

MINUTES

**CITY OF PACIFICA
PLANNING COMMISSION
COUNCIL CHAMBERS
2212 BEACH BOULEVARD**

December 7, 2015

7:00 p.m.

Chair Campbell called the meeting to order at 7:00 p.m.

ROLL CALL: Present: Commissioners Vaterlaus, Evans, Gordon, Nibbelin,
Cooper and Chair Campbell
Absent: Brown

SALUTE TO FLAG: Led by Commissioner Cooper

STAFF PRESENT: Planning Director Wehrmeister
Assoc. Planner Murdock
Acting Senior Civil Engineer Donguines

**APPROVAL OF ORDER
OF AGENDA** Commissioner Evans moved approval of the Order
of Agenda; Commissioner Gordon seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Vaterlaus, Evans, Gordon, Nibbelin,
Cooper and Chair Campbell
Noes: None

**APPROVAL OF
MINUTES:
OCTOBER 5, 2015
AND NOVEMBER 16, 2015**

Commissioner Evans moved approval of minutes of
October 5, 2015; Commissioner Cooper seconded the
motion.

The motion carried **5-0**.

Ayes: Commissioners Vaterlaus, Evans, Gordon, Cooper,
and Chair Campbell
Noes: None
Abstain: Nibbelin

Commissioner Evans moved approval of minutes of
November 16, 2015; Commissioner Nibbelin seconded
the motion.

Planning Director Wehrmeister mentioned that Commissioner Nibbelin was initially marked absent, but she wanted to clarify that the minutes did reflect a recess until his arrival, at which time the meeting was reconvened.

The motion carried **4-0**.

Ayes: Commissioners Evans, Gordon, Nibbelin, and Chair
Campbell
Noes: None
Abstain: Commissioners Vaterlaus and Cooper

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF DECEMBER 14, 2015:

Planning Director Wehrmeister stated that no liaison was needed; however, the Council would be electing the new officers for the following year and the Commissioners were all invited to attend.

ORAL COMMUNICATIONS:

Tom Clifford, Pacifica, stated that he was present to talk about the paving at Harmony at One. He stated that staff had indicated that there was a conflict between the asphalt and coloring. He stated that the conflict was whether it was asphalt or permeable. He stated that there wasn't any reason why they could not put any color they want to allow the roads to blend in and he thought staff should enforce that condition, giving the example of San Francisco's bike lanes. He then referred to the previous meeting where staff suggested that they have training on what conditions of approval are and how they are enforced. He suggested instead of, or in addition to, that they ask for a report on any variations in the conditions, mentioning several projects. He thought they should be looking at what projects were not following the rules. He also suggested that the Asst. City Attorney not indicate that the people's one option is to sue the city, adding that he has the means and will to sue but not the desire. He merely wants to make things move forward.

CONSENT ITEMS:

None.

PUBLIC HEARINGS:

1. **USE PERMITS for new wireless communications facilities Consisting of two 7.7 inch tall by 1.1 inch wide antennas and associated pole-mounted equipment on existing utility poles within the public right-of-way at the locations indicated below. The applicant for both applications is New Cingular Wireless (dba AT&T Mobility). Recommended CEQA status: Categorical Exemption.**
- 1.a. **UP-55-15 USE PERMIT UP-55-15, 160 Calaveras Ave. (APN 018-131-020).**
- 1.b. **UP-60-15 USE PERMIT UP-60-15, 293 Juanita Ave. (APN 018-123-120).**

Assoc. Planner Murdock first mentioned that two commissioners needed to recuse themselves on these items.

Commissioner Nibbelin suggested that, as both Chair and Vice Chair were recused, Commissioner Cooper become acting Chair.

Assoc. Planner Murdock stated that, with no objections from the Commissioners, it was fine. He then presented the staff report and then mentioned that the agent and radio frequency engineer were present to answer questions.

Acting Chair Cooper asked if these had gone through PG&E or if they were part of the joint pole agreement.

Assoc. Planner Murdock stated that they were part of the joint pole authority, which includes PG&E as well as others. He stated that there was not an official approval document but there was an implied approval by failure to respond with objections. Applicant had indicated that they had not received objections and staff concluded approval.

