

CITY OF RANCHO PALOS VERDES
PLANNING COMMISSION MINUTES
REGULAR MEETING
DECEMBER 8, 2009

CALL TO ORDER

The meeting was called to order by Vice Chairman Gerstner at 7:03 p.m. at the Fred Hesse Community Room, 29301 Hawthorne Boulevard.

FLAG SALUTE

Commissioner Perestam led the assembly in the Pledge of Allegiance.

ATTENDANCE

Present: Commissioners Knight, Perestam, Ruttenberg, Tetreault, Tomblin, and Vice Chairman Gerstner.

Absent: Chairman Lewis was excused.

Also present were Director of Planning, Building, and Code Enforcement Rojas, Deputy Planning Director Pfof, Senior Planner Schonborn, and Associate Planner Fox.

APPROVAL OF AGENDA

The Agenda was unanimously approved as presented.

COMMUNICATIONS

Director Rojas reported that at their upcoming December 15th meeting the City Council will consider the Planning Commission's recommendations of the coastal setback line code amendment, coastal setback line interpretation, and the Variance application for 24 Seacove Drive as one collective public hearing. He also reported that the appeal submitted by Las Candalistas on the Planning Commission's decision related to Mr. York's Event Garden has been withdrawn. Therefore, the Planning Commission's determination is now final.

Director Rojas distributed one item of correspondence for agenda item No. 2 and a corrected plan for item No. 2.

COMMENTS FROM THE AUDIENCE (regarding non-agenda items):

None

CONTINUED BUSINESS

1. Residential Development Standards Code Amendment & Zone Change (Case No. ZON2007-00377)

Associate Planner Fox presented a brief staff report explaining staff has prepared a summary resolution that memorializes the Planning Commission's review of the recommendations made by the Residential Development Standards Steering Committee. He stated that staff recommends the Planning Commission adopt the Resolution before them, which will then be forwarded to the City Council.

Commissioner Knight moved to adopt PC Resolution 2009-52 thereby recommending to the City Council adoption of an ordinance to amend miscellaneous provisions of Title 17 and to enact the recommendations of the Residential Development Standards Steering Committee as recommended by staff, seconded by Commissioner Perestam. Approved, (6-0)

PUBLIC HEARINGS

2. Conditional Use Permit & Environmental Assessment (Case No. ZON2009-00107): 3960 Crest Road

Associate Planner Fox presented the staff report, explaining the scope of the proposed project and a summary of the need for the antennas. He stated that staff believes all of the necessary findings for approval of the Conditional Use Permit can be made. As part of the environmental analysis staff identified potential impacts, as described in the staff report, and noted a Mitigated Negative Declaration has been prepared to address these potential impacts. He stated that staff also believes the project is consistent with the City's Wireless Communications Antenna Development Guidelines. Finally, because of the clarifications provided on the revised plans, staff was recommending that condition No. 11 in the Resolution for the Conditional Use Permit be revised as follows: subsection c would be revised to state that the project will mount 12 Verizon Wireless panel antenna on three separate sectors of the monopole; subsection d revised to mount one omni-directional antenna, one parabolic dish antenna, and one panel antenna for California Water's use and one omni-directional antenna for the City of Rancho Palos Verdes Emergency Communications use on the monopole.

Commissioner Knight asked if the city of Rolling Hills had a chance to review the Mitigated Negative Declaration and comment.

Associate Planner Fox answered that the City of Rolling Hills was given the Mitigated Negative Declaration, adding that most of the notices mailed out went to residents in Rolling Hills and staff sent notices and made copies of the Mitigated Negative Declaration available to both the city of Rolling Hills and the Rolling Hills Community Association. Aside from the one letter in support of the project, staff received no other comments from residents.

Commissioner Perestam asked if the facility will have the capacity for future expansion for other carriers.

Associate Planner Fox answered that there is the possibility for future expansion, noting that the plans show locations for future antenna panels.

Commissioner Tomblin asked if there had been any discussion of mitigation in terms of aesthetics, since the structure is in such a prominent location.

Associate Planner Fox answered that staff had discussed with the Verizon representative the possibility of installing a mono-pine or other such mitigation, however Verizon stated their experience with the mono-pine or mono-palm type of installation usually ended up being taller than a monopole because of additional clearances needed.

