CALIFORNIA COASTAL COMMISSION

South Coast Area Office 200 Oceangate, 10th Floor Long Beach, CA 90802-4302 (562) 590-5071 **F13c**



Filed: August 29, 2014 150th Day: January 26, 2015 Staff: M. Stone/A. Padi

Staff: M. Stone/A. Padilla-LB Staff Report: December 18, 2014 Hearing Date: January 9, 2015

STAFF REPORT: DE NOVO AND REGULAR CALENDAR

Local Government: City of Los Angeles

Local Decision: Approval

Application Number: 5-14-0628

Appeal Number: A-5-DRL-14-0023

Applicant: Verizon Wireless

Appellant: Coastal Commission Executive Director Charles Lester

Project Location: On Vista Del Mar between Vista Del Mar Lane and Waterview Street,

Playa del Rey, City of Los Angeles

Project Description: Removal and replacement of an existing 27-foot light pole; addition

of two 17"(w) x 57"(l) x 8"(d) panel antennas; installation of a 2'(w) x 3'(l) x 4' (d) underground splice vault and two relocated traffic signal vaults 1.4'(w)x 2.5'(l) x 1.5'(d); construction of a 8'(w) x 18'(l) x 20'(d) underground vault; two 42" high ventilation stacks;

and a 48" high electrical meter pedestal.

SUMMARY OF STAFF RECOMMENDATION

Verizon Wireless proposes to install and operate a wireless telecommunication facility, which includes two antennas flush mounted on a replaced City street light pole, and two underground equipment vaults, ventilation stacks and an above ground electrical meter pedestal. Two existing traffic vaults will be relocated adjacent to the main vault. The proposed project is located adjacent to, and on the seaward side of Vista del Mar, along the edge of a coastal bluff.

Major Coastal Act issues associated with this project include potential bluff erosion, geologic and coastal hazards, and adverse scenic coastal view impacts. The proposed project will be located along the edge of a coastal bluff that leads down to Dockweiler State Beach. The bluff is highly erodible and placement of any structures could accelerate bluff erosion. Furthermore, the bluffs are undeveloped with the exception of pedestrian beach accessways and vehicular entry roads for the public beach parking lots located below the bluffs on the beach, and placement of any structures, including aerial antennas and utility cabinets interfere with coastal views and detract from the scenic value along a heavily used coastal roadway. To address these adverse impacts the

Commission staff is recommending **Special Conditions 1** requiring the permittee to maintain the facility and restore the bluff in the event of future erosion, or provide visual and aesthetic treatment to blend the structures with the surrounding bluff, or relocate the facilities. **Special Condition 2** ensures that the applicant is aware that no future shorline or bluff protection device will be allowed.

Commission staff is also recommending **Special Condition 3** for landscaping with native and drought tolerant plants, and that the applicant comply with Construction BMPs (**Special Condition 4**) and geotechnical recommendations made by their geotechnical consultant (**Special Condition 5**). **Special Condition 6** places the applicant on notice that there are risks associated with bluff top development and that they assume all risk. In addition, **Special Condition 7, 8, 9, 10** require the applicant to agree to cooperate with other communication companies in co-locating facilities to minimize the need for new poles, and in the future, if technological advances allow for reduced visual impacts, the applicant agrees to make those changes and is responsible for removing all abandoned facilities. The applicant shall agree to comply with all conditions of the permit and any future development will require an amendment to the permit or a new permit.

Commission staff recommends approval. Because this report is a de novo review of an appeal and a permit application for a dual jurisdiction permit (see Staff Note below), the approval will include two coastal development permits for the proposed development— one on de novo review of an appeal of the City's permit action (A-5-DRL-14-0023) and one dual permit application (5-14-0628).

STAFF NOTE - DUAL PERMIT JURISDICTION

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or "dual") coastal development permit from the Coastal Commission. The Commission's standard of review for the proposed development in the *Dual Permit Jurisdiction* area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit Jurisdiction*), the City of Los Angeles local coastal development permit is the only coastal development permit required.

As a result of the project site being located within three hundred feet of the beach, the proposed development is located within the *Dual Permit Jurisdiction*. On April 8, 2014, the applicant submitted the required "dual" Coastal Commission coastal development permit application (Application No. 5-14-0628) for Commission review and action.

In order to minimize duplication, Commission staff has combined the de novo appeal permit (A-5-DRL-14-0023) and dual coastal development permit application (5-14-0628) into one staff report and one Commission hearing. Because there are two permits involved, the Commission's approval, modification, or denial of the proposed project will require two separate Commission actions: one action for the de novo review of the appeal of the City's permit and one action for the dual coastal development permit application. Staff is recommending that the Commission approve both permits with the following identical special conditions and findings. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act.

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APPENDICES

Appendix A - Substantive File Documents

EXHIBITS

- Exhibit 1 Vicinity Map
- Exhibit 2 Aerial Photograph
- Exhibit 3 Site Plan
- Exhibit 4 Enlarged Site Plan
- Exhibit 5 Elevation Cross-sections
- Exhibit 6 Street View Photograph
- Exhibit 7 Photosimulation 1 (Replacement pole and antennas)
- Exhibit 8 Photosimulation 2 (Main Vault)
- Exhibit 9 Photograph of an above ground installation
- Exhibit 10 Wireless Coverage Map

I. MOTION AND RESOLUTION FOR A-5-DRL-14-0023 and 5-14-0628

Motion I:

I move that the Commission approve with special conditions Coastal Development Permit Application A-5-PDR-14-0023 per the staff recommendation.

Motion II:

I move that the Commission approve with special conditions Coastal Development Permit Application 5-14-0628 per the staff recommendation.

The staff recommends two **YES** votes on the foregoing motions. Passage of the motions will result in conditional approval of the de novo permit (A-5-DRL-14-0023) and dual coastal development permit application (5-14-0628) with identical special conditions, and adoption of the following resolutions and findings. Each motion passes only by an affirmative vote of a majority of Commissioners present.

Resolution I: Approval with Conditions of A-5-DRL-14-0023

The Commission hereby approves coastal development permit A-5-DRL-14-0023 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

Resolution II: Approval with Conditions of 5-14-0628

The Commission hereby approves coastal development permit 5-14-0628 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

- 1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. **Expiration**. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. **Interpretation**. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. **Assignment**. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. **Terms and Conditions Run with the Land**. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Repair and Removal of the Development**. By acceptance of this Permit, the applicant agrees, on behalf of itself and all other successors and assigns, that should any underground development approved under this permit, including but not limited to, any individual section of any vault or conduit becomes exposed due to structural failure, erosion, or other manmade or natural processes, the applicant shall repair the slope using native soil and revegetating the area consistent with Special Condition No. 3 below.

