

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
FAX (415) 904-5400  
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# F11a

**A-5-PPL-24-0007 (Verizon Wireless)**

**OCTOBER 11, 2024**

## **EXHIBITS**

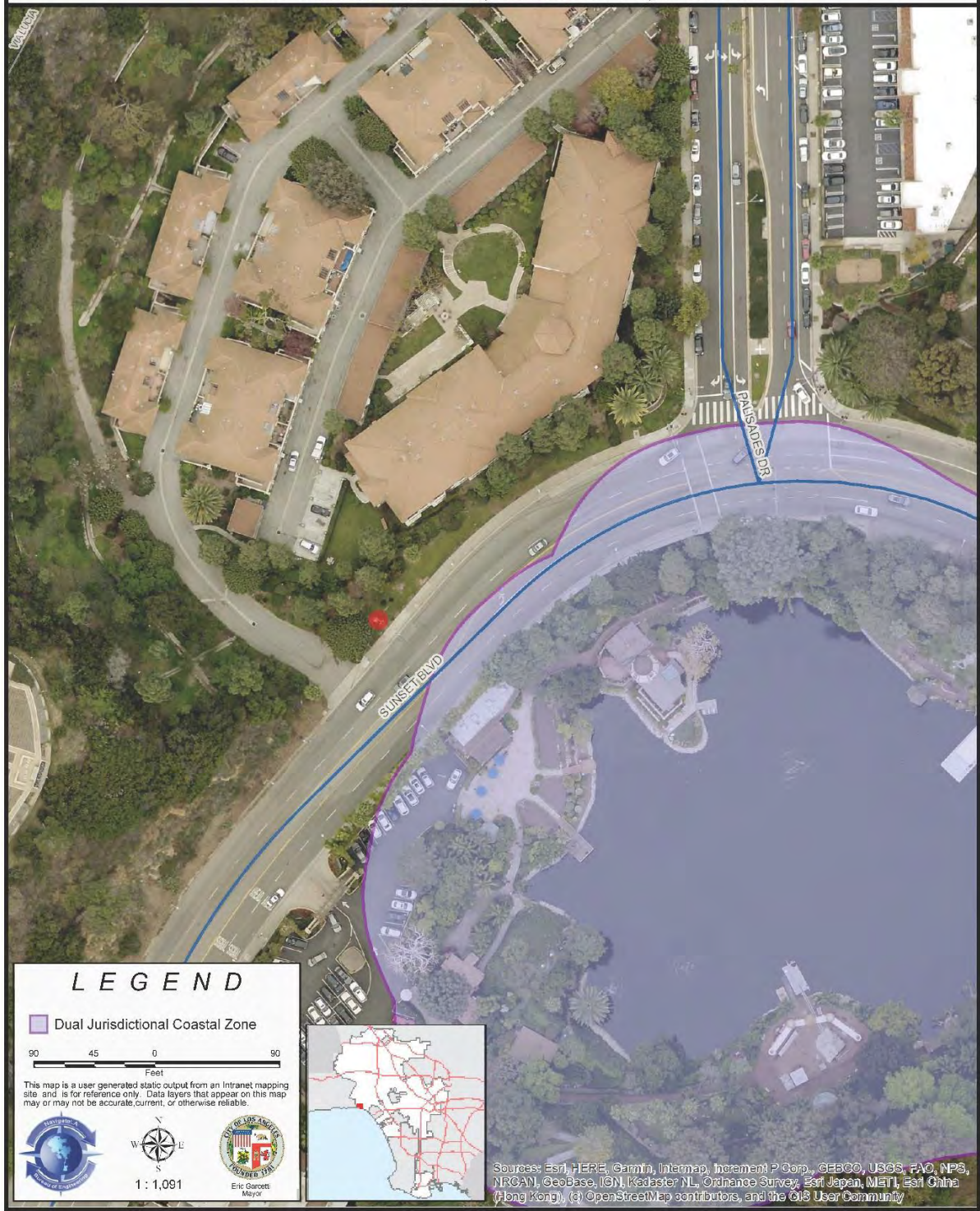
**Exhibit 1 – Project Location**

**Exhibit 2 – Appeals**

**Exhibit 3 – Local CDP No 23-01 and Bureau of Engineering Staff Report**

## Figure 2: Project Location

PALISADES MC B2  
17183 1/2 SUNSET BLVD., LOS ANGELES, CA 90272



Appeal of local CDP decision  
Page 2

Received  
South Coast Region  
3/15/2024

California Coastal Commission

1. Appellant information:

Name: Denise Carrejo  
Mailing address: 501 PALISADES DRIVE # 306  
Phone number: 310 230-4112 (landline - no texts)  
Email address: Denisenevsongs@gmail.com

How did you participate in the local CDP application and decision-making process?

