



PLANNING COMMISSION HEARING DATE: MAY 05, 2016

AGENDA ITEM NO.: 2

PROPOSED PROJECT

<i>Case Numbers</i>	P15-0945 (Conditional Use Permit)	
<i>Request</i>	To consider a Conditional Use Permit to permit a 60-foot high, wireless telecommunications facility, disguised as a pine tree.	
<i>Applicant</i>	Andrea Urbas of Cortel, Inc. on behalf of Verizon Wireless	
<i>Project Location</i>	725 Central Avenue, north side of Central Avenue between Canyon Crest Drive and Quail Run Road	
<i>APN</i>	253-240-004	
<i>Project area</i>	1.65 acres	
<i>Ward</i>	2	
<i>Neighborhood</i>	Canyon Crest	
<i>Specific Plan</i>	N/A	
<i>General Plan Designation</i>	PF – Public Facilities/Institutional	
<i>Zoning Designation</i>	PF – Public Facilities	
<i>Staff Planner</i>	Brian Norton, Senior Planner; 951-826-2308; bnorton@riversideca.gov	

RECOMMENDATIONS

Staff Recommends that the City Planning Commission:

1. **RECOMMEND** that the City Council **DETERMINE** that Planning Case P15-0945 (Conditional Use Permit) will not have a significant effect on the environment based on the findings set forth in the case record and recommend the City Council exempt this project subject to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act; and
2. **RECOMMEND APPROVAL** of Planning Case P15-0945 (Conditional Use Permit), based on the findings outlined in the staff report and summarized in the attached findings and subject to the recommended conditions.

SITE BACKGROUND

This 1.65 acre property is located on the north side of Central Avenue between Canyon Crest Drive and Quail Run Road. In 2005, a Conditional Use Permit (P05-0772) and Design Review (P05-0773) were approved to develop the subject site with Fire Station #14. The fire station was subsequently constructed in 2007.

PROPOSAL

The applicant is requesting approval of a Conditional Use Permit to permit a 60-foot high wireless telecommunications facility, disguised as a pine tree. The project site is generally located on the southeast portion of the site, behind an existing security wall and gate.

The wireless facility will consist of a single antenna array installed at a centerline height of 54 feet. Antennas will be attached to three separate sectors, each sector will be able to hold up to four, 8-foot high antennas, for a total of 12 antennas. The wireless facility also includes the installation of a parabolic antenna at a centerline height of 47 feet, 8 inches. The pole of the telecommunications facility will consist of a faux bark finish to resemble the texture and color of a pine tree trunk. Faux branches and leaves are proposed to extend beyond the antenna arrays to camouflage the antennas. All appurtenances will be painted to match the proposed pine tree and antennas will be covered in 'antenna socks', which serve to further camouflage the antennas.

A 571-square foot equipment enclosure with an 8-foot high block wall will contain the telecommunications facility and supporting equipment, cabinets and cables. Two trees will be removed as part of the project and replaced with three new pine trees to provide additional screening from the public right-of-way.

PROJECT ANALYSIS

<i>Authorization and Compliance Summary</i>			
	Consistent	Inconsistent	N/A
<i>General Plan 2025</i> The proposed project is consistent with the underlying General Plan 2025 land use designation of PF – Public Facility, which will further the intent of the General Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Specific Plan</i> The project site is not located within a Specific Plan area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Zoning Code Land Use Consistency (Title 19)</i> The PF – Public Facilities Zone conditionally permits wireless telecommunications facilities subject to the standards set forth in Section 19.530 (Wireless Telecommunication Facilities) of the Zoning Code.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Compliance with Citywide Design & Sign Guidelines</i> The proposed project meets the objectives of the City's design guidance document, subject to the recommended conditions of approval detailed below.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Compliance with Wireless Telecommunications Facilities Development Standards</i> The underlying base zone (PF – Public Facilities) allows for wireless telecommunications facilities pursuant to the approval of a Conditional Use Permit. The proposed telecommunications facility complies with all development standards of the zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Compliance with Locational Criteria

- o *To minimize any negative aesthetic impact, wireless telecommunication facilities shall be sited so as to minimize views from the public right-of-way and adjacent properties.*

The proposed project complies with this standard. The 60-foot high telecommunications facility, disguised as a pine tree will be located on the southeast area of the site, approximately 20 feet behind the front most wall of the fire station building. The facility will be located 63 feet, 2 inches feet from Central Avenue and 22 feet, 4 inches from the

interior east property line. Photosimulations provided by the applicant demonstrate the wireless telecommunications facility will blend with mature pine, eucalyptus and sycamore trees prevalent throughout the Canyon Crest neighborhood and along Central Avenue.