In the event the erosion issue cannot be adequately remediated by refilling and landscaping, the permittee shall conduct a study of the structural stability of the approved development and an analysis of alternatives for correcting any structural deficiencies, including the removal of the structure(s). In addition, the permittee shall submit plans to the Executive Director, for review and concurrence, that provide for visual and aesthetic treatment of the exposed structures in the event remedial regarding is not feasible. The aesthetic treatment shall provide that exposed materials match the surrounding terrain to the extent feasible and minimize visual impact of the exposed features. The applicant shall identify proposed materials, colors, monitoring, and maintenance plans, in conjunction with their submittal. The Executive Director shall determine whether the proposed work will require an amendment to this coastal development permit, a new coastal development permit, or whether no amendment or new permit is legally required.

2. No Future Shoreline Protective Device

- A. By acceptance of this Permit, the applicants agrees, on behalf of themselves and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to coastal development permit No. A-5-DRL-14-0023 and 5-14-0628 including, but not limited to, the antennae and support structures, and any future improvements, in the event that the development is threatened with damage or destruction from sea level rise, flooding, erosion, storm conditions or other natural hazards in the future. By acceptance of this permit, the applicants hereby waive, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.
- B. By acceptance of this Permit, the applicants further agree, on behalf of themselves and all successors and assigns, that the permittee shall remove the development authorized by this permit, if any government agency has ordered that the structure poses a public safety hazard due to any of the hazards identified above. In the event that portions of the development fall onto the bluff before they are removed, the permittee shall remove all recoverable debris associated with the development from the and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

3. Landscaping Plan.

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant will submit, for the review and written approval of the Executive Director, a landscaping plan prepared by a qualified biologist or licensed landscape architect. The plan shall include the following:
- a. No invasive species will be employed on the site. Invasive plants are those identified in the California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled Recommended List of Native Plants for Landscaping in the Santa Monica Mountains, 1996 edition, California Exotic Plant Pest Council's Exotic Pest Plants of Greatest Ecological Concern in California, published in 1999, and those otherwise identified by the Department of Fish and Wildlife or the United States Fish and Wildlife Service.
- b. New vegetation planted on the site shall consist of native (Southern California coastal dunes and prairies) and may include low water use ornamental non-invasive plant species. The applicant shall not incorporate invasive plant species anywhere on the project site.
- c. The site shall be stabilized immediately with jute matting or other BMPs after any grading occurs to minimize erosion during the rainy season (November 1 to March 31) if plantings have not been fully established.
- B. The plan shall include, at a minimum, the following components:
- a. A map showing the types, size, and locations of all plant materials that will be on the site, the temporary irrigation system, if any, topography of the developed site, and all other landscape features;
- b. A schedule for installation of native plants/removal of non-native plants;
- c. An identification of seed sources and plant communities of the plants planned to be employed;

- C. The permittee shall undertake and maintain the development in accordance with the approved final plan and schedule and other requirements for the life of the project. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
- 4. Construction Responsibilities and Debris Removal. The permittee shall comply with the following construction related requirements: (a) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave/wind erosion and dispersion; (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction; (c) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and the Pacific Ocean, use of debris fences as appropriate and no stockpiling of materials in the project area; (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged to coastal waters; (e) The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

5. Conformance of Design/Construction Plans to Geotechnical Report.

A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Geotechnical report prepared by Geotechnical Solutions, Inc., dated April 23, 2013. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.

- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
- 6. **Assumption of Risk, Waiver of Liability and Indemnity**. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from erosion, landslide, bluff retreat, earth movement, waves, storm waves and sea level rise; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project

against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

- 7. Co-Location of Future Antennae. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing, subject to the review and approval of the Executive Director, to cooperate with other communication companies in colocating additional antennae and/or equipment on the project site in the future, provided such shared use does not impair the operation of the approved facility. Upon the Commission's request, the permitee shall provide an independently prepared technical analysis to substantiate the existence of any practical technical prohibitions against the operation of a co use facility.
- 8. **Future Redesign.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing, subject to the review and approval of the Executive Director, that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facility. In addition, if in the future the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for removal of all permanent structures, and restoration of the site as needed to re-establish the area consistent with the character of the surrounding vegetation. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if a new permit or an amendment to this coastal development permit is necessary.
- 9. **Permit Compliance**. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions imposed herein. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.
- 10. **Future Improvements**. This permit is only for the development described in coastal development permit A-5-DRL-14-0023/5-14-0628. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to coastal development permit A-5-DRL-14-0023/5-14-0628 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT DESCRIPTION AND LOCATION

City of Los Angeles approved local Coastal Development Permit No. 13-05 permits the replacement of an existing 27-foot light pole with a new light pole of the same height; addition of two 17"(w) x 57"(l) x 8"(d) panel antennas, which will be flush-mounted to the light pole; installation of a 2'(w) x 3'(l) x 4'(w) underground splice vault approximately 10 feet south of the

new pole and relocate two traffic signal vaults 1.4'(w) x 2.5'(l) x 1.5'(d); construction of 8'(w) x 18'(l) x 20'(d) underground vault with a three square foot access hatch at ground level; construction of two 42" high ventilation stacks north of the new vault that will connect to the underground vault; and construction of a 48" high electrical meter pedestal south of the vault (**Exhibits 3, 4, and 5**). The pole and both underground vaults would be connected by wiring housed in an underground conduit. Native, drought-tolerant shrubs would be planted to shield the ventilation stacks and the electrical meter pedestal from view.

Verizon contends that this facility is necessary to fill a "significant gap" in coverage. According to the applicant, in order to operate efficiently, wireless telecommunication networks are predicated on the premise that cell sites must "see" adjacent cell sites. Most cell sites are designed to propogate in a 360 degree pattern via a three sector 120 degree standard orientation of service. Other cell sites are designed to provide service in a pattern that can be limited to 180 degrees. The more restrictive approach is employed when the objective is to cover a roadway along a curvilinear route or where there is a topographic or other above grade obstruction or limitation that limits the line of sight. Here, Verizon seeks to cover Vista Del Mar, which presents elevation changes upwards of 100 feet, while maximizing the efficiency of the site's propogation in order to reduce the need for another site.

The proposed project site is located within a utility easement in the public right-of-way, on the seaward (west) side of Vista Del Mar, near the three-way intersection of Vista Del Mar, Vista Del Mar Lane, and Waterview Street in the community of Playa del Rey, Los Angeles (**Exhibit 1**). This location is within the Dual Permit Jurisdiction of the Coastal Zone in the City of Los Angeles.