Did not participate  Submitted comment  Testified at hearing  Other

Describe: At both Board of Public Works meetings in February and <sup>in written</sup> January 2024,  
via Zoom. I also filled out ~~an~~ appeal in November 2023.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: I wrote an appeal in November 2023 and participated in both Board of Public Works meetings and felt my voice wasn't being heard and Verizon and the Bureau of Engineering were not interested in the well-being of the ~~the~~ Environment and further showed that by choosing alternative sites, when asked to do so by the Board of Public Works, even more closer to the big lake. We were all shocked by the audacity of them to do that. And the Bureau of Engineering Representative at the 2<sup>nd</sup> Board of Public Works meeting that all the residents were notified about the appeal and she instead misled the Board by saying that. Only the 3) appellants were notified via e-mail, not all 100 unit residents were notified of appeal process by mail AND many, 60 units, are seniors, many of whom do not use email.

If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

**Appeal of local CDP decision**  
**Page 3**

**2. Local CDP decision being appealed<sup>2</sup>**

Local government name: Los Angeles Bureau of Engineering  
Local government approval body: Los Angeles County  
Local government CDP application number: 23-01 Palisades MCB2  
Local government CDP decision:  CDP approval  CDP denials  
Date of local government CDP decision: February 21<sup>st</sup>, 2024

Please identify the location and description of the development that was approved or denied by the local government.

Describe: We are 100 units, 60 of which are senior citizen small condos, on the corner of Sunset Blvd and Palisades Drive and affordable housing. A 5G cell phone facility is what the City of Los Angeles Bureau of Engineering is wanting to put on our front yard near our neighbors' lake.

<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sheet for more information.

Appeal of local CDP decision  
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3. Applicant information

Applicant name(s): DENISE CARREJO

Applicant Address: 501 PALISADES DRIVE #306  
PACIFIC PALISADES, CA 90272

4. Grounds for this appeal

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

(as stated on Notice of Permit)

Describe: 20 working days from the issuance we can appeal. This appeal  
will be mailed <sup>(registered mail)</sup> on March 14, well within that timeframe. On #2 on  
"WHAT CAN BE APPEALED" on the "APPEAL INFORMATION SHEET" is  
stated "approval of development within wetlands" and our neighbor is  
a beautiful <sup>big</sup> lake that houses many fish, swans, ducks, and turtles.  
The Lake Shrine is on our cities Historical Societies List of  
Historical Sites and has been there over 50 years. The environment,  
animals and fish, the lakes water, visitors and neighbors are  
affected by a 5G facility development. During the process our views  
on this were disregarded by the city and Verizon and was further  
disregarded by their alternative sites analysis even closer to the Lake  
Shrine and one telephone poll, just yards away from CDP No. 23-01  
Palisades, Mc B2 site, as Verizon stated being "too close to residents."

Also, many of my neighbors, there are 100 units here, are elderly senior citizens (in 60 of the units, 62 years old is the age requirement and many are in their 100s, 90s, 80s, 70s) who have memory loss, dementia and it's hard to explain and they feel they weren't notified of the appeal process as that ~~notification~~ notification was sent via email which many don't use. They felt "lost" in the process and senior "abused". The Bureau of Engineering representative

\* Attach additional sheets as necessary to fully describe the grounds for appeal.

Knowingly misled the Board of Public Works when towards the end of the 2nd Board of Public Works meeting when asked by the Board if every resident was notified of the appeal process, she said "yes". But only the 31 applicants were notified during the ~~long~~ months long process via email and not all of the 100 unit residents were notified via mail. 60 units here are ~~owned~~ owned or rented by Senior Citizens, many of whom are in their 100s, 90s, 80s, 70s, and do not use email and it's frustratingly hard to explain to them when many have memory loss and dementia. The other 40 units are family units and many have small children and all units are ~~small~~ low square footage affordable housing. Many residents felt they weren't properly notified by the city. When residents were shown the notice of issuance, they pleaded with me to appeal it

**Appeal of local CDP decision  
Page 5**

**5. Identification of interested persons**

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

**6. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name DENISE CARRETO

*Denise Carreto*  
Signature

Date of Signature March 14, 2024

**7. Representative authorizations**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

**Appeal of local CDP decision**

**Page 2**

**1. Appellant information:**

Name: Linda Thiele  
Mailing address: 501 Palisades Drive #201, Pacific Palisades, CA 90272  
Phone number: 310.387.5080  
Email address: lindathiele90272@gmail.com

How did you participate in the local CDP application and decision-making process?