Vice Chairman Gerstner opened the public hearing.

Ryan Young (representing Verizon Wireless) stated this facility will provide service to areas in the city of Rancho Palos Verdes that currently do not have service. It will also benefit the public by providing wireless service to California Water Service's operations and the city of Rancho Palos Verdes emergency communications. He noted that the overall height of this structure has been lowered from 80 feet to approximately 60 feet. He stated that he has reviewed staff's report and is in agreement with the recommendations and conditions of approval in the report.

Commissioner Knight asked Mr. Young if the FAA will require this installation to install blinking lights.

Mr. Young explained that with every site Verizon Wireless must file with the FAA, however this is not done until City approvals have been granted. Therefore, he did not know at this time what, if any, requirements the FAA might have.

Commissioner Knight asked if Verizon approached the neighboring FAA/Air Force site in terms of co-location.

Mr. Young answered that there are extensive security issues involved, and would be a problem for Verizon in terms of the routine maintenance they perform.

Commissioner Knight asked if there will be any existing antennas that will be deemed obsolete because of this new service.

Mr. Young did not believe there would be any existing antennas not used, noting that the nearest site is over a mile away. He added that this site is to provide coverage to areas that currently have no coverage.

Commissioner Knight asked Mr. Young what Verizon will do to secure the 198 gallon fuel tank from vandalism.

Mr. Young explained the entire California Water Service facility is secured.

Commissioner Tomblin asked Mr. Young if he knew approximately how much taller this structure would have to be to accommodate a mono-pine type design.

Mr. Young answered that mono-pine structure have panel type antennas, or in some cases a microwave dish. An omni directional antenna is not compatible with the mono-pine or mono-palm structure, as it causes interference issues.

Rob Olsen (representing California Water Service) stated that California Water Service is very much in support of the proposed project. He explained that this coverage will allow California Water Service to communicate with their different sites during emergencies and other times when lines may be down.

Commissioner Knight asked Mr. Olsen to describe the security of the area where the generator will be located.

Mr. Olsen answered that the site is surrounded by a six-foot tall chain link fence with three strand barbed wire on top of the fence. He added that there has been no vandalism at that site, and there are employees who go to the site at least once a day.

Vice Chairman Gerstner closed the public hearing.

Commissioner Knight referred to a recent project where the company was able to put a locking mechanism on the drainage cap for the fuel tank. He asked if it would be feasible to require something similar at this site.

Associate Planner Fox answered that a condition could be added asking that type of security devise placed on the drain cap, if practical.

Commissioner Knight moved to certify the Mitigated Negative Declaration and to approve staff's recommendation with the addition of requesting a locking device placed on the drain cap on the fuel tank, modifying the approval from 13 antennas to 12 antennas and correct the Resolution as read into the record by staff, seconded by Commissioner Tetreault.

Commissioner Tomblin expressed his concern with possible lighting on the tower and if the FAA does require lighting can the Planning Commission then look at alternative designs that would not require FAA lighting.

Director Rojas stated that if lighting is a concern for the consensus of the Commission staff could explore whether or not it was possible to contact the FAA now and try to get

an answer on whether or not lighting would be required on the tower as currently designed.

Commissioner Knight asked if there are other structures at the site that are taller than this proposed monopole.

Associate Planner Fox answered that there are most likely structures on the FAA site that are taller, and certainly the radar domes are higher than this proposed monopole.

After looking at the topography at the site and with the information discussed, Commissioner Tomblin felt comfortable that the FAA most likely will not require lighting of the monopole.

PC Resolution 2009-53 certifying the Mitigated Negative Declaration and PC Resolution 2009-54 conditionally approving the requested Conditional Use Permit, as amended, was approved, (6-0).

At this point, Commission Tetreault asked to be and was excused from the remainder of the meeting.

3. General Plan Update – Review of proposed final Housing Element and draft General Plan introduction section

Senior Planner Schonborn presented the staff report, explaining the Commission had previously reviewed the draft Housing Element which was subsequently sent to the State Housing Community Development (HCD) Department. Since that time the State has requested additional information and has been working with staff in order to certify the document. He noted that HCD has confirmed that with the adoption of the proposed changes outlined in the staff report, the Housing Element will be in compliance with State law and HCD will be able to certify the document.