The proposed development is located along Vista Del Mar in the Playa del Rey planning area of the City of Los Angeles. Vista Del Mar runs north/south, between the El Segundo Dunes to the east and Dockweiler State Beach and the Pacific Ocean to the west (see **Exhibit 1 and 2**). The four lane roadway is approximately 50 to 55 feet above mean sea level and supported by a sandy bluff which rises approximately 25 feet above the beach. Along the base of the bluff within the project area, an approximately 20 foot wide asphalt road runs along the sandy beach providing public access to the beach parking lots spaced along the beach below the bluff. In addition to the beach parking lots and access road, the immediate area is improved with beach maintenance yards, restrooms, concession buildings, and a meandering bicycle path.

According to the City's staff report, Vista Del Mar, in the vicinity of the proposed project site, is designated as a Scenic Highway in the Transportation Element of the General Plan for the City of Los Angeles. The area to the east of the proposed project site, and on the inland side of Vista Del Mar, is a developed residential area, and the area to the West of Vista Del Mar is a vegetated slope which leads down to the beach and the ocean. The upper portion of the slope is within the public right-of-way and the beach is zoned as an open space area. The slope below the northern portion of the proposed project site is developed with an approximately 50-unit, two-story condominium complex. The three-way intersection of Vista Del Mar, Vista Del Mar Lane, and Waterview Street contains four existing street lights, each supporting a traffic signal.

B. HAZARDS

Section 30253 of the Coastal Act states, in part:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along coastal bluffs.

The Coastal Act requires that development be stable and structurally secure, and minimize its impact on the natural landforms, especially in hazardous areas, as is the case here. This area of Playa del Rey has been known to be geologically unstable due to storm damage and erosion. In fact, on November 15, 2012, the Commission approved Coastal Development Permit (CDP) No. 5-12-079, which permitted the following:

To permanently authorize the construction allowed under emergency permit No. 5-12-189-G for construction of five bulkheads to reinforce portions of existing roadway that have collapsed, or are in immediate danger of collapsing, due to soil erosion and undermining of roadway. The project will include precast lagging panels, four to six subgrade piles per each location, backfilling, pavement repairs, pedestrian and vehicular guardrails.

The collapsed portions of the existing roadway at issue under CDP 5-12-079 are located on Vista del Mar, between Napoleon and Imperial Highway, which is immediately south of where Verizon's proposed project here is located. The cause of the erosion was due to uncontrolled water runoff from the roadway. The coastal slope at issue in that CDP is the same as the one Verizon would like to place its extensive vaults and new/replacement pole. Placement of any structure on a coastal slope raises a number of Coastal Act issues, but where evidence exists that a particular project location is geologically unstable, those Coastal Act issues are magnified.

According to the Geotechnical Engineering Report for the proposed project, which was prepared by Geotechnical Solutions, Inc. of Irvine, CA, the ascending 30-foot high, 3 to 1 slope below the lease area is composed of clean, fine to medium sand with occasionally pebbly layers. In addition, the report states that the sand dune deposits possess a high degree of strength integrity due to a lack of known historic or pre-historic deep seated landslides, and notably, the hills have been standing for thousands of years.

Importantly, the Geotechnical Report states that it is "very important that surface drainage is controlled" because "not only are the site soils very susceptible to erosion but also water allowed to infiltrate (by ponding) adds unnecessary weight and should be avoided." Despite this finding, the

Geotechnical Report concludes that the site is suitable for the proposed development, provided their recommendations are successfully implemented.

The fact that the proposed project location is on an unstable coastal slope is disconcerting, especially given that Verizon is proposing to install/construct underground vaults varying from 2.5 feet to 20 feet deep along the bluff edge. The City in issuing Coastal Development Permit No. 13-05 stated, in part, that the project would not affect geologic, flood or fire risks. The City did not elaborate on this finding, nor did the City cite the basis for this finding. The City's findings do require the applicant to submit plans demonstrating that project activities would not interfere with the stability of the roadway bed, prior to project construction. And, during construction, measures are to be implemented to control erosion due to construction activities.

The extensive vault structures required for this project could further destabilize the slope, and eventually be exposed due to erosion. The recommendations contained in the submitted Geotechnical Report will likely be unable to prevent continued erosion.

According to the applicant, no viable alternative site locations exist on public or private property in the vicinity. Service to the area had previously been provided by a site at the Hyperion Treatment Plant, but that lease was terminated and carriers that were at the treatment plant are now looking for alternative sites along this section of Vista Del Mar. In addition, the applicant contends that no commercial property exists in the area of the gap in coverage to place the facility for the area is primarily single- (R1-1) and multi-family residential (R3-1), as well as open space ([Q] OS-1XL). Notably, the applicant contends that the R3 zone located to the north of the subject site are at a lower elevation and would not support a design height sufficient enough to close the area's gap in coverage. Generally, Commission staff works with communication applicants and encourages the placement of equipment and antennas on the inland side of roadways that run along the coast in order to preserve views and minimize potential erosion and geologic impacts. The Commission also encourages that support equipment be placed underground to minimize view impacts if the area is safe from erosional and geologic issues.

The applicant has considered other alternative sites, including the inland side of the roadway. The applicant provided an alternative site analysis, which examined the following alternative site locations and explanation why each alternative was not viable:

- Intersection of Vista Del Mar and Vista Del Mar Lane. Installation of a new utility pole is
 inconsistent with the City of Los Angeles AGF Ordinance and the Coastal Act policies if a
 new utility pole were to be placed at this location. Wireless carriers are discouraged from
 placing new masts to attach antennas on when existing structures are present and viable
 options; 2) placing a new mast would be an unreasonable proliferation of above grade
 facilities.
- 2. South side of Napoleon St. west of Whitlock Ave. and east of Vista Del Mar Lane abutting Vista Del Mar Park and open space. 1) Inability to use the existing utility pole due to its failure to meet GO 95 Rule 94 utility separations if the proposed equipment were to be installed in the communications level; 2) the utility pole is located within the residential neighborhood and is located directly in front of multiple story single family residences

