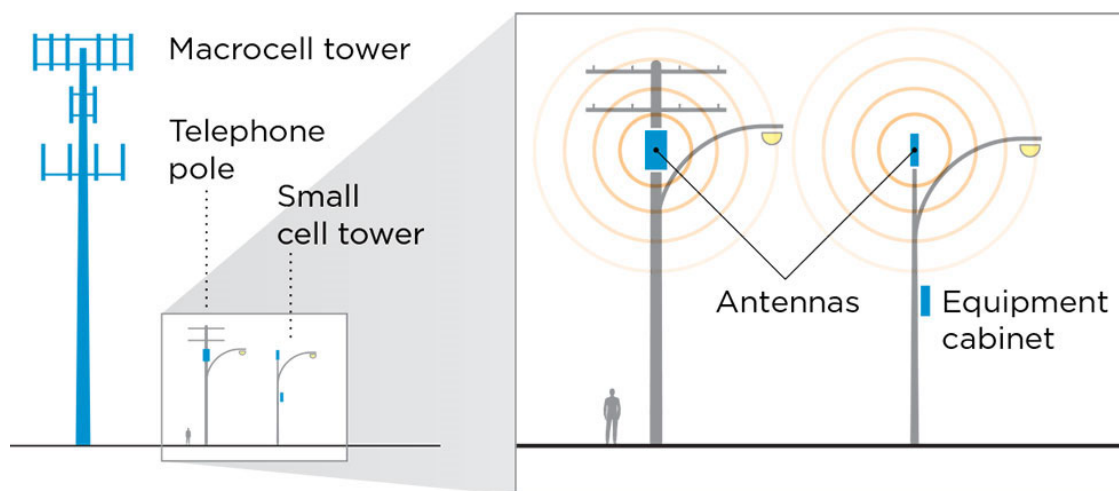


Image by Haisam Hussein.

Regulatory debates

The technology that is broadly labeled 5G is actually a collection of improvements to wireless infrastructure that will boost speeds for end users. It uses different parts of the electromagnetic spectrum — and more of it — than its predecessors and incorporates several ways to use those signals more efficiently. But the exact types of upgrades depend on the carrier and on the location. For example, rural areas may see faster connections compared to existing 4G networks, but not the top-of-the-line speeds available in downtown business districts. On the other hand, those downtown districts will require a lot more antennae, spaced closer together, in order to get those higher speeds, because the equipment used to produce those higher speeds uses high-frequency wavelengths that can be blocked by buildings and other structures.

Major wireless carriers have all started rolling out 5G technology in the U.S., but so far, those efforts are still in their early stages. (To make matters more confusing, AT&T rebranded some of its 4G network as "5G E," which is not actually 5G.) The only consumers currently able to take advantage of the upgrades have to have a 5G-enabled device, but most mobile phones — including the Apple iPhone — are not currently equipped to work with 5G technology.

But Verizon and AT&T both indicated this spring they plan to ramp up the construction of 5G infrastructure, which prompted *Politico* to ponder whether there would be a post-virus "5G gold rush."

Even before the pandemic, the telecommunications industry had planned wider rollouts of 5G throughout 2020. Not only are companies competing with each other to offer the new service, they're also trying to position the U.S. as the global leader in deploying 5G technology in order to attract developers and technology companies.

To speed up the process, the telecommunications industry has tried to bypass many local siting and permitting regulations that it sees as too cumbersome. Companies have worked at state and federal levels to get uniform standards imposed on localities that cover things like how much the municipalities can charge for leasing light poles and other infrastructure, how long the local regulators can take to decide on whether a permit should be issued (what the industry refers to as "shot clocks"), and when local regulations should be preempted.

By and large, the telecommunications companies have been successful. More than half of the states in the country have passed laws setting standards for municipalities to follow for 5G equipment installations, according to the Wireless Infrastructure Association, an industry group.