Did not participate  Submitted comment  Testified at hearing  Other

Describe: Participated in June 14, 2023 Public Hearing, notice for the May 12, 2023  
Public Hearing was received 1 day prior to the Meeting. Appealed the  
Oct.26, 2023 Approval Decision, Spoke at Board of Public Works Hearings,  
Jan 24 & Feb 21, 2024 & Appealed Permit Issuance W/incorrect appeal Info.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Participated in June 14, 2023 Public Hearing, notice for the May 12, 2023  
Public Hearing was received 1 day prior to the Meeting. Appealed the  
Oct.26, 2023 Approval Decision, Spoke at Board of Public Works Hearings,  
Jan 24 & Feb 21, 2024 & Appealed Permit Issuance W/incorrect appeal Info.

<sup>1</sup> If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

**Appeal of local CDP decision**  
**Page 3**

**2. Local CDP decision being appealed<sup>2</sup>**

Local government name: City of Los Angeles, Bureau of Engineering  
Local government approval body: Environmental Affairs, Bureau of Engineering  
Local government CDP application number: 23-01 Palisades MC B2  
Local government CDP decision:  CDP approval  CDP denials  
Date of local government CDP decision: February 21, 2024

Please identify the location and description of the development that was approved or denied by the local government.

Describe: The development, No. 23-01 Palisades MC B2, is located less than  
50 feet of the 501 Palisades Drive Moderate Income Senior Complex controlled  
by the City of Los Angeles as well as the units from 501-565 which are  
family units. The development is also directly across the street from the  
Self Realization lake/lagoon which is a resting place for many birds.  
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<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.  
<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

**Appeal of local CDP decision**

**Page 4**

**3. Applicant information**

Applicant name(s): Linda Thiele  
501 Palisades Drive #201  
Applicant Address: Pacific Palisades, CA 90272

**4. Grounds for this appeal**

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: I am appealing due to the Fact that the City presented, in all notiafications,  
5 Agenda items for ALL Public Hearings but they only presented Agenda  
Items #2-#5 in the Public Hearings and had completed Item #1 two or more  
years prior to May 2, 2023 Without any Public Hearing, Permits  
or Coastal Commission Approval.

The development also sits directly across the street from the Self  
Realization Lake/Lagoon which is a resting place for many birds.

<sup>4</sup> Attach additional sheets as necessary to fully describe the grounds for appeal.

**Appeal of local CDP decision**  
**Page 5**

**5. Identification of interested persons**


On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

**6. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Linda Thiele

  
Signature

Date of Signature 3/20/2024

**7. Representative authorization**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

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**BOARD OF PUBLIC WORKS  
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# CITY OF LOS ANGELES

CALIFORNIA



**KAREN BASS**  
MAYOR

**DEPARTMENT OF  
PUBLIC WORKS**

**BUREAU OF  
ENGINEERING**

**TED ALLEN, PE**  
CITY ENGINEER

1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213

[HTTP://ENG.LACITY.ORG](http://eng.lacity.org)

## **COASTAL DEVELOPMENT PERMIT (CDP) NO. 23-01**

(Under authority of Sec. 30600(b) of the California Coastal Act of 1976)

**PROJECT TYPE:**             Public         Private

**APPLICATION NUMBER:** CDP Application No. 23-01

**PROJECT NAME:**        Palisades MC B2

**NAME OF APPLICANT:** Verizon Wireless - Southern California

**PROJECT LOCATION:** Palisades MC B2 is located in the public right-of-way adjacent to 501-565 Palisades Drive, Los Angeles, CA 90272

### **I. DEVELOPMENT DESCRIPTION**

The Palisades MC B2 (Project) is located within the landscaped parkway in the public right-of-way adjacent to properties 501-565 Palisades Drive in the City of Los Angeles (the City) Brentwood-Pacific Palisades community. The Project consists of the installation and operation of antennas and associated equipment for the Verizon Wireless telecommunications network. The existing 40-foot wood utility pole and existing equipment housed on the pole will be removed and replaced. See Figure 1.

Verizon Wireless (Verizon) has applied for a local coastal development permit for the following scope of work:

1. Replace existing 40-foot (34'-11" above ground level [AGL]) wood utility pole with a new 55-foot (47'-6" AGL) wood utility pole. The installation of the new wood utility pole occurred in 2020. The site currently contains the 40-foot wood utility pole and the new 55-foot wood utility pole. The Verizon equipment on the 40-foot pole will be removed and new equipment, listed in items 2 through 5 below, will be placed on the 55-foot pole.
2. Place six-foot extension arms with two (2) new 55.6" panel antennas.
3. Place (1) radio unit with two (2) PSUs & diplexers inside one (1) radio shroud.
4. Place (1) radio unit with two (2) PSUs & diplexers inside one (1) radio shroud.
5. Place one (1) LADWP Meter, one (1) disconnect switch, radio prism, fiber distribution box on two (2) new equipment channels.