- within their ocean viewshed; 3) the Right of Way is too narrow to place either above grade equipment or a vault within the shoulder Right of Way.
- 3. North of the intersection of Vista Del Mar and Vista Del Mar Lane. 1) Unacceptable due to the proximity directly in front of existing multiple story residences with unobstructed lines of sight to the ocean; 2) no usable area within which to place above grade equipment cabinets or vaulted equipment due to prohibitive slope gradients.
- 4. East or West side of Vista Del Mar. 1)Substructure conflicts with vault placement as a large drainage facility extends across this area; 2) there is no eligible existing structure to attach the antennas on; 3) the Right of Way width is too narrow to support the placement of a new mounting structure, above grade cabinets or vaulted equipment due to ADA Compliance Standards; 4) installation of a new utility pole is inconsistent with the City of Los Angeles ADF Ordinance and the Coastal Act policies if a new utility pole were to be placed at this location.
- 5. Easement in front of 127 Waterview Lane. 1) Inability to place antennas and equipment on the existing utility pole due to GO 95 Rule 94 constraints; 2) the utility pole is not eligible for the wireless carrier to access due to the location outside the Right of Way; 3) the utility pole is located within a single family residential neighborhood less than 15 ft. in front of the hom; 4) there is inadequate Right of Way and limited space behind the curb (4'6") to place equipment; 5) there is inadequate space to place equipment due to ADA Compliance Standards.
- 6. Easement in front of 131 Waterview Lane. 1) Inability to place antennas and equipment on the existing utility pole due to GO 95 Rule 94 constraints; 2) the utility pole is not eligible for the wireless carrier to access due to the location outside the Right of Way; 3) the utility pole is located within a single family residential neighborhood less than 15 ft. in front of home; 4) there is inadequate Right of Way and limited space behind the curb (4'6") to place equipment; 5) there is inadequate space to place equipment due to ADA Compliance Standards.
- 7. Whitlock Ave looking north. 1) No adequate structures to attach antennas on; 2) installation of a new utility pole is inconsistent with the City of Los Angeles AGF Ordinance and the Coastal Act policies if a new utility pole were to be placed at this location; 3) the area is within a single family residential neighborhood; 4) there is no available area to accommodate a compound sufficient in size to support the required WTF equipment or a monopole due to the narrow Right of Way; 5) there is inadequate space to place equipment due to ADA Compliance Standards.
- 8. Alley west of Rindge Avenue. 1) Inability to place antennas and equipment on the existing utility pole due to GO 95 Rule 94 constraints; 2) a new monopole would not provide the adequate line of sight and therefore insufficient signal to close the gap in coverage; 3) there is no available area to accommodate a compound sufficient to support the required WTF ground equipment or underground vault; 4); installation of a new utility pole is inconsistent with the City of Los Angeles AGF Ordinance and the Coastal Act

- policies if a new utility pole were to be placed at this location; 5) the location is within a single family residential neighborhood and other viable options exist
- 9. Vista Del Mar Lane at Redlands Street. 1) There are no adequate above grade structures to attach the antennas; 2) installation of a new utility pole is inconsistent with the City of Los Angeles AGF Ordinance and the Coastal Act policies if a new utility pole were to be placed at this location; 3) the area is within a single family residential neighborhood; 4) there is no available area to accommodate a compound sufficient in size to support the required WTF ground mounted equipment or a freestanding monopole due to the narrow Right of Way; 5) there is inadequate space to place equipment due to ADA Compliance Standards.

The applicant also provided a signal coverage map showing signal strength in the area (**Exhibit 10**). The map indicates that the site experiences a moderate to weak signal strength, which results in interruption in service or dropped (disconnected) calls. This coverage gap is the basis for the applicant's contention that a "significant gap in coverage" exists in this area, which necessitates construction of this particular type of facility. The applicant supports their contention, in part, by referencing the signal coverage map, which suggests that lack of coverage exists north and south along Vista Del Mar and easterly as far as Earldom Avenue for all Verizon Wireless voice and data services. According to the applicant, this absence of coverage precludes consumers from making or successfully carrying calls and establishing data connections. Further, the applicant claims that demonstrated difficulties exist in this area for in-building connectivity to Verizon Wireless' network.

The applicant also contends that this project is similar to previously approved projects in other Coastal Zone jurisdictions, particularly along Pacific Coast Highway in Ventura County. Notably, those projects were mostly approved by the local jurisdictions under a certified LCP, and not the Commission itself. The projects cited by the applicant also differ from the project at issue here in a number of important ways. First, those telecommunications facilities are located on flatter portions of the coastal bluff and/or slope than the proposed area here. Second, those existing facilities are either setback further from the bluff/slope, or the slopes on which those existing facilities rest are supported by existing revetments, which supports the road. And third, those facilities have incorporated drainage features to prevent infiltration of runoff.

Here, according to the project plans, the larger vault and above ground meter located south of the proposed light pole is approximately 10 feet +/- from the top of the slope on a relatively flat portion above the bluff. The proposed splice vault (2'x3'x 3'), however, is much closer to, if not on, what has been designated as the top of the slope in that area. According to the applicant, the splice vault cannot be relocated closer to the area containing the proposed larger vault which has a larger flat buildable area, because the splice vault is reducing the size of the coax cables, which accommodate the minimal interior diameter from the light standard and the smaller the diameter of the coax the less efficient the signal is moving across distances. Thus, due to the reduction in the coax diameter, the splice vault must be placed close to the site pole (antennae) to minimize the amount of reduced performance. An alternative to having the splice vault subsurface, and minimizing grading along the bluff, is to install an at grade foundation pad and place a utility box above grade. The applicant however, indicates that although other equipment can be installed above ground, typically splice boxes are placed below grade because their size and design of the coax cables it is more efficient to have a below grade box, and having it above grade will be visually obtrusive. Furthermore, the

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splice box is relatively small and consists of a preformed plastic molded box. Therefore, excavation and disturbance of the area will be minimal. An alternative to excavating near the bluff and placing the vaults underground is to place the vaults at grade. This will minimize disturbance of the bluff top; however, the facilities will have a greater visual impact along this view corridor and is therefore, not an acceptable alternative in this particular location (see **Exhibit 9** for an example of an above ground facility that would be similar to one that would be required at this proposed location).

Coastal Act Section 30235 acknowledges that cliff retaining walls and other such structural or "hard" methods designed to forestall erosion also alter natural landforms and natural shoreline processes. Accordingly, Section 30235 limits the construction of shoreline protective works to those required to serve coastal-dependent uses, or to protect existing structures or public beaches in danger from erosion, provided they are designed to eliminate or mitigate adverse impacts on shoreline sand supply. The Coastal Act provides these limitations because shoreline structures have a variety of negative impacts on coastal resources including adverse affects on sand supply, public access, coastal views, natural landforms, adjacent properties, and overall shoreline dynamics. The Commission must always consider the specifics of each individual project, but under the standards established by Section 30235 of the Coastal Act, it prefers alternatives that avoid the need for shoreline armoring. In addition, the Commission has generally interpreted Section 30235 to allow the Commission to approve protective devices for existing principal structures when there are no more feasible mitigation measures or alternatives that would lessen adverse impacts.