Commissioner Evans stated that one of them appeared to have an illegal attachment which looked like a basketball hoop. He asked if that was correct.

Assoc. Planner Murdock stated that he was not aware of the specific pole and object, but the applicant had stated that there was an illegal object attached to the pole.

Commissioner Evans had concluded that it would change the location of the placement of the first of the two poles.

Assoc. Planner Murdock thought he was referring to the site analysis.

Commissioner Evans stated that he just wondered what the device was, and he asked if city was going to take care of it.

Assoc. Planner Murdock stated that he would address it when he found the location of that specific item.

Commissioner Vaterlaus stated that it was Alternative 3.

Assoc. Planner Murdock asked if it was for UP-55-15 or UP-60-15.

Commissioner Vaterlaus gave him the specifics.

Assoc. Planner Murdock saw the pole of reference and stated that he wasn't sure what it was, but it did look like a backboard for a basketball hoop. He stated that Acting Sr. Civil Engineer Ray Donguines was present and he may be able to explain the process on remedying illegal encroachments into the right-of-way.

Commissioner Nibbelin referred to the noise element, and asked for more information on the analysis prepared by the applicant with respect to the noise.

Assoc. Planner Murdock stated he could give some general information and the applicant's engineer or associate can probably give more detail. He stated that the engineer looked at the factory specifications for possible operating variants, and concluded that it would be only the normal operating conditions. They looked at the decibel output, and assessed the distance where they would be likely to experience annoying levels of noise and they concluded that it was never projected to come close to that.

Commissioner Nibbelin asked if they thought it could be detected in a home, given ambient noise.

Assoc. Planner Murdock commented that people had different perceptions and some will perceive noise because they are expecting it, but it was his opinion, based on their information that, with windows closed, it was unlikely that they would notice the noise.

Commissioner Nibbelin referred to the visual impact, mentioning that this seemed to be a fairly common type that already existed in many areas in our community.

Assoc. Planner Murdock stated that this was a newer method, on a smaller scale with less impact. He was not aware that there were any in our area, at least according to AT&T, but what was in our area was larger and more impactful.

Acting Chair Cooper mentioned that some poles had lighting, and he asked if the equipment would be placed on the opposite side of the pole so they don't see it, asking if you can move the units around.

Assoc. Planner Murdock stated that in some cases that is possible, adding that the applicant might be able to speak to that, however, he explained both the divisions on the pole being in quadrants and the requirements, and stated that it would be decided on a pole by pole basis as to the possibility of relocating the equipment to the opposite side.

Acting Chair Cooper stated that there were some disconnects on the units and he asked if the city required them to be locked to preclude tampering.

Assoc. Planner Murdock stated that he didn't know if there was a code requirement. He thought they have the capability to be locked, and they could ask the applicant if they can be locked and if they would oppose such a requirement.

Commissioner Evans mentioned that all 12 items appeared to be the same configuration and he asked if that was the case.

Assoc. Planner Murdock stated that he was of the same opinion, but stated that the applicant could address whether there was any notable difference between them.

Commissioner Evans referred to four communications from the public and asked if those were the only communications received from the public on all 12 items.

Assoc. Planner Murdock stated that he also received a phone call which did not reach the level of correspondence, and those four were the only correspondence received from the public.

Tasha Stack, AT&T project manager, stated that they have a power gap in the Vallemar neighborhood and were pleased to address this for their customers. She would be addressing the overview of wireless, then her assistant, Ana Gomez, would address specific project details, as well as the engineer who can address other specific subjects. She addressed the multi-functions of wireless and its conveniences, then the specifics of providing indoor services in Vallemar.

Ana Gomez, mentioned that, if using the cell tower at the police station, it would have to be raised to 200 feet to provide service to the Vallemar area. She then described the specifics of their proposal which included both visual and noise analyses.

Commissioner Nibbelin referred to the RF Analysis and asked what the standard was for ambient measures.