Commissioner Knight felt there was a fundamental change in the format of the General Plan as compared to the existing General Plan. He was a bit troubled with all of the specifics included, such as the formulas, tables, and regulations. He noted that currently there is a general policy which states the City will comply with State mandates and as these mandates come to the City, the City Council would adopt appropriate Ordinances and Resolutions. He felt this has now been shifted and all of these requirements are now part of the General Plan and it appears that as the mandates come from the State the General Plan will have to be amended.

Deputy Director Pfof explained that the Housing Element has become the State mandated element that is required to be updated every five years. The Housing Element law requires very specific information be addressed in the Housing Element, and acknowledged that it is very different than the existing General Plan. He stated that the City can have a separate document for the Housing Element, in which case there will be a sheet in the General Plan which refers readers to the Housing Element.

Commissioner Perestam had the same concerns as Commissioner Knight, and felt there will be inconsistencies between sections of the General Plan. He was in favor of exploring the idea of a separate document, as the Housing Element will most likely be mandated and addressed more often than other sections of the General Plan.

Commissioner Ruttenberg felt that the General Plan is getting fairly specific, but understood that if the City chose to, the General Plan can be goals, policies, and objectives and reference in that a separate document to address the housing element.

Deputy Director Pfof stated he has seen that done in the General Plan in other cities.

Commissioner Ruttenberg continued that no matter how it is formatted, the material presented by staff is what is ultimately going to be adopted.

Vice Chairman Gerstner suggested looking at the content, reminding the Commission that they have already reviewed the content once and suggested focusing on the items that the State requested be added or changed. Once this is done there should be a motion to approve or deny. He also stated that the general consensus is that the Commission may not be convinced that, as written, this information should just be put in the General Plan. He suggested that the Commission direct staff to develop some more general, shorter documents that can be inserted into the General Plan.

Commissioner Perestam moved to adopt staff's recommendation of recommending that the City Council approve the content of the Housing Element, seconded by Commissioner Ruttenberg.

Commissioner Knight was concerned that in the future there may be an Ordinance that is before the City Council that the public has objections to. He questioned if the public would have no recourse because it is in the General Plan and the City must comply with the General Plan.

Director Rojas acknowledged Commissioner Knight's concerns, adding that this is an issue that is frustrating many cities. He explained that State's goal is that housing needs to be provided to all income levels, however if the City wants the State to certify the Housing Element the City must include elements required by the State. He clarified that as an example, the State requires cities to address the issue of mobile homes, not that the City must approve mobile homes.

Commissioner Perestam moved to amend his motion to state that this Housing Element be a separate, stand alone document. Seconded by Commissioner Ruttenberg.

The motion to adopt P.C. Resolution 2009-55, thereby recommending that the City Council approve the final amendment to the City's Housing Element and to

specify that the Housing Element be a separate document was approved, (4-0-1) with Commissioner Knight abstaining.

Deputy Director Pfof briefly discussed the Introduction section of the General Plan, noting that the Planning Commission sub-committee reviewed and provided comments on the introduction and these revisions have been incorporated into the document before the Commission.

Commissioner Perestam moved to approve the Introduction Section of the General Plan as revised by the Planning Commission sub-committee, seconded by Commissioner Knight. Approved, (5-0).

Vice Chairman Gerstner reviewed the list of sub-committees and noted that there are only two Commission members on the sub-committee for the safety element. He volunteered to be on the subcommittee.

Commissioner Knight also volunteered to be the third member on the safety committee subcommittee, and the Vice Chairman deferred to Commissioner Knight.

Vice Chairman Gerstner volunteered to replace Commissioner Ruttenberg on the land use element, which was agreed to by Commissioner Ruttenberg.

NEW BUSINESS

4. Possible cancellation of the December 22, 2009 meeting

Director Rojas noted there are currently no items scheduled for the December 22nd meeting.

Commissioner Knight moved to cancel the December 22, 2009 meeting, seconded by Ruttenberg. Unanimously approved.

ADJOURNMENT

The meeting was adjourned at 8:42 p.m.