The applicant is not proposing any shoreline or bluff protection structures and under Section 30235, as a non-coastal-dependent use, would not be allowed to construct such structures. Alternatives to protective structures include: drainage and vegetation measures on the bluff top itself; abandonment or relocation of the threatened structures; regrading; other less damaging structural alternatives; and combinations of some or all of these options.

At the base of the bluff below the project site there is a 20-25 foot wide County maintenance road/pedestrian walk, separate bicycle beach path and a 400 foot wide beach directly below the bluff. There is also a condominium complex that is partially below the area of the proposed splice box and antennae (light pole) located north of the main vault. Because of the width of the beach and existing development below, there is no direct wave attack eroding the toe of the bluff along this section of coastal bluff and it would be unlikely that the structures will be in a situation that would require bluff or shoreline protection for the economic life of the structures; however, bluff erosion from runoff is a possibility. Therefore, **Special Condition 1** requires that any future erosion caused by the structures, or if slope erosion exposes the subsurface structures, which can lead to further erosion, the applicant shall repair the slope by placing fill and relandscaping areas that have been exposed and denuded of vegetation caused by the erosion, and where regrading is not feasible, the applicant shall submit a plan to use color /texture treatment to blend the exposed structures with the surrounding bluff. **Special Condition 2** is also necessary to ensure that the applicant is aware that no future shoreline or bluff protection devise will be permitted. Special Condition 3 requires landscaping to minimize erosion and to help minimize any visual impact from the above grade structures.

Conformance with Geotechnical Recommendations

The City's Department of Public Works, Bureau of Engineering, prepared a geotechnical design memorandum which consisted of field reconnaissance and review of drilling logs and findings for similar projects located near the project site. The City found that the subject site is suitable for the proposed development provided the recommendations contained in the geotechnical investigation (Geotechnical Solutions, Inc., dated April 23, 2013) are implemented in design and construction of the project. Recommendations include proper drainage, temporary shoring, and proper grading practices. Adherence to the recommendations contained in the above-mentioned geotechnical investigations is necessary to ensure that the proposed project assures stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area. Therefore, **Special Condition No. 5** requires that the applicant conform to the geotechnical recommendations in the above mentioned geotechnical investigation.

Assumption of Risk

Although adherence to the geotechnical consultant's recommendations will minimize the risk of damage from erosion, the risk is not eliminated entirely. The site is an oceanfront, bluff top site, which is inherently hazardous. Given that the applicant has chosen to implement the project despite potential risks from bluff erosion and landslides, the applicant must assume the risks. Therefore, the Commission imposes **Special Condition No. 6** requiring the applicant to assume the risk of the development. In this way, the applicant is notified that the Commission is not liable for damage as a result of approving the permit for development. The condition also requires the applicant to indemnify the Commission in the event that third parties bring an action against the Commission as a result of the failure of the development to withstand the hazards. In addition, the condition ensures that future owners of the property will be informed of the risks and the Commission's immunity from liability. As conditioned, the Commission finds the proposed project is consistent with Section 30253 of the Coastal Act.

Therefore, the Commission finds that the project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act pertaining to avoidance of hazards.

C. VISUAL RESOURCES

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The Commission has been concerned with the cumulative impacts on visual resources created by the proliferation of telecommunications equipment as indicated by Coastal Development Permits: 1) 5-07-375 (T-Mobile); 2) 5-92-415 (Los Angeles Cellular Telephone Co.); 3) 5-97-130 (Los Angeles Cellular); and 4) 4-08-035 (AT&T Mobility). And as demand for wireless communications facilities increases, it is likely that other service providers will be interested in placing additional telecommunications structures or equipment in the area. Accordingly, the Commission has required similar facilities to be the least visually intrusive alternative, and has permitted such proposed development only if those facilities cannot otherwise be co-located on an existing site or placed at an alternative location.

In the Substantial Issue proceeding concerning this proposed development, the Commission found that a Substantial Issue exists, in part, because the antenna, and other above grade facilities, adds to and, therefore, compounds the existing clutter in the coastal viewshed along Vista del Mar. The Commission's finding is supported by the fact that the proposed project is located on the seaward side of Vista Del Mar, an area that is undeveloped and is heavily utilized by the public for commuting, sightseeing, and access to the beach. The only other development on this side of Vista Del Mar are other street lights, signal light poles, and traffic and parking signs, therefore, this area contains a fairly unobstructed view of the coast. As such, any development, let alone the proposed project, could potentially individually and cumulatively obstruct views of the coast and degrade visual resources along Vista Del Mar.

After further review of the proposed project however, the applicant is proposing to use the least visually intrusive technology that it can. Notably, the existing light pole will be replaced with a stronger pole of the same height and similar design. The antennas, measuring 17 inches in width, will be flush mounted to the new pole, which will further reduce any adverse impacts to public views of the existing viewshed. And most of the equipment will be located below ground in vaults and will be located behind the existing 2.5 foot high roadway metal guardrail that runs along the edge of the roadway, therefore, the above grade vents and electrical meter will be partially obscured from views from along Vista del Mar. Further, the applicant proposes to landscape the area to reduce the visibility of the above ground equipment consistent with **Special Condition 3**.

Thus, while cumulative impacts on visual resources remains a concern, the Commission finds that the proposed replacement pole and antenna will not significantly adversely impact visual resources. However, because of the erodibility of the slope, placing impervious structures on or near bluffs could concentrate runoff along the edges of those surfaces and cause erosional gullies to form which over time can expose the subsurface facilities which will then be visible from along the bluff and along the pedestrian and bicycle pathways and beach below the site. Therefore, **Special Condition 1** is required to ensure that in the future if the underground equipment becomes exposed or causes erosion of the bluff, the applicant is required to restore the slope through repairing the eroded bluff and relandscaping or provide treatment to blend the exposed structure with the surrounding bluff, or if necessary remove the facility from the bluff.