Bill Hammett, Engineer stated that his company's job was to calculate the numbers and compare them to the standards. He stated that the standard was 100%, so 1% would be 100 times below the standard.

Acting Chair Cooper referred to mentioning painting them the color of the poles, and asked if the Planning Director determined the color or was there another process.

Ana Gomez stated that the conditions of approval, as they read it, was that they present a paint sample prior to the issuance of the building permit which would be approved by the Planning Department.

Acting Chair Cooper referred to the cabinet size and asked if it was necessary to have that long of a cabinet on a pole.

Ana Gomez stated that, according to PG&E it was. She explained that they submit an application to them with the power specifications and they come back with the specifications of the size required.

Acting Chair Cooper asked if the PG&E panels were painted the same color as their units.

Ana Gomez responded that they would be painted to match.

Acting Chair Cooper stated that, in the plans, there was no fan, and he asked if it was the transformers inside the unit that created the buzzing sound.

Bill Hammett stated that the noise was from a small cooling fan, but added that it idles until the temperatures reach a level that requires them to turn on to keep the equipment cool. He commented that it probably would not happen in Pacifica. He stated that, even at the city's limits, it would still be below the ambient noise for people on the ground or in their homes.

Assoc. Planner Murdock clarified that Mr. Hammett was referencing the standards for the County of San Mateo, but Pacifica does not have an adopted noise standard.

Acting Chair Cooper referred to mention of putting a shroud on the antenna to hide them, and asked what they have done in the past in other neighborhoods.

Ana Gomez stated that they looked at the characteristics of the neighborhood and thought the smaller the better, adding that anything bigger would be more obtrusive and attract more attention. She mentioned that they could go with smaller poles, but that would mean placing 12 new poles throughout the neighborhood which would be more obtrusive and cumbersome.

Commissioner Evans asked if he understood correctly that Pacifica is the first to have this equipment per AT&T.

Tasha Stack stated that this is the first time they are doing a polygon with this type of equipment. She stated that other states have done trials, but this is the first one in the west. She stated that they were excited about it because they were going from 6-foot antennas and now had the opportunity to offer 7-inch antennas. She explained that this will be the first time the area will be able to have inside services for phone and data, mentioning that in talking to some people in the area they stated having to go into the street corners to get phone reception, but could not get data coverage.

Commissioner Evans asked confirmation that the antennas were 7 inches tall by 1 inch in diameter.

Tasha Stack responded affirmatively. She checked further and stated that the radio unit was 17.7 inches long, 12 inches wide and 5 inches deep.

Commissioner Evans asked confirmation that PG&E dictates what they want down below.

Tasha Stack responded affirmatively.

Acting Chair Cooper stated that his last question was regarding the locking shutoff, asking if they had any issue with that in the past, mentioning that a kid could climb the pole and shut them off.

Tasha Stack stated that they did not normally lock the shutoffs and have not had any problems.

Commissioner Vaterlaus thought there were some people who were physically sensitive to the radiofrequencies, and she asked, if they developed issues later, what would happen in that case.

Tasha Stack stated that she didn't have an answer, but thought that Bill Hammett might have a better answer as an engineer.

Bill Hammett stated that he wasn't an attorney and that could be a legal question, but from an engineering standpoint, the FCC sets the standards and, if they tightened the standard, everyone would have to adopt those standards. He stated that the standard has been in effect since 1996, and there has not been any scientific basis to change the standards, but if that happened, they would all have to comply.

Acting Chair Cooper opened the Public Hearing.

Jimmy Stillman, Pacifica, stated he supported this project, adding that he felt Pacifica should be exploring this technology given the topography of our community. He mentioned that when he was looking for a house, he tested cell phone reception. He also mentioned the intrusiveness of the other towers and he felt other carriers should try to employ this technology as well. He also referred to the percentage of people who have abandoned their land lines.

Mark Andrews, Pacifica, stated he also supported this project. He mentioned that text messages take a long time, and they have to go out into the street to get phone reception. He stated that it

also affected his wife who runs a business using her cell phone. He felt this was best for all of Pacifica.