The bigger shock came when the Federal Communications Commission passed sweeping regulations in 2018 imposing similar restrictions on municipalities nationwide. The FCC rules order limited application fees for small wireless

equipment to \$500 for the first five sites and \$100 for sites beyond that, and capped recurring annual fees to cover the cost of maintaining rights-of-way at \$270. They also limited aesthetic requirements that would apply to rules published in advance that were "reasonable" and no more burdensome than the rules for other types of infrastructure. The FCC also stipulated that municipalities must rule on applications for sites where small cells already exist within 60 days and on new sites within 90 days.

Local government groups, including the National League of Cities and the National Association of Counties, denounced the new rules. San Jose, California, and 22 other cities and counties, meanwhile, have sued the FCC over the regulations. They argue, among other things, that the FCC overstepped its authority by issuing the directives.

Under federal law, municipalities cannot ban telecommunications services or equipment in their jurisdictions. The FCC regulations rely on that principle to build the time limits for applications; municipalities that take too long to process applications, for example, are presumed to be prohibiting the new service. Opponents claim that is too much of a stretch to meet legal criteria. The cities' lawsuits were combined and are now before a San Francisco-based federal appeals court. Meanwhile, the underlying regulations remain in effect.

Deployment priorities

Brian Dillard, chief innovation officer for San Antonio, Texas, is wary of industry promises about the benefits that 5G will bring. His primary focus is on promoting equity among San Antonio residents, which, he says, is not a priority for telecommunications companies. He anticipates mobile carriers will roll out 5G much the same way they introduced 4G: in the most affluent neighborhoods first.

The delays in bringing modern internet connections to lower-income neighborhoods have lasting consequences, Dillard says. The COVID-19 pandemic brought the issue into clear focus when a local school district tried to distribute 500 mobile hotspots to students to facilitate at-home learning. He says that many students couldn't use them because the devices required a common mobile technology that wasn't available in their neighborhoods.

"If the telecoms are telling [planners] that 5G will solve all their problems, make them prove it. We have big problems of economic segregation. Those are the problems we need to solve. Digital inclusion can be a big part of it," Dillard says. But that would require the companies to upgrade already lagging infrastructure in neighborhoods. "Go out to this neighborhood and fix that problem first, before you get to the next level," he says.

Many planners, community activists, and city officials welcome the upgrades in technology but, like Dillard, are more worried about how and where they will be deployed. Even in areas with ample services, many residents can't take advantage of the improvements because they lack the money to pay for them or the skills to use them.

"There's nothing different that I know of with the traditional [telecommunications] business model that will make 5G more equitable," says Brenna Berman, CEO of the Chicago-based City Tech Collaborative, which works with private companies and cities to address urban problems. She says policy makers should explore other business models to encourage the providers to better serve disadvantaged populations. "We have a moral obligation to make sure that we don't further broaden that digital gap, and the time to think about that is now," she says.

Eric Frederick, AICP, vice president of community affairs for Connected Nation, which focuses on bringing better internet connectivity to rural areas, says many of the physical features of 5G — particularly its reliance on high-frequency transmissions and fiber optic networks — mean that "5G is not going to be a rural broadband solution." The spreadout nature of rural areas, low densities, and topographic features mean rural 5G is not a great match.

Technical specifications aside, Frederick says investment and market forces pose barriers to rural deployment as well. The FCC announced it would award \$9 billion in grants for rural areas, but Frederick says that's only a fraction of what would be needed. Besides, he adds, there's not a lot of state or federal regulation to determine where new service is provided, so the carriers' decisions are market driven and almost always go to areas where they can serve the highest number of households in a small space.

That doesn't mean local governments' hands are tied. Frederick says planners should think ahead about the type of internet access they want in their communities and include plans to secure it in their long-term planning documents, as New York City did earlier this year. At the same time, they should start building relationships with their local telecommunications providers, even if the administrators are based far away. "It's worth the effort," he says.