Commission has also been concerned with reviewing similar wireless communication facilities (WCF) projects and potential cumulative impacts. While the proposed facilities will not have significant adverse impacts on the visual quality of the area, the Commission is concerned that cumulatively, installation of additional similar projects in the area could have adverse impacts on visual resources. When reviewing cellular antenna facility sites, the Commission must assure that

the facility is the smallest in size and shortest in height possible, and that it cannot be co-located with another existing telecommunication sites nearby, or located elsewhere, in order to reduce any potential adverse impacts on visual resources and public views to the ocean. As demand for wireless communication facilities increases, it is likely that other service providers will be interested in placing additional structures, antennas and equipment in the project area and installation of additional similar projects in the area could have adverse impacts on visual resources. Co-location is the preferred way to provide future telecommunication services to minimize the proliferation and clutter of additional poles and antennas. If co-location is not possible, then the visual impacts of such structures must be mitigated either through project design and/or siting so as not to result in adverse cumulative visual impacts. As such, Special Conditions 7 and 8 are imposed on this permit. **Special Condition 7** requires that the applicant submit a written statement agreeing to cooperate with other communication facilities in co-locating additional antenna on the proposed development, unless the applicant can demonstrate a substantial technical conflict to doing so. **Special Condition 8** requires the applicant to submit a written statement agreeing to remove the structure and restore this site in the future should technological advances make this facility obsolete. In this way, it can be assured that the proliferation of these types of facilities can be limited to appropriate locations, and that the area will not be littered with outdated and obsolete facilities in the future. Therefore, as conditioned, the Commission finds the project is consistent with the certified LUP and with the Chapter 3 policies of the Coastal Act with respect to protecting visual resources.

Therefore, the proposed project is consistent with Section 30251 of the Coastal Act.

D. WATER QUALITY

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges- and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project is located at the top of a slope with an approximate elevation of 53 feet. The face of the slope is undeveloped with the exception of a couple of improved access pathways leading from the roadway down to the public access road at the base of the slope. The slope is vegetated by mostly non-native, exotic plant species, such as ice plant (Caprobrotus edulis), or ruderal weedy plant species.

The proposed project would result in construction activities that have the potential to cause erosion, and sedimentation, to nearby coastal waters. Vegetation clearing and grading activities, for example, would result in exposed or stockpiled soils, which would be susceptible to peak stormwater runoff flows. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters, or any release of sewage, would result in an adverse effect on the marine environment. To reduce the potential for construction and

post-construction related impacts on water quality, the Commission imposes **Special Condition 4** requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants entering coastal waters and to incorporate Best Management Practies. **Special Condition 3**, as discussed earlier, also requires that the impacted area be landscaped which will help reduce future erosion. As conditioned, the Commission finds that the development conforms with Sections 32031 of the Coastal Act.

E. PUBLIC ACCESS AND RECREATION

One of the basic goals stated in the Coastal Act is to maximize public access and recreation along the coast. The public access and recreation policies of the Coastal Act require that maximum access and recreational opportunities be provided and that development shall not interfere with public access. The slope is undeveloped with the exception of a couple of unimproved access pathways leading from the roadway down to the public access road at the base of the slope. An improved paved accessway is located approximately 90 feet to the south (down coast). The proposed project, however, does not block physical access to or along the coast or to the nearby public beach. Therefore, the proposed development will not have any adverse physical impacts on public access to the coast or to nearby recreational facilities. Thus, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program (LCP) that conforms with Chapter 3 policies of the Coastal Act:

(a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Playa del Rey/Airport Dunes planning areas of the City of Los Angeles have neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project will not prejudice the ability of the local government

to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

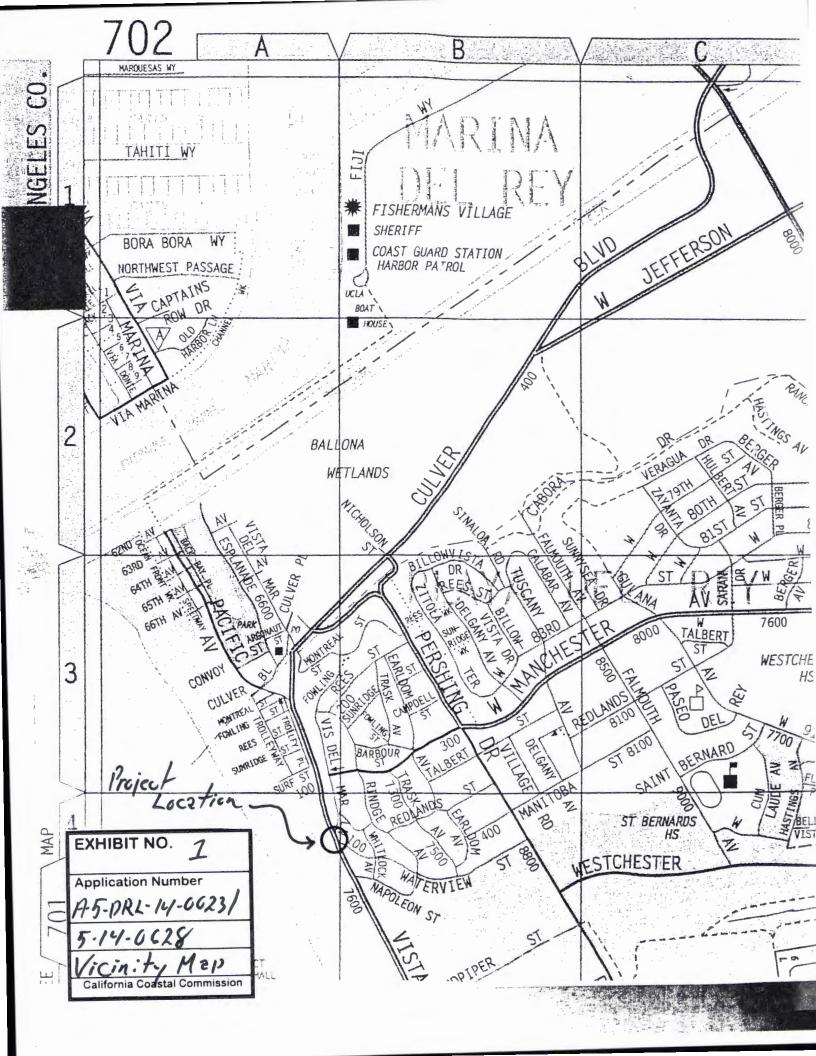
Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