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

Recyclable and made from recycled waste.



The Project may slightly increase vehicular trips or traffic impacts during construction. The construction work shall be performed in accordance with Work Area Traffic Control Handbook (WATCH) as required by the California Manual on Uniform Traffic Control Devices (CA MUTCD) published by Caltrans. If the construction activity encroaches upon a sidewalk, walkway or crosswalk area, pedestrians shall be provided advance warning if they are detoured away from the active construction site. The contractor will always allow for ingress and egress to adjacent driveways during construction.

### **Project Background**

The Project includes a wood utility pole replacement, which was previously installed by the Los Angeles Department of Water and Power in 2020 at Verizon's request, to maintain the use of the pole and upgrade the telecommunications equipment. The utility pole height increase is needed for the following reasons:

- The power meter and power disconnect switch are currently located five (5) feet above ground level. On the new pole, they will be placed at nine (9) feet above the ground. This is to prevent tampering and will be a protection to both the public and Verizon Wireless.
- The communication lines and antennas area currently located at the same height on the existing pole. Since the equipment is being replaced and upgraded, Verizon Wireless is required to provide a minimum of two (2) feet of separation from the antennas (and any antenna appurtenances) to the communication lines. This is required per the updated California Public Utilities Commission General Order 95.
- The proposed antennas are approximately three (3) feet taller than the existing antennas. Two (2) feet of separation is required from the top of the antennas to the other pole attachments.

The Project site is within the single jurisdiction area of the California Coastal Zone and as such Verizon is applying for a Coastal Development Permit under jurisdiction of the City Engineer.

By virtue of the Federal Telecommunications Act of 1996 Section 704, no State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communications Commission's regulations concerning such emissions

## **II. STANDARD CONDITIONS OF APPROVAL**

The proposed development is subject to the following standard conditions of approval imposed pursuant to the California Coastal Act of 1976:

- a. **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 City Engineer's office.

- b. **Expiration.** If development has not commenced, the permit will expire two years from the permit date as reported by the Coastal Commission. Development shall be pursued in a diligent manner and completed in a reasonable period. Application for extension of the permit must be made prior to the expiration date.
- c. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the City Engineer.
- d. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the City Engineer an affidavit accepting all terms and conditions of the permit.
- e. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the City Engineer and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
- f. **Other approvals.** No additional coastal development permit is needed from the California Coastal Commission.

### III. FINDINGS

In keeping with the findings and recommendations set forth in the adopted staff report incorporated. Herein by reference, the City of Los Angeles finds that:

- a. The development is in conformity with Chapter 3 of the California Coastal Act of 1976 and will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program in conformity with said Chapter 3.
- b. The Interpretative Guidelines for Coastal Planning and Permits established by the Coastal Commission dated February 11, 1977, and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making this determination, and the decision of the permit granting authority has been guided by any applicable decision of the Coastal Commission.
- c. If the development is located between the nearest public road and the sea of shoreline of any body of water located within the Coastal Zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act.
- d. There are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available for imposition by this authority under the power granted to it which would substantially lessen any significant adverse impact that the development, as finally permitted, may have on the environment.



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# CITY OF LOS ANGELES

CALIFORNIA



**KAREN BASS**  
MAYOR

**DEPARTMENT OF  
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**TED ALLEN, PE**  
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1149 S. BROADWAY, SUITE 700  
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

## COASTAL DEVELOPMENT PERMIT APPLICATION NO. 23-01

### STAFF REPORT

(Under the authority of the California Coastal Act, Section 30600(b) of the California Public Resources Code and Chapter 1, Article 2, Section 12.20.2 of the Los Angeles City Municipal Code)

#### I. PROJECT DESCRIPTION

Project Title: Palisades MC B2

Applicant(s): Verizon Wireless - Southern California  
15505 Sand Canyon Ave.  
Irvine, CA 92618

Project Location: Palisades MC B2 is located in the public right-of-way adjacent to 501-565 Palisades Drive, Los Angeles, CA 90272

Council District: 11

Community: Brentwood - Pacific Palisades

District: West Los Angeles

#### A. PROJECT DESCRIPTION

The Palisades MC B2 (Project) is located within the landscaped parkway in the public right-of-way adjacent to properties 501-565 Palisades Drive in the City of Los Angeles (the City) Brentwood-Pacific Palisades community. The Project consists of the installation and operation of antennas and associated equipment for the Verizon Wireless telecommunications network. The existing 40-foot wood utility pole and existing equipment housed on the pole will be removed and replaced. See Attachment 1. Project Location Figure.

Verizon Wireless (Verizon) has applied for a local coastal development permit for the following scope of work:

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER


Recyclable and made from recycled waste. 