Colleen Williams, Pacifica, stated there was an article in the San Francisco Chronicle about concerns regarding wireless antennas. She felt that the remark by Commission Vaterlaus regarding potential harm from electromagnetic frequencies was justified, mentioning a symposium conducted by medical specialists on this subject. Her conclusion was that AT&T was using us as guinea pigs as there is no information on long terms effects. She felt that Vallemar residents were there because of the natural environment, and she compared the noise to airplane noise. She also questioned the manner in which the residents were informed as the material looked like junk mail.

Norman Stodderd, Pacifica, stated that he lived in the rear of Vallemar with no cell coverage. He stated that they have an AT&T microcell inside their home but he was in support of this project.

Debra Arndt, Pacifica, stated that she was not against technology but she did have a concern. She stated that there was a utility pole in front of her upstairs bedroom window. She was concerned about their exposure to emission of electromagnetic fields. She was opposed to it being in front of her window and requested that it be moved to another pole.

Suzanne Szlaius, Pacifica, stated that she saw the notice of the meeting in the Tribune. She stated that she switched from AT&T to another service because of lack of service.

John Sillari, Pacifica, pointed out a factual error in the resolution for the use permit where the measurements of the antennas were reversed, stating they were listed as 17.7 inches wide and 1.1 inches tall. He thought they might want to correct that before they sign the proposal. He added that, if this goes forward, he might change from T-Mobile back to AT&T.

Ken Miles, Pacifica, stated that he was concerned about things that are being added to Vallemar, mentioning that PG&E wants to cut down some of the trees to make room for their poles. He then asked about the EMF, questioning the safety effects. He mentioned attending a meeting, adding that he had worked with the FCC for years. He mentioned that he had no concrete information, but he questioned what these antennas will be doing to our community. He also questioned whether future upgrades would intensity the output. He felt they should know about that. He asked what fees the city was receiving, adding that if it is safe and reasonable, we should be able to profit from it. He asked about the possibility of them sharing the equipment with other companies, concluding that this was premature to put this in our community. He mentioned being on the Planning Commission years ago, and stated that he regretted his decision concerning putting in the first cell towers. He thought all of them should have worked together, talking to the people about services. He concluded that he didn't see that happening.

Acting Chair Cooper closed the Public Hearing.

Commissioner Nibbelin referred to EMF and RF and asked if that was the same thing with different names or if they were two different things.

Bill Hammett stated that it was the same thing, i.e., EMF was electromagnetic frequencies, including a large spectrum and RF was a small portion of that called radiofrequencies.

Commissioner Nibbelin referred to the slide during the presentation regarding FCC standards, and he stated the numbers looked small to him but he wondered how they compared to a standard existing facility that might exist such as over the police department and other options existing.

Bill Hammett stated that these were much smaller, comparing it to regular light bulbs that put out 100 watts and this equipment which puts out 10 watts.

Commissioner Nibbelin referred to one commentator mentioning equipment that would be close to her bedroom window, and asked for more information as to whether staff had addressed those concerns.

Assoc. Planner Murdock responded that the speaker was referring to a facility that is part of a different public hearing, but he would speak on the subject in general terms. He stated that staff looked at the wireless communication zoning facility regulations. He stated that they had amended the regulations in anticipation of new applications in the public right of way being brought forward for which the standards did not apply and would have needed variances. He mentioned several requirements and stated that, although these appeared close, they didn't apply to these specific items and they were in compliance with the zoning standards.

Commissioner Nibbelin commented on references to future upgrades, and asked how much change would be allowed before they needed to get a use permit amendment.

Assoc. Planner Murdock stated that, under FCC regulations, this was a new site and as such the city had the unique opportunity to determine what was appropriate for the facility and its characteristics. He stated that once approved, there would be limited opportunity to review. The FCC regulations allow modifications by right with narrow review for health and safety by the city.

Commissioner Nibbelin thought, while AT&T had done a good job, it sounded as though, if another provider came along to use that facility, it would not be something the city could review with additional regulations placed. He explained that another provider could get a building permit and substantially increase the height and width and be within FCC standard regulations with no recourse by the city.