Planning for demand

From the perspective of infrastructure installers, making the permitting and application process for new 5G equipment uniform and easier for applicants can encourage the deployment of new network equipment in more neighborhoods, says

Karmen Rajamani, the director of permitting and utilities for the eastern U.S. region for Crown Castle, a company that installs and owns telecommunications equipment and leases it to providers around the country.

Crown Castle only builds network infrastructure where there's already demand for the upgrades. But demand often grows when the new service is available in nearby areas. "We've found that once [infrastructure improvements] are installed and used, then they grow," Rajamani says. She also stressed that communities should have "frank conversations" with infrastructure companies and mobile carriers to convey their priorities.

Jonathan S. Adelstein, president and CEO of the Wireless Infrastructure Association, says low-income neighborhoods are actually attractive to mobile carriers. Those areas tend to be densely populated and, because residents there rely so heavily on their mobile devices for internet connections, they tend to prioritize paying their bills for wireless service.

But he cautions against city officials interfering with the carriers' plans for 5G deployment. "Carriers are looking at rational investments. They are going to go where the customers are. But they have limited capital venture. Even though they'll be spending \$30 billion a year mostly for 5G, it still is not enough to meet the need," he says. "If you try to artificially change where investments go, you will get no investments. Some cities have the leverage to pull it off, but some don't. They could end up with less net investment rather than more."

Dillard, the San Antonio innovation officer, encourages cities to mobilize their residents to make sure 5G service is rolled out fairly. Building those networks will take three to five years, but cities need to be active as it happens, he says. "Keep awareness of where [coverage] is and where it isn't. Make it physically aware to residents with network maps, and don't go a year between updating them," he says. "Get residents involved, because residents are going to demand something better."

Daniel C. Vock is a public policy reporter based in Washington, D.C.

RESOURCES

Small Wireless Facilities and Facilities in the Right of Way: APA's Knowledgebase Collection lets you [search for small wireless resources \(/knowledgebase/smallwireless/\)](#) that provide background, policy guidance, and examples of local zoning and other municipal standards from across the country.

Right-of-Way Management: Small Cells to Scooters: Learn how to manage the public right-of-way (https://learn.planning.org/local/catalog/view/product.php?globalid=LRN_198244) and regulatory tools for best practices, and understand the challenges presented by small wireless facilities and shared mobility services.

Equal Access Equals Opportunity: Planners in small towns and rural areas are increasingly looking to broadband to spur local growth and prosperity. Eric Frederick's July 2019 article (</planning/2019/jul/equalaccess/>) in *Planning* explains.

What's Next for 5G?



Conspiracy theories about 5G have sparked worldwide protests, including this one in London in January. Photo by Kevin J. Frost/Alamy.

As telecommunications providers introduce 5G to more areas in the coming years, here are a few issues that may determine how that rollout progresses and how it will benefit consumers.

LITIGATION

Three judges considered the fate of the FCC regulations on 5G regulations during a February hearing in a courtroom in Pasadena, California. Lawyers for municipalities and the FCC sparred over many aspects of the order, and whether the extensive rules would, for example, allow Pasadena to halt construction on 5G projects while it erected grandstands for the Rose Bowl parade or require the city to let telecommunications companies put antennae on its decorative streetlights.

It could be months before the three-judge panel of the U.S. Court of Appeals for the Ninth Circuit rules on the case, but more litigation is likely to follow.

DISINFORMATION

Perhaps it's not surprising that, as a new technology, 5G has already been the subject of conspiracy theories and hoaxes. What's more troubling for industry leaders is that at least some public officials have believed the hoaxes and considered trying to ban 5G equipment altogether.

That was the case in Trenton, New Jersey, where city council members drafted an ordinance to ban construction of wireless infrastructure after they received a letter alleging that "wireless providers are using the COVID-19 emergency as cover to expand and cement their rapid and virtually unsupervised deployment of harmful wireless infrastructure." There is no evidence that wireless infrastructure is harmful, and the Trenton ordinance never passed.