Exhibit 3  
A-5-PPL-24-0007  
Page 5 of 22

1. Replace existing 40-foot (34'-11" above ground level [AGL]) wood utility pole with a new 55-foot (47'-6" AGL) wood utility pole. The installation of the new wood utility pole occurred in 2020. The site currently contains the 40-foot wood utility pole and the new 55-foot wood utility pole. The Verizon equipment on the 40-foot pole will be removed and new equipment, listed in items 2 through 5 below, will be placed on the 55-foot pole.
2. Place six-foot extension arms with two (2) new 55.6" panel antennas.
3. Place (1) radio unit with two (2) PSUs & diplexers inside one (1) radio shroud.
4. Place (1) radio unit with two (2) PSUs & diplexers inside one (1) radio shroud.
5. Place one (1) LADWP Meter, one (1) disconnect switch, radio prism, fiber distribution box on two (2) new equipment channels.

The Project may slightly increase vehicular trips or traffic impacts during construction. The construction work shall be performed in accordance with Work Area Traffic Control Handbook (WATCH) as required by the California Manual on Uniform Traffic Control Devices (CA MUTCD) published by Caltrans. If the construction activity encroaches upon a sidewalk, walkway or crosswalk area, pedestrians shall be provided advance warning if they are detoured away from the active construction site. The contractor will always allow for ingress and egress to adjacent driveways during construction.

**B. PROJECT BACKGROUND**

The Project includes a wood utility pole replacement, which was previously installed by the Los Angeles Department of Water and Power in 2020 at Verizon's request, to maintain the use of the pole and upgrade the telecommunications equipment. The utility pole height increase is needed for the following reasons:

- The power meter and power disconnect switch are currently located five (5) feet above ground level. On the new pole, they will be placed at nine (9) feet above the ground. This is to prevent tampering and will be a protection to both the public and Verizon Wireless.
- The communication lines and antennas area currently located at the same height on the existing pole. Since the equipment is being replaced and upgraded, Verizon Wireless is required to provide a minimum of two (2) feet of separation from the antennas (and any antenna appurtenances) to the communication lines. This is required per the updated California Public Utilities Commission General Order 95.
- The proposed antennas are approximately three (3) feet taller than the existing antennas. Two (2) feet of separation is required from the top of the antennas to the other pole attachments.

The Project site is within the single jurisdiction area of the California Coastal Zone and as such Verizon is applying for a Coastal Development Permit under jurisdiction of the City Engineer.

By virtue of the Federal Telecommunications Act of 1996 Section 704, no State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental

effects of radio frequency emissions to the extent that such facilities comply with the Federal Communications Commission's regulations concerning such emissions.

## **II. STAFF FINDINGS**

### **A. REGULATORY BASIS OF REVIEW**

Los Angeles City Municipal Code (LACMC) Chapter 1, Article 2, Section 12.20.2.G gives the City Engineer the authority to approve, conditionally approve or disapprove any application for a Permit under the provisions of the California Coastal Act of 1976; and standards as established by Division 5.5 Title 14 of the California Administrative Code (CAC); and, by the passage of the City of Los Angeles Ordinance No. 151,603 on November 25, 1978.

Six findings are required for a Coastal Development Permit to be issued. The six findings are as follows:

1. That the development is in conformity with Chapter 3 of the California Coastal Act of 1976 (CCA) (commencing with Section 30200 of the California Public Resources Code [PRC]).
2. That the permitted development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act of 1976.
3. That the Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977, and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making its determination.
4. That the decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the PRC.
5. If the development is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone that the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.
6. Any other finding or findings may be required for the development by the California Environmental Quality Act (CEQA).

PRC Section 3600(b) allows local governments to assume authority to issue coastal development permits within its jurisdiction before certification of its local coastal program. The Project is within the City Engineer's jurisdiction (Los Angeles Municipal Code Section 12.20.2 et seq.). The application filed with the City Engineer was deemed adequate.

The Project site is located within the California Coastal Zone and within the single coastal jurisdiction' area (i.e., within the jurisdiction of the City of Los Angeles). Within this single jurisdiction, the City of Los Angeles must issue a local Coastal Development Permit

(CDP). This Project must be authorized by the local CDP processed pursuant to the requirements of the California Coastal Act. The activities accomplished are considered development, as defined in Section 30106 of the Coastal Act. Section 30106 states that:

*‘Development’ means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, alteration of the size of any structure, including any facility of any private, public, or municipal power; and the removal or harvesting of major vegetation other than agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provision of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, “structure” includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.*