Commissioner Evans stated that it was his understanding that, in the past, when a tower was being considered, the city could not address health concerns as the government had not determined that was an issue. He asked if he was remembering this correctly.

Assoc. Planner Murdock confirmed that if the application met all the FCC standards of compliance, the city could not take into account issues of health concerns.

Commissioner Vaterlaus asked if the city could limit the size they are proposing on the poles for any future application.

Assoc. Planner Murdock responded that they could not. He reiterated that, once the original application is approved any new provider basically only has to meet FCC requirements which allows for certain increases in height and width.

Commissioner Vaterlaus referred to the possibility of undergrounding of the poles in the future, and, while undergrounding antennas would be a problem at this time, asked if they would be able to still have these sites above ground.

Assoc. Planner Murdock stated his understanding was that, if the city moved to underground utilities, they would be required to cooperate with that decision or come up with a technological alternative plan that was feasible at that time. He was not aware of any solution that would allow undergrounding and functioning of these sites as they require a line of site between the equipment and the users, but he acknowledged that they have no idea what might be available that far down the line, adding that there was no plan for undergrounding in this neighborhood at the present time.

Acting Chair Cooper stated that they were talking about an unlimited use of this area for a wireless device and asked if there was an expiration period. Mentioning a scenario years down the line, he asked if they had unlimited options in expanding their equipment to a huge tower.

Assoc. Planner Murdock asked clarification that he was asking if these approvals would open pretty much unregulated wireless development in Vallemar.

Acting Chair Cooper stated that was pretty much what he meant on the pole, he asked confirmation that they were saying that now they were granting approval of these tiny antennas but in the future they could put up a 20-foot antenna and not have to come back for approval.

Assoc. Planner Murdock stated that, in effect, that was correct under the actions of Congress and the FCC implementing regulations, explaining that the regulation criteria of what was to determine what was minor and substantial changes are different between private areas and rights of way but there was a large envelope within which a wireless provider, without discretionary review, could make changes within that criteria.

Acting Chair Cooper concluded that there were not two categories for a huge tower versus the standard being considered on this project.

Assoc. Planner Murdock responded that there was not. It was an objective standard, and the FCC considered it in the one blanket standard they set down.

Acting Chair Cooper asked if that meant there was no way for the Commission to limit that use.

Assoc. Planner Murdock stated that he knew of no way they could limit it without ending up in court and having that decision overturned.

Commissioner Nibbelin wondered if the applicant could explain the technical limitations being put on the pole without causing some problems and some limits on colocation that might be worth the Commission understanding better. He wished the city attorney was present to speak to that as it appeared to be opening a Pandora's box as described.

Assoc. Planner Murdock understood the Commission's discomfort, but opening wireless deployment was the intent of Congress and the FCC because of a long-running perception by the wireless industry that local governments have frustrated the rapid deployment of this kind of technology. In reaction to that, they enacted these sweeping authorizations to allow rapid

deployment of these technologies. He agreed that it took away the city's decision making ability but that was the intent.

Commissioner Nibbelin thought it might be a perverse incentive to cause cities to be reluctant to move forward because of the followup.

Assoc. Planner Murdock agreed it could, but in this case they weren't allowed to deny access to rights of way for these deployments, provided they don't impede the public's use, health and consideration for safe movement.

Bill Hammett thought there was some limit because they are owned by several companies, and he explained that, while there were the FCC rulings, there was a natural limit as there was only so much you can put on a pole. He stated that was his observation.

Tasha Stack stated that a substantial change has to be made and she explained the basic requirements, then stated that the city would be involved if the addition was greater than 10 feet. She hoped that information would help.

Commissioner Evans asked staff confirmation that there was basically nothing in front of them that would give them a reason not to approve this.

Assoc. Planner Murdock stated that it was staff's opinion that the information before them complied with the zoning codes, and the discretionary actions of the Commission have been applied in a way to have the best design. He stated that there were no other alternatives that would be less impactful. Staff believes that this was the best site in the area, given the legal limitations.