- o *Wireless telecommunication facilities shall be located a minimum of 75 feet from any residential structure.*

The proposed project complies with this standard. The nearest residential structures are located approximately 242 feet to the south, across Central Avenue, approximately 280 feet to the west and approximately 510 feet to the north of the project. Moreover, the wireless telecommunications facility, disguised as a pine tree, will be constructed in accordance with all applicable building codes and will operate in compliance with Federal Communications Commission (FCC) regulations regarding the emission and transmission of electromagnetic radiation and radio frequency emissions that may result from the project. Conditions of approval are recommended to ensure that the proposed wireless telecommunications facility will not be detrimental to the surrounding area.

Compliance with Development Standards

- o *Wireless telecommunication facilities shall comply with the provisions (i.e., height, setbacks, etc.) of the underlying zone where the facility is located.*

The proposed project complies with this standard. The Public Facilities Zone allows for a maximum height of 60 feet and buildings or other structures to be set back a minimum of 20 feet from all property lines. The proposal consists of a 60 foot high wireless telecommunications facility located 22 feet 4 inches from the nearest property line.

Compliance with Design Guidelines

- o *All camouflaged wireless telecommunication facility components, including antenna panels, shall be painted or be designed to match the predominant color and/or design of the structure so as to be visually inconspicuous. The use of state-of-the-art technology and implementation of best practices shall be required to ensure high quality camouflage design. Careful consideration of design details including color, texture, and materials shall be made to ensure the camouflaged design of the wireless telecommunication facility.*

The proposed project complies with this standard. As currently designed, the pole of the pine tree will consist of a faux bark finish to resemble the texture and color of a pine tree trunk. Faux branches and needles are proposed to extend beyond the antenna arrays and antennas will be covered in 'antenna socks'. All other appurtenances attached to the pole must be painted to match the color of the branches

- o *Landscaping shall be provided to screen wireless telecommunication facilities and related above-ground support equipment from the public right-of-way. The Approving Authority may require additional live mature plantings to assist in mitigating visual impacts of wireless telecommunication facilities.*

The proposed project complies with this standard. The project proposes the addition of three live pine trees to further conceal the facility from public view.

- o *All support equipment shall be completely screened. Required screening shall be decorative, of a design, color, and texture that is architecturally integrated with existing structures on the same site.*

The proposed project complies with this standard. The support equipment will be screened by a block enclosure, consisting of an 8-foot high decorative block wall. Furthermore, the enclosure and support equipment will be located approximately 60 feet from Central Avenue and located behind an existing 8-foot block wall.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15303 (New Construction or Conversion of Small Structures - Class 3).

NEIGHBORHOOD COMPATIBILITY

The proposed use will be compatible with the specific site location, development, and operation standards related to wireless telecommunications facilities. The proposal will not prove detrimental to the surrounding neighborhood or the general public with fulfillment of the recommended conditions of approval.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by Planning staff.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Findings
2. Staff Recommended Conditions of Approval
3. Aerial Photo/Location
4. General Plan Map
5. Zoning Map
6. Project Plans
7. Photo Simulations
8. Existing Site Photos
9. Coverage Maps

Report and Recommendations Prepared by:
Report and Recommendations Reviewed by:
Report and Recommendations Approved by:

Brian Norton, Senior Planner
Ted White, City Planner
Rafael Guzman,
Community and Economic Development
Director



CITY OF RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

PLANNING DIVISION

EXHIBIT 1 – FINDINGS

PLANNING CASES: P15-0945 (Conditional Use Permit)

FINDINGS

Conditional Use Permit Findings pursuant to Chapter 19.760:

- a. The proposed wireless telecommunications facility is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, design, site design, traffic characteristics and environmental impacts;
- b. The proposed wireless telecommunications facility will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
- c. The proposed wireless telecommunications facility use, as conditioned, will be consistent with the purposes of the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.



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EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

Case Number: **P15-0945** (Conditional Use Permit)

Meeting Date: May 05, 2016

CONDITIONS

The applicant is advised that the business or use for which this conditional use permit is granted cannot be legally conducted on the subject property until all conditions of approval have been met to the approval of the Community Development Department, Planning Division.

Case Specific

- **Planning**

1. No additions or modifications to the 60-foot facility shall be permitted which constitutes a substantial change or defeat the concealment elements of the wireless telecommunications facility, per section 6409 of the Spectrum Act.
2. All conditions of Airport Land Use Commission (ALUC), processed under case ZAP1187MA16, shall be satisfied.
3. This project shall comply with the City's adopted Noise Code. All construction activity will be restricted to between 7:00 a.m. and 7:00 p.m. weekdays and 8:00 a.m. and 5:00 p.m. Saturdays. No construction noise is permitted on Sundays or federal holidays.
4. The wireless telecommunications facility and associated support equipment shall be maintained in a like-new condition at all times.
5. The new wireless telecommunication facility shall be designed within the applicable American National Standards Institute (ANSI) standards.
6. The antennas shall be designed in accordance with the FCC standards for professionally acceptable radio frequency emissions for all types of communications towers.