Other hoaxes and conspiracy theories persist. Vandals in the United Kingdom tried to set fire to some 50 cell towers and other equipment, and attacks have happened in other European countries after false information spread linking 5G and the spread of COVID-19. The hoaxes could be coming from coordinated misinformation campaigns backed by a foreign government or other entity, internet researchers say.

The spread of misinformation could have real consequences if local officials believe it or don't stamp out rumors, says Jonathan S. Adelstein, president and CEO of the Wireless Infrastructure Association. Carriers will shy away from installing infrastructure in places where they know they will encounter resistance for "spurious reasons."

RIPPLE EFFECTS

The benefits of installing 5G could extend beyond the mobile customers who use it directly. Small cells require direct connection to fiber optic cables, and those super-fast lines could also be used to extend land-based broadband to nearby areas too.

"It provides more options for other last-mile broadband providers to purchase their backhaul. If a new subdivision is equipped with a 5G cell, now other [internet service providers] can connect with that fiber as well. That is a big benefit of 5G," says Eric Frederick, vice president of community affairs for Connected Nation. Many neighborhoods getting 5G will already have plenty of infrastructure, he notes, "but at the edges, you're going to see spin-offs."

Adelstein says the network improvements will create value throughout the economy, much in the same way that the rollout of 4G to power smartphones led to a surge in tech innovations like streaming video and delivery apps.

"People don't think about the fact that they wouldn't have Uber without 4G," he says.



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City of West Covina
A G E N D A

ITEM NO. 5. a.

DATE: July 28, 2020

TO: Planning Commission
FROM: Planning Division
SUBJECT: Forthcoming - August 11, 2020

Attachments

Forthcoming - August 11, 2020

AGENDA NO. 5. a.

DATE: July 28, 2020

FORTHCOMING PLANNING COMMISSION HEARING

August 11, 2020

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

None

C. NON-HEARING ITEMS

None

August 25, 2020

A. CONSENT CALENDAR

None

B. PUBLIC HEARINGS

None

C. NON-HEARING ITEMS

Study Session – Design Guidelines for Wireless Facilities in the Public Right-of-Way

City of West Covina
A G E N D A

ITEM NO. 5. b.

DATE: July 28, 2020

TO: Planning Commission

FROM: Planning Division

SUBJECT: Subcommittee for Design Review Minutes - April 28, 2020, May 26, 2020 and June 24, 2020

Attachments

Minutes 6.9.20

Minutes - 5.26.20

Minutes 6.24.20

**WEST COVINA PLANNING COMMISSION
SUBCOMMITTEE DESIGN REVIEW BOARD
VIA TELECONFERENCE – ROOM 208
REGULAR MEETING
Tuesday, June 9, 2020
6:30 p.m.**

MINUTES

- 1. ROLL CALL** - Commissioners Heng and Jaquez were present.
- 2. APPROVAL OF MINUTES** – May 26, 2020
- 3. OTHER MATTERS OR ORAL COMMUNICATIONS** - None
- 4. REVIEW ITEMS**

(A) **APPLICANT:** Jeremy Yeh
 LOCATION: 1177 S Spring Meadow Dr.
 PROPOSAL: Subcommittee Design Review No. 20-62;
 The applicant is proposing a new 4,671square-foot, 2-story
 house on vacant land in conjunction with a subdivision of
 the proposed property.

Motion by Commissioner Jaquez seconded by Commissioner Heng that the proposed project be reviewed by the Planning Commission with the rest of the related entitlements.

5. ADJOURNMENT

Adjourn at 6:54 p.m.