Acting Chair Cooper concluded that there was nothing for which they were asking for a variance as far as any standard of the city.

Assoc. Planner Murdock agreed, stating that the applications were compliant with all applicable zoning standards, especially governing wireless facilities in the rights of way.

Commissioner Nibbelin stated he was ready to make a motion, adding that it seemed that the technology was in the direction of smaller. He didn't think the industry's direction was to build smaller technology that was more agile and less intrusive. He stated that, in light of everything he has heard, unless he hears otherwise from his colleagues, he was prepared to move forward.

Assoc. Planner Murdock stated that, if it was a motion to approve, he would ask the maker to consider in Section 7B of each resolution to reflect the correct dimensions as identified by the speaker as 7.7 inches tall by 1.1 inches wide for the antennas.

Commissioner Nibbelin moved that the Planning Commission find these projects exempt from the California Environmental Quality Act, in particular approving Use Permits, UP-55-15 and UP-60-15 with corrections as stated by staff, by adopting the resolutions to each respected item, including conditions of approval in Exhibit A of each resolution; and incorporate all maps and testimony in the record by reference; Commissioner Evans seconded the motion.

The motion carried **4-0**.

Ayes: Commissioners Vaterlaus, Evans, Nibbelin and
Acting Chair Cooper
Noes: None
Abstain: Commissioners Campbell and Gordon

Assoc. Planner Murdock stated that they were having a second hearing on similar items and he wanted the public to be aware that any comments made on the previous item that are applicable to this item should be made again, including the Commissioners' comments.

Commissioner Nibbelin stated that he was double booked, and will absent himself from the other item as there will still be a quorum if he leaves.

Chair Campbell and Commissioner Gordon returned to the dais.

Chair Campbell asked what was next.

Assoc. Planner Murdock stated that they were ready to call the second item on the agenda.

- 2. USE PERMITS for new wireless communications facilities consisting of two 7.7 inch tall by 1.1 inch wide antennas and associated pole-mounted equipment on existing utility poles within the public right-of-way at the locations indicated below. The applicant for all applications is New Cingular Wireless (dba AT&T Mobility). Recommended CEQA status for all applications: Categorical Exemption.**
- 2.a. UP-54-15 USE PERMIT UP-54-15, 244 Berendos Ave. (APN 018-133-190).**
- 2.b. UP-56-15 USE PERMIT UP-56-15, 136 Amapola Ave. (APN 018-113-270).**
- 2.c. UP-57-15 USE PERMIT UP-57-15, 172 Hiawatha Ave. (APN 018-104-040).**
- 2.d. UP-58-15 USE PERMIT UP-58-15, 795 Reina Del Mar Ave. (APN 018-095-110).**
- 2.e. UP-59-15 USE PERMIT UP-59-15, 648 Reina Del Mar Ave. (APN 018-086-190).**
- 2.f. UP-61-15 USE PERMIT UP-61-15, 351 Genevieve Ave. (APN 018-124-120).**
- 2.g. UP-62-15 USE PERMIT UP-62-15, 571 Reina Del Mar Ave. (APN 018-082-060).**
- 2.h. UP-63-15 USE PERMIT UP-63-15, 465 Reina Del Mar Ave. (APN 018-052-090).**
- 2.i. UP-64-15 USE PERMIT UP-64-15, 139 Berendos Ave. (APN 018-114-120).**

2.j. UP-65-15 USE PERMIT UP-65-15, 217 Hillside Dr. (APN 018-071-190).

Assoc. Planner Murdock presented the staff report.

Commission Cooper asked staff if this was essentially the same as the previous item, with no change in pole design.

Assoc. Planner Murdock responded affirmatively, stating that the locations are different but the pole designs are essentially the same, with the one clarification that, on some poles, they are at different heights but the components are the same.

Commissioner Evans referred to the UP-65-15 request, and stated that he understood there were no setbacks in the public access areas, but asked if anyone checked to see if the house had its standard setback of 20 feet.

Assoc. Planner Murdock stated that he did not assess the setbacks for the home or how far the home is situated from the front property line.