The City of Los Angeles does not have a certified Local Coastal Program for the Brentwood-Pacific Palisades Community. However, after certification of a Local Coastal Program, permit processing procedures for coastal permits in the Brentwood-Pacific Palisades coastal zone are controlled by the Coastal Act and the California Code of Regulations. The City’s permit issuing ordinances must be certified as part of the Local Implementation Plan. After certification of the Local Coastal Program by the Coastal Commission, the authority of the Coastal Commission is limited to development within the retained or original jurisdiction and to appeals of locally issued coastal development permits. The Coastal Commission will also retain jurisdiction over amendments to coastal development permits that it approved before certification of the Local Coastal Program. Section 30519(a) of the Coastal Act provides that, except for appeals to the commission (as provided in Section 30603) after a Local Coastal Program, or any portion thereof, has been certified and all implementing actions have become effective, the development review authority provided for in Chapter 7 (commencing with Section 30600) of the Coastal Act shall no longer be exercised by the Coastal Commission and shall at that time be Delegated to the local government that is implementing the Local Coastal Program. Section 30519(b) states that 30519(a) does not apply to development proposed or undertaken on any tidelands, submerged lands, or on public trust lands. The Commission also retains jurisdiction over coastal development permits that were previously approved by the Commission as well as amendments to such permits.

## **B. ISSUES OF LEGAL ADEQUACY OF THE APPLICATION**

None.

### **C. FINDINGS**

Staff finds as follows:

- 1. The Development, as conditioned, is in Conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California PRC).**

In addition to the policies discussed above, Chapter 3 of the California Coastal Act of 1976 provides for the following policies:

- a. PUBLIC ACCESS (Article 2, of Chapter 3 of PRC, Sections 30210 through 30214)**

*Sections 30210, 30211, 30212, and 30213 of the PRC state that maximum access and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse (30210), development shall not interfere with the public's right of access to the sea (30211), public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected (30212), lower-cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred (30213), and the public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the (2) The capacity of the site to sustain use and at what level of intensity (30214).*

The Project consists of the installation and operation of antennas and associated equipment by Verizon Wireless. The existing wood utility pole and existing equipment housed on the pole will be removed and replaced. The Project does not include development that would change posted coastal access and recreational opportunities. The Project is located within a landscaped parkway adjacent to the sidewalk and roadway and would not interfere with the public's right of access to the sea. The Project is adjacent to a developed roadway which provides adequate coastal access. Temporary construction staging may be located on the roadway during construction and the Project would not permanently interfere with the roadway or on-street parking. The Project would not impact lower-cost visitor and recreational facilities. The Project is in conformity with the public access policies of Article 2, Chapter 3 of the PRC.

- b. RECREATION (Article 3, of Chapter 3 of PRC, Sections 30220 through 30224)**

*Sections 30220, 30221, 30222, and 30223 of the PRC state coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses (30220), oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be*

*accommodated on the property is already adequately provided for in the area (30221), the use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry (30222), upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible (30223), and increase recreational boating use of coastal water shall be encouraged (30224).*

The Project is not located within the coastal areas suited for water-oriented recreational activities and thus would not impact such areas and activities. The Project is not located on oceanfront land suitable for recreational use. The Project is located within a parkway adjacent to residential uses and is not located on private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities. The Project is not located on oceanfront land suitable for coastal dependent aquaculture. The Project would not change uplands areas which support coastal recreational uses. The Project would not impact increased recreational boating use. The Project is in conformity with the recreation policies of Article 3, Chapter 3 of the PRC.

**c. MARINE ENVIRONMENT (Article 4, of Chapter 3 of PRC, Sections 30230 through 30237)**

*Sections 30230 through 30236 of the PRC address the maintenance, enhancement, and where feasible, restoration of marine resources within the coastal zone (30230), maintenance of biological productivity and quality of coastal waters (30231), protection from spillage of hazardous substances (30232), allowable diking, filling, dredging of open coastal water, as well as expansion related to boating facilities (30233), protection of facilities for commercial fishing and recreational boating industries (30234), protection of fishing activities (30234.5), the permitting of marine structures to serve coastal-dependent uses or to protect existing structures or public beaches (30235), and allowable channelization or alterations to rivers and streams (30236).*

The Project is not located within any known marine resources and thus would not impact the marine resources (PRC Section 30230). The Project would not impact the biological productivity and quality of coastal waters, streams, wetland, estuaries, and lakes which maintain optimum population of marine organisms and for the protection of human health (PRC Section 30231). The Project would not involve the development or transport of crude oil, gas, petroleum products, or hazardous substances which would be at risk for spillage during the construction or operation of the Projects. The Project will not involve the diking, filling, or dredging of open coastal waters (PRC Section 30233), commercial fishing and recreational boating facilities (PRC Sections 30234 and 30234.5), constructing revetments, breakwaters, or other construction altering the natural shoreline (PRC Section 30235). The Project does not alter rivers or streams and, therefore, does not affect water supply and flood control (PRC Section 30236). The Project is in conformity with the marine environment policies of Article 4, Chapter 3 of the PRC.