As conditioned, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

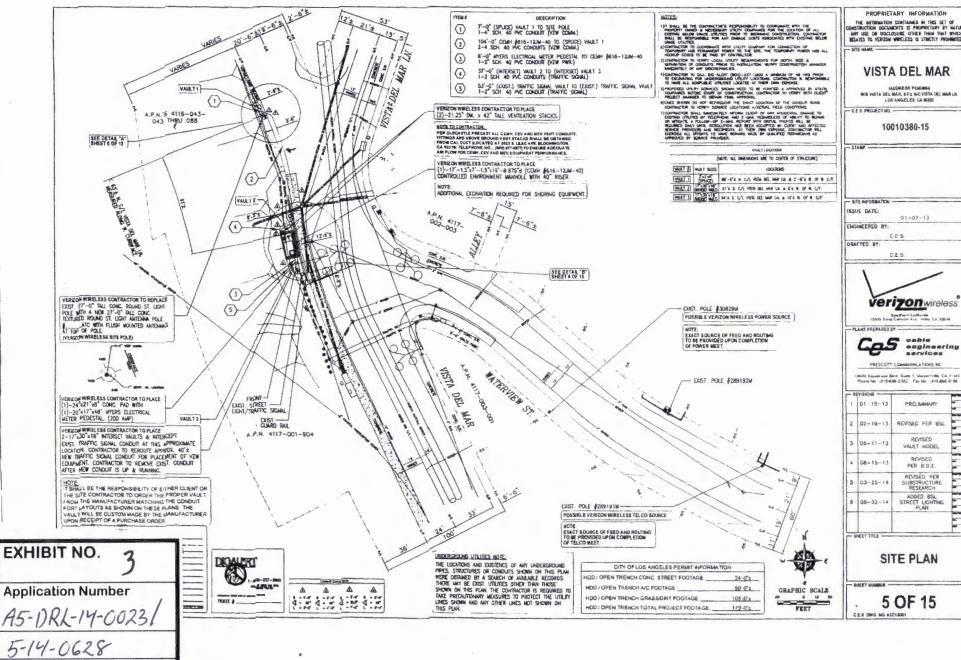
APPENDIX

Substantive File Documents

- 1. City of Los Angeles Notice of Decision on Local Coastal Development Permit No. 13-05
- 2. Coastal Development Permit Application File No. 5-14-0628.
- 3. Geotechnical Engineering Report prepared by Geotechnical Solutions, Inc. of Irvine, CA on April 23, 2013
- 4. Vista Del Mar Alternate Site Analysis prepared by Cable Engineering Service for Verizon Wireless







California Coastal Commission

PROPRIETARY INFORMATION

THE INTERMATION CONTAINED IN THIS SET OF CONSTITUCTION DOCUMENTS IS PROPRIETARY BY MATURE ANY USE OF DISCLUSURE OTHER THAN THAT WHICH BELATES TO VEROON WRELESS IS STRICTLY PROHIBITED.

VISTA DEL MAR

(ADDRESS PENDING) WIS VISTA DEL BIAR, 85± NIO VISTA DEL BIAR LIL LOS ANGELES, CA 16210

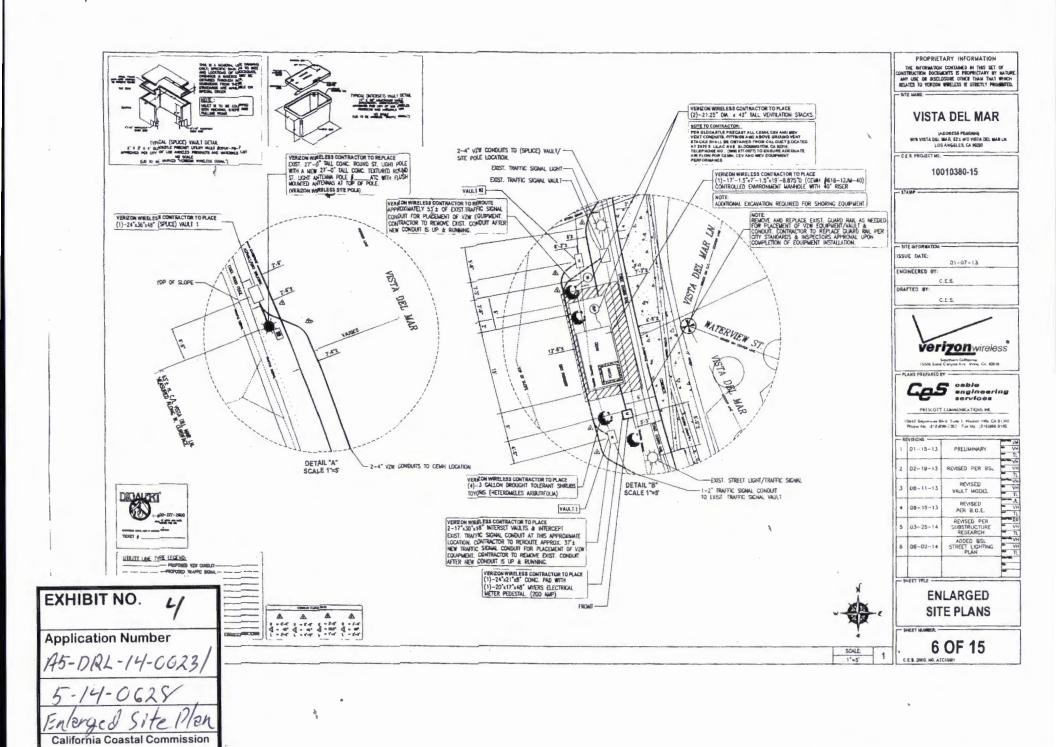
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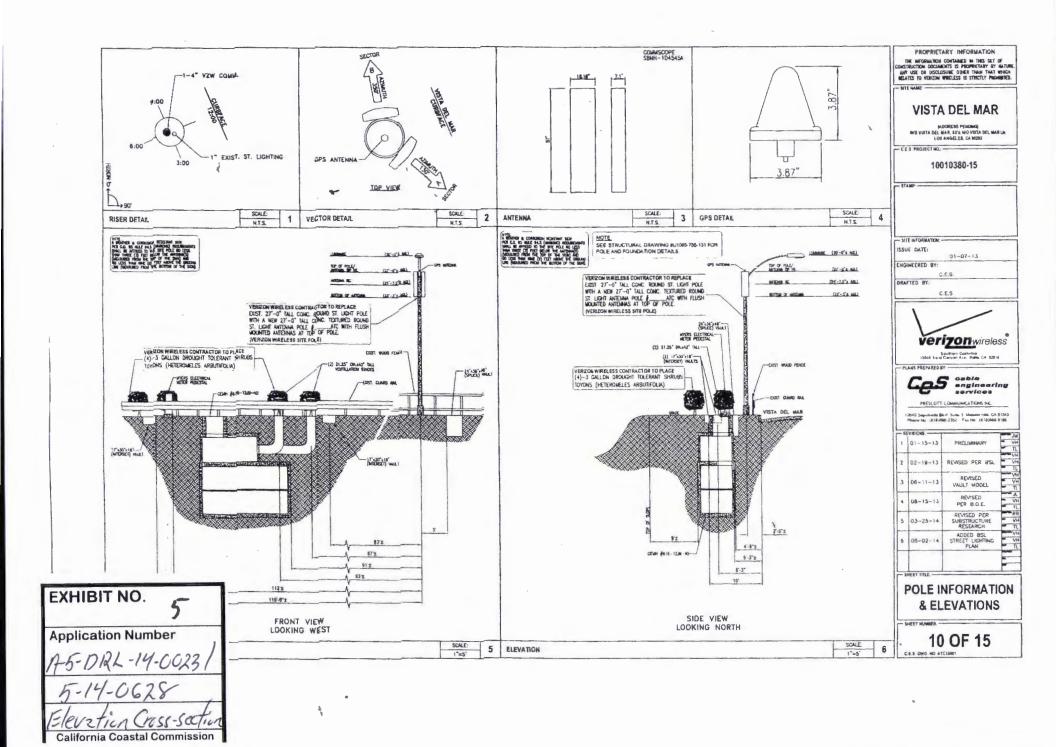
5 cable engineering services