Commissioner Evans asked confirmation that the standard set back for a home is 20 feet.

Assoc. Planner Murdock responded it was 15 feet to the main structure and 20 feet to the garage.

Tasha Stack, AT&T project manager, stated that they were there to talk about a specific coverage gap in the Vallemar neighborhood and were pleased to address the gap. She will present an overview of how wireless works, and Ana Gomez will be speaking about the equipment on the pole and installation details. The engineer will address EME matters relating to federally mandated thresholds of their emissions. She stated that they have a network engineer when speaking about indoor and outdoor coverage. She then presented her portion of the report about providing coverage indoors and outdoors, referring to one previous speaker mentioning that she works from home and many use only cell phones, including the transmitting of data. She mentioned some specifics of the cell sites and their capabilities. She stated that this application was moving to fill in the gap, and the present installation at the police station was not able to provide full coverage. She stated that they are going from a 6 foot to a 7 inch antenna, and explained the process of picking the locations.

Ana Gomez stated that, with these poles, it would increase reception significantly in the area. She stated that it would allow residents to send and receive calls. She described the equipment being proposed, with the substantial reduction in size and use of existing poles, showing the proposed equipment at various locations, and presented the RF and noise analyses, adding that they had someone to address any questions on the RF and noise analyses.

Chair Campbell stated that he lived at the very back of Vallemar and mentioned that he uses Verizon as his service and he gets good coverage at the back. He asked why Verizon did and AT&T did not have good coverage.

Brian Williams stated that if he lives on high ground, he has the potential to get more coverage between the antenna and his property.

Chair Campbell asked if Verizon was using the tower at the police station.

Brian Williams stated that it was usually if you go up higher, you have the potential to get more signal from more antennas.

Commissioner Gordon thought breaking up into small cells was an interesting development, but since Verizon seems to be working at providing good coverage without the 12 cells, he asked what they were doing or why isn't AT&T doing what they are doing, or is their new plan better. He was open and was merely asking questions.

Brian Williams stated that he carried out an analysis on various Verizon sites and concluded that their radiation center was 45 feet. They then carried out length of separation which was 30 feet. They then carried it out at various other heights and concluded that none of those models would have the coverage and be equal or equivalent to what AT&T are planning.

Commissioner Gordon asked if Verizon has a monopole or something else.

Brian Williams stated that they don't know what Verizon did.

Chair Campbell asked that they don't know what their competitor is doing.

Brian Williams doubted that they would share that information with their competitors.

Chair Campbell thought that, once you get one system on a pole, then others want to put their equipment on the same pole. He stated that this had this come up at Ocean Shore school a few years ago where they were trying to consolidate.

Tasha Stack stated that it came up and General Order 95 controls how many points of access you have. She stated that, with PG&E's requirements, another supplier would be required to go to a different pole.

Chair Campbell thought that covered one of his questions. He reiterated that, if Verizon has a pole, why can't AT&T use that pole.

Tasha Stack referred to the previous explanation of the pole on the police station where they did an analysis and found it was not a viable solution for AT&T in the area even at various heights.

Chair Campbell understood that the monopole at the police station was not going to provide coverage and it probably was not what Verizon was using or he wouldn't have coverage. He was just wondering what they were using.

Tasha Stack stated that she didn't know what sites were talking to each other to provide the coverage.

Chair Campbell understood, adding that he was just trying to bear down. He stated that there have been other applications and they were trying to consolidate the number out there.

Tasha Stack agreed.

Commissioner Gordon stated that they weren't trying to do things to impact coverage as the goal is for great coverage, and they were stumped because Verizon was doing it with one pole. He felt the Commission's analysis was to look for less intrusive means and he felt Verizon was using less intrusive means to deliver a great signal. He thought they could use the same site and not spread into all the streets in Vallemar.

Tasha Stack stated that it was the alternative site analysis that they would have preferred as they get a greater footprint out of their 6-foot tall macro facilities and generally that's what they like. She stated that, if it was an existing facility, that was what they would like. She stated that it doesn't achieve the technical viability needed for the area, but since they are going on existing poles, they were not adding to the height of the poles and they were proposing smaller pieces of equipment so the view was not impacted.