**d. LAND RESOURCES (Article 5, of Chapter 3 of PRC, Sections 30240 through 30244)**

*Sections 30240 and 30244 of the PRCs state environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas, development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas (30240), and where development would adversely impact archeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required (30244).*

The Project is not located within an environmentally sensitive habitat area (ESHA) and operational activities would not disrupt the existing local biological resources of the proposed Project area. The Project is not located on agricultural land (PRC Sections 30241 through 30243). Due to the Project design and replacement of existing telecommunications utility in the same location, it is not anticipated that archaeological resources are located within or near the Project site. Project construction, therefore, would not be expected to disturb, damage, or degrade archaeological resources, and mitigation measures are not required. Due to the depth of excavation, Project construction would not result in the permanent loss of, or loss of access to, paleontological resources that are unearthed at the site. No known cultural, paleontological, or historical resources would be affected during the construction or operation of the proposed Project and the Project would be in conformity with PRC Section 30244. The Project is in conformity with the land resources policies of Article 5, Chapter 3 of the PRC.

**e. DEVELOPMENT (Article 6, of Chapter 3 of PRC, Sections 30250 through 30255)**

DEVELOPMENT (Article 6 of Chapter 3 of PRC, Sections 30250 through 30255).

*Sections 30250 through 30255 state new residential, commercial, or industrial development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it (30250), scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and 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 (30251), the location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development*

*(30252); new development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazards. (2) 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 alter natural landforms along the bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses (30253); new or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division (30254); and coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland, and when appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support (30255).*

The proposed Project is located in a parkway with an existing telecommunications utility pole approximately 2,000 feet from the beach area and in a residentially developed area. No new residential, commercial, or industrial development is included as part of the Project and the Project is in conformity with PRC Section 30250.

PRC Section 30521, relative to the protection of scenic values, provides that: "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...." City's practices have been to interpret "views to the ocean" as views looking down the public right-of way of streets that have ocean views and land-based scenic views from public parks, trails, roads and vista points. This policy is directed towards the protection of important public resources, such as public views and scenic coastal areas, and is not applicable to impacts to private views from private property. The Project includes the replacement of the existing utility pole within the new increased height utility pole and installation of new upgraded equipment on the new pole. Attachment 2 provides a visual simulation of how the utility pole with the equipment would appear during operation. The Project would include a concealment element, that is the equipment on the pole is to be painted to match the color of the wooden pole, in an effort to be visually compatible with the surrounding area and make the utility appear subordinate to the character of its setting. Utility poles in the area contain utility equipment similar to the proposed Project. The location of the Project site is well inland from the ocean shore, approximately 2,000 feet from Pacific Coast Highway and the shore and will not impact views to the ocean from Sunset Boulevard or have a significant impact on public views to or along the ocean. The Project site contains the existing utility pole with the telecommunication equipment and the scope of the Project would not substantially alter the scenic and visual quality and would not contrast with the existing visual character of the proposed Project area. The Project as proposed and located will not impact the scenic views and visual qualities of coastal areas and is in conformity with the PRC Section 30521.

The project does not interfere with any existing coastal access roadways, bikeways, pedestrian paths, or walkways. There will be a temporary closure of a street traffic lane for the installation of the new utility pole and equipment. Once installed they are not expected to interfere with any pedestrian access to the coast in the vicinity as they will be located within the parkway. The Project is in conformity with PRC Section 30252. The Project would not affect geologic, flood, or fire risks (30253 [a] [b]) and would be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development (30253 [c]) would not affect energy consumption and vehicle miles traveled (30253 [d]) and would protect special communities and neighborhoods which are popular visitor destination points for recreational uses (30253 [e]). The Project is not located on State Highway Route 1. State Highway Route 1 is designated as the "Pacific Coast Highway" in the Project area, approximately 0.4 miles south of the Project site. The Project is in conformity with PRC Section 30254. The Project is not located on or near the shoreline and is in conformity with PRC Section 30255. The Project is in conformity with the development policies of Article 6, Chapter 3 of the PRC.

**f. INDUSTRIAL DEVELOPMENT (Article 7, of Chapter 3 of PRC, Sections 30360 through 30265.5)**

*Sections 30260 of the PRC states coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.*

The Project is not an industrial facility. The Project consists of the upgrade of telecommunications services and the replacement of a utility pole with a taller pole in the same location. The Project would remain located on the existing site. The Project is in conformity with the industrial development policies of Article 7, Chapter 3 of the PRC.