Prior to Building Permit Issuance:

7. Plans shall be submitted through the Building and Safety Division and shall include the following:

EXHIBIT 2- STAFF RECOMMENDED CONDITIONS OF APPROVAL

- a. The wireless telecommunications facility shall not exceed 60-feet in height;
- b. The 'bark' shall extend through the top of the antenna structure;
- c. Branches shall exceed, at minimum, eighteen (18) inches beyond the antenna arrays;
- d. Antenna arrays shall not be greater than 6 feet 6 inches in width;
- e. Antennas shall be covered in 'socks';
- f. All related equipment attached to the poles shall be painted to match the trunk or the leaves of the monopine and shall be substantially screened with branches and leaves;
- g. All wires shall be enclosed within the trunk of the facility and antenna arms; and
- h. Plans shall reflect all landscaping and irrigation, including the planting of three 36-inch box pine trees spaced adequately as to not interfere with the wireless telecommunications facility or existing trees.

Prior to Release of Utilities

- 8. The applicant shall obtain approval of all State and local agencies having jurisdiction over this use including the FAA and the FCC as necessary.
- 9. Landscape and irrigation shall be installed per approved plans.

Operational Conditions

- 10. All equipment shall be located within the equipment enclosure.
- 11. The wireless telecommunications facility and related support equipment shall be designed to prevent unauthorized persons from accessing and/or climbing them.
- 12. Any temporary power generator shall be located within a completely enclosed structure designed to comply with Title 7 (Noise Control) of the Riverside Municipal Code.
- 13. Any graffiti on the facility shall be removed within 24 hours of notification.
- 14. The subject property shall be developed substantially as shown on the plot plan on file with this case except for any specific modification that may be required by these conditions of approval.
- 15. The wireless telecommunication facility shall be installed and maintained in compliance with the requirements of the Uniform Building Code, National Electrical Code, noise standards, and other applicable codes, as well as other restrictions specified in this section. The facility operator and the property owner shall be responsible for maintaining the facility in good condition, which shall

include but not be limited to regular cleaning, painting, and general upkeep and maintenance of the site.

16. The wireless telecommunication facilities shall not bear any signs or advertising devices other than certification, warning, or other legally required seals or legally required signage.
17. All wireless telecommunications facilities and related support equipment shall be removed within 90 days of the discontinuation of use.

Standard Conditions

- **Planning**

18. There shall be a two-year time limit in which to commence construction of the project beginning the day following approval by the Planning Commission unless a public hearing is held by City Council; in that event the time limit begins the day following City Council approval.
19. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim; action or proceeding and the City will cooperate in the defense of the proceeding.
20. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
21. This use permit may be modified or revoked by the City Planning Commission or the City Council should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
22. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. Material violation, as determined by the City Planning Commission, of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit.

23. This permit is issued based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use in this staff report and for the conditions of approval herein. Permittee shall notify Community Development Department, Planning Division, of any change in operations and such change may require a revision to this permit. Failure to notify the city of any change in operations is material grounds for revocation of this conditional use permit.
 24. The applicant herein of the business subject to this conditional use permit acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with the full awareness of the provisions of Title 19 of the Riverside Municipal Code. The applicant shall inform all its employees and future operators of the business subject to this permit of the restrictions and conditions of this permit as they apply to the business operations.
 25. Failure to abide by all conditions of this permit shall be cause for revocation.
 26. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the plot plan on file with this case except for any specific modifications that may be required by these conditions of approval.
 27. The applicant shall verify the height of the telecommunications facility once it has been constructed to insure compliance with the approved plans.
 28. Enumeration of the conditions herein shall not exclude or excuse compliance with all applicable rules and regulations in effect at the time this permit is exercised.
 29. The applicant shall continually comply with all applicable rules and regulations in effect at the time permit is approved and exercised and which may become effective and applicable thereafter.
- **Public Works**
 30. No Requirements
 - **Public Utilities Electric**
 31. No Requirement
 - **Public Utilities Water**
 32. No Requirement
 - **Fire Department**

The following to be met prior to construction permit issuance:

33. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
34. Construction plans shall be submitted and permitted prior to construction.
35. Fire Department access is required to be maintained during all phases of construction.