**WEST COVINA PLANNING COMMISSION
SUBCOMMITTEE DESIGN REVIEW BOARD
VIA TELECONFERENCE – ROOM 208
REGULAR MEETING
Tuesday, June 9, 2020
6:30 p.m.**

MINUTES

- 1. ROLL CALL** - Commissioners Kennedy and Jaquez were present.
- 2. APPROVAL OF MINUTES** – May 26, 2020
- 3. OTHER MATTERS OR ORAL COMMUNICATIONS** - None
- 4. REVIEW ITEMS**

(A) APPLICANT: Ricky Huang
 LOCATION: 1300 E Maplegrove St
 PROPOSAL: Subcommittee Design Review No. 20-25;
 The applicant is proposing a new 860 square-foot accessory dwelling unit on a lot with an existing single-family residence.

Motion by Commissioner Jaquez seconded by Commissioner Kennedy that the proposed addition is in accordance with the Subcommittee Design Review Board Guidelines.

(B) APPLICANT: Maggie Thai
 LOCATION: 1435 Hollencrest Dr
 PROPOSAL: Subcommittee Design Review No. 20-28;
 The applicant is proposing to enclose the existing 43 square foot porch to allow for an entry foyer.

Motion by Commissioner Jaquez seconded by Commissioner Kennedy that the proposed addition is in accordance with the Subcommittee Design Review Board Guidelines.

(C) APPLICANT: Macario Cabrero
 LOCATION: 927 S Sunkist Ave
 PROPOSAL: Subcommittee Design Review No. 20-29;
 The applicant is proposing on expanding their house 3 feet towards the north-east property line to allow for a 160 square

AGENDA NO. 5. b.

DATE: July 28, 2020

foot addition. They were previously approved under SUB 17-70 and resubmitted for plan revision.

Motion by Commissioner Kennedy seconded by Commissioner Jaquez that the proposed addition is in accordance with the Subcommittee Design Review Board Guidelines.

5. ADJOURNMENT

Adjourn at 6:38 p.m.

**WEST COVINA PLANNING COMMISSION
SUBCOMMITTEE DESIGN REVIEW BOARD
PLANNING CONFERENCE ROOM – ROOM 208
REGULAR MEETING
Tuesday, July 14, 2020
6:30 p.m.**

MINUTES

- 1. ROLL CALL** - Commissioners Kennedy and Redholtz were present.
- 2. APPROVAL OF MINUTES** – June 24, 2020
- 3. OTHER MATTERS OR ORAL COMMUNICATIONS** - None
- 4. REVIEW ITEMS**

(A) APPLICANT: Larry Lachner
 LOCATION: 1459 S Meeker Ave (AIN: 8467-007-024)
 PROPOSAL: Subcommittee Design Review No. 20-12;
 The applicant is proposing a new single story 3,551 square-foot single-family residence on a vacant lot.

Motion by Commissioner Redholtz seconded by Commissioner Kennedy that the proposed addition is in accordance with the Subcommittee Design Review Board Guidelines.

(B) APPLICANT: Edgar Gowin
 LOCATION: 1112 S Wilson Drive
 PROPOSAL: Subcommittee Design Review No. 19-34;
 The applicant is proposing to construct a 161 square foot kitchen addition, 572 square foot two-story garage, 15 square foot front entry porch. For reference, the existing single-family residence is one-story. The applicant is also requesting a Slight Modification to allow for an encroachment into the required front-yard setback for the proposed garage. This project also involves an Administrative Use Permit for the two-story design.

Motion by Commissioner Redholtz seconded by Commissioner Kennedy that the proposed addition is in accordance with the Subcommittee Design Review Board Guidelines.

(C) APPLICANT: Maria Garcia

AGENDA NO. 5. b.

DATE: July 28, 2020

LOCATION: 1311 S Hidden Valley Drive
PROPOSAL: Subcommittee Design Review No. 20-14;
The applicant is proposing to construct 178 square foot addition on the front elevation, a 49 square foot entry porch, and a new 459 square foot garage.

Motion by Commissioner Kennedy seconded by Commissioner Redholtz that the proposed addition is in accordance with the Subcommittee Design Review Board Guidelines.

5. ADJOURNMENT

Adjourn at 6:54 p.m.