	EVISIONS -		Г
1	01 - 15-13	PRELIMINARY	-
2	02~19-13	REVISED PER USL	-
3	06-11-13	REVISED VALUET MODEL	2 10 10
4	08-15-13	REVISED PER 8 O.E.	1
5	03-25-14	REVISED PER SUBSTRUCTURE RESEARCH	100
5	06-02-14	ADDED BSL STREET LIGHTING PLAN	

SITE PLAN

5 OF 15





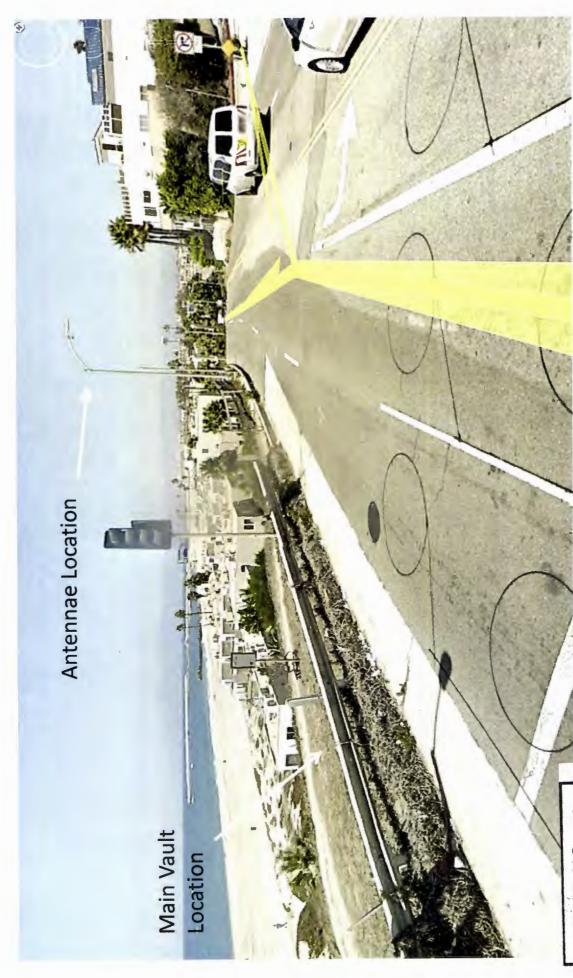
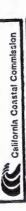


EXHIBIT NO. 6

APPLICATION NO.

Street View





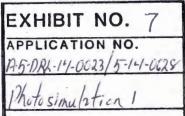
Photosimulation



Existing

View 2

Looking northwest from Vista Del Mar and Waterview St. toward subject site.



California Coastal Commission



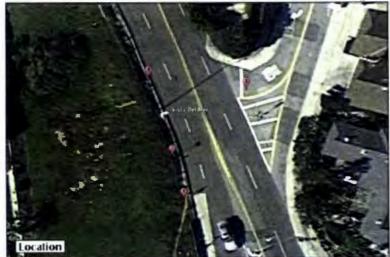




Date: 8/31/14 Site Id: Vista Del Mar Address:

W/S Vista Del Mar, 63+/- Vista Del Mar Ln. Los Angeles, CA 90293 Vista Del Mar W/S Vista Del Mar ~ Los Angeles, CA 90293







View 4

View Notes: Looking south at proposed project





engineering services

PRESCOTT COMMUNICATIONS INC. 10640 SEPULVEDA BLVD. SUITE 1 MISSION HILLS, CA 91345 (818) 898-2352 FAX (818) 898-9186

Contact



EXHIBIT NO. 8 A-5-DRL-14-0023/5-14/928 California Coastal Commission





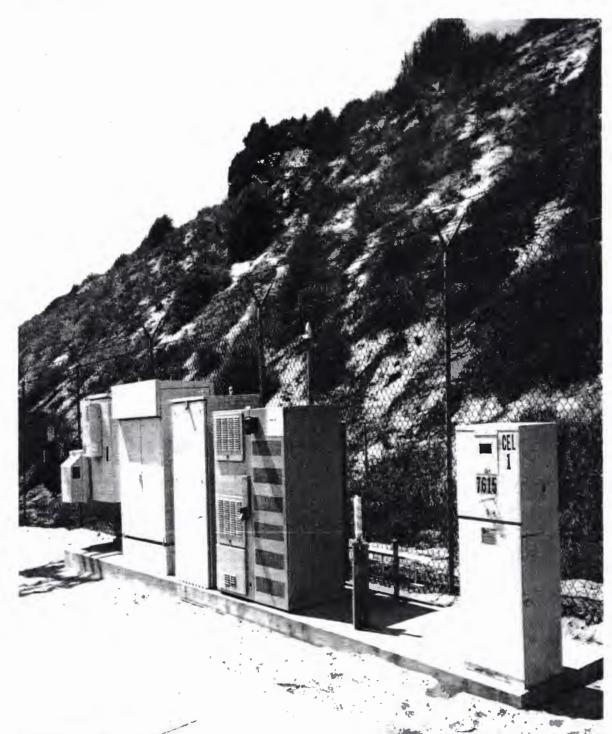


EXHIBIT NO.

Application Number

5-14+0628

California Coastal Commission

Exemple of en Above ground facility for cellular Antennae