**g. SEA LEVEL RISE (Article 8 of Chapter 3 of the PRC, Section 30270)**

*Section 30270 of the PRC states that the California Coastal Commission shall consider the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise.*

The Project consists of upgrades and expansion of an existing telecommunication utility; thus, the Project would not significantly contribute to sea level rise. The Project is in conformity with the sea level rise policies of Article 8, Chapter 3 of the PRC.

**2. The permitted development will not prejudice the ability of the city of Los Angeles to prepare a local coastal program that is in conformity with chapter 3 of the California Coastal Act of 1976.**

The City of Los Angeles General Plan's Brentwood - Pacific Palisades Community Plan covers the entire area of the Project within the City. The Brentwood - Pacific Palisades Community Plan includes objectives, policies, and programs and outlines the arrangement and intensities of land uses, the street system, and the location and characteristics of public service facilities. The proposed Project is consistent with the City General Plan's Brentwood - Pacific Palisades Community Plan goals and objectives because it represents a continuation of existing land uses.

Since the Project conforms to the applicable Community Plan and Specific Plans, and relevant provisions and policies of the Coastal Act, the Project will not prejudice the ability of the City to prepare a Local Coastal Plan in conformity with the Coastal Act and amendments.

**3. The Interpretative Guidelines For Coastal Planning And Permits as established by the California Coastal Commission dated February 11, 1977, and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making the City Engineer's determination.**

As noted in the preceding Sections, the California Coastal Commission's interpretive guidelines (State and Regional) have been reviewed and considered in the preparation of these findings and recommendations. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City Engineer's determination is based on the cited provisions of the California Coastal Act and other legally-established laws and regulations.

**4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the PRC.**

The decision of the permit granting authority, as evidenced in the staff report of this Project, has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the PRC. The guidance provided during pre-consultation with Coastal Commission staff has also been considered.

**5. If the development is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

The Project is not located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone.

The Project site provides no public access to the sea, coastal or oceanfront areas. Therefore, the proposed Project is not expected to impede coastal or oceanfront access, low-cost visitor or recreational facilities and activities. The Project conforms with the Public Access policies (PRC Sections 30210 through 30214) of Chapter 3 of the California Coastal Act. The Project is not expected to impede coastal or oceanfront recreation

activities. The Project conforms with the Recreation policies (PRC Sections 30220 through 30224) of Chapter 3 of the California Coastal Act.

**6. Any other finding or findings as may be required for the development by the California Environmental Quality Act (CEQA).**

Pursuant to CEQA, the City of Los Angeles determined the Project was categorically exempt.

**III. PUBLIC COMMENT**

Two public hearings regarding the Coastal Development Permit Application No. 23-01 were held. The first hearing was on May 12, 2023, at 2:00 PM via an online webinar. The second hearing was on June 14, 2023, at 1:30 PM.

The comment period closed on June 16, 2023, at 4:00 PM. Forty-five (45) written comments were received via email. Visual and scenic resources issues pertaining to development were raised regarding consistency with the California Coastal Act, Chapter 3.

Prior to the public hearing, direct mail notices were sent to a mailing list of 138 stakeholders.

**IV. STANDARD CONDITIONS OF APPROVAL**

The proposed development is subject to the following standard conditions of approval imposed pursuant to the California Coastal Act of 1976:

- a. **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 City Engineer's office.
- b. **Expiration.** If development has not commenced, the permit will expire two years from the permit date as reported by the Coastal Commission. Development shall be pursued in a diligent manner and completed in a reasonable period. Application for extension of the permit must be made prior to the expiration date.
- c. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the City Engineer.
- d. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the City Engineer an affidavit accepting all terms and conditions of the permit.
- e. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the City Engineer and the

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permittee to bind all future owners and possessors of the subject property to the terms and conditions.

- f. **Other approvals.** No additional coastal development permit is needed from the California Coastal Commission.

**V. STAFF RECOMMENDATIONS**

Based on the preceding analysis and the comments received, we recommend that the City Engineer adopt the staff findings as stated above and issue Local Coastal Development Permit No. 23-01 for this Project with the above standard conditions of approval.

DOCUMENT APPROVED BY:



boxSIGN 4QZZVP21-1XRQXZ6P

Oct 26, 2023

Maria E. Martin

Date

Environmental Affairs Officer

Environmental Management Group

DOCUMENT PREPARED BY:



boxSIGN 4267ZXP4-1XRQXZ6P

Oct 26, 2023

Lauren Rhodes

Date

Environmental Supervisor I

Environmental Management Group

**VI. ATTACHMENTS**

Attachment 1. Project Location Figure

Attachment 2. Photo Simulation

**ATTACHMENT 1. PROJECT LOCATION FIGURE**

**Figure 1. Palisades MC B2 Location**



**ATTACHMENT 2. PHOTO SIMULATION**



EXISTING



PROPOSED LOOKING WEST ACROSS SUNSET BOULEVARD

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



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