Commissioner Gordon understood, stating that the problem was that they didn't have the data that AT&T had but know that it was happening. He stated that he had Verizon and was on a hill.

Tasha Stack stated that was what Brian was talking about, if you are on a hill.

Commissioner Gordon stated that Chair Campbell was on the flats.

Tasha Stack stated that was unexplainable to her.

Chair Campbell stated that they were just trying to explain or understand that. He stated that he wants AT&T service in the valley, adding that his dad has to climb a hill to get service.

Commissioner Gordon stated that there are people sitting in the middle of the street on their phones all the time outside of his house, so he agreed they were sensitive to the need for better coverage. He then asked if they could go back to the slide with percentages on it with RF analyses. He asked if they could take the AP percentage, which he assumed was AP-1.

Bill Hammett reiterated that he managed a company that dealt with RF exposure and noise in terms of the numbers and how they compare to the standard. He stated that the chart summarizes what the numbers are and the acoustic noise. He stated that the fourth column is maximum exposure at ground level, but it isn't as high at that level under the pole.

Commissioner Gordon asked what ground meant in terms of distance from the pole.

Bill Hammett stated that it is at any location, incorporating the slopes. They model the height, slope, etc., which is .60% and the standard is 100%.

Commissioner Gordon asked if meant the maximum permissible.

Bill Hammett responded affirmatively, clarifying that they were comparing it to the accepted standards by the FCC and legislated by Congress in 1996. He stated that local cities can only ask that they demonstrate compliance with that standard.

Commissioner Gordon concluded that the .60% is a percent of the maximum allowable.

Bill Hammett responded affirmatively, adding that it was more than 100 times below the limit.

Commissioner Gordon concluded that you could be at 98% and still be in compliance.

Bill Hammett responded affirmatively, adding that anything less than 100% is demonstrating compliance. He thought it was interesting to see how low they are in different locations.

Commissioner Gordon asked about the next column.

Bill Hammett stated that it was the maximum level at the nearby residents. They take all the measurements, etc., and then they do a second story projection from the nearest house, which is sometimes higher and sometimes lower.

Commissioner Gordon asked why a specific example on the chart was higher than the other.

Bill Hammett stated it was because the house was only 10 feet away. He stated that they did a followup and found it was less than 7.4% showed.

He asked if there could be a cumulative aspect with a house getting signals from three different cells.

Bill Hammett stated that some could have a line of sight to several, but distance was the deciding factor as the power level was reduced by the square of the distance, explaining how that works, and stated that the nearness to the residence was the determining factor.

Commissioner Gordon stated that, even if you add up all the figures, it only accounts for 20% even with the cumulative effect.

Bill Hammett agreed, stating that if you added them all up, they would still be less than 100%, but you don't add them up. They don't add up because they are spread out throughout the entire Vallemar area.

Commissioner Gordon acknowledged that this was the first time it was being rolled out in this format but he assumed other carriers might follow suit and want their own set up of what he thought was called a polygon.

Bill Hammett confirmed that it was called a polygon.

Commissioner Gordon thought that the cumulative effect of the system they were pursuing, while not AT&T's problem, could potentially get to a cumulative effect where the exposure could be concerning.

Bill Hammett thought it unlikely. He stated that, if he worked with a second carrier, he would have to do a cumulative study and, as Ms. Stack pointed out, they would probably have to go on a different pole, and it wouldn't be a cumulative impact. You would not get the same amount, but you might get some which would still add up to a small amount of the 100% allowable.

Commissioner Gordon concluded that the figures would not be just the new carrier coming in, but the cumulative effect from all potential sources.

Bill Hammett responded affirmatively.

Assoc. Planner Murdock clarified that in cases of colocation that do not come before the Commission, staff would request the same RF analysis as part of the building permit, and they would request a cumulative effect analysis. He added that, in all his years of reviewing these with multiple carriers in one site, they have never come near to approaching the maximum permissible emission. He has only seen in a rare situation where it came up to 85 or 90%, but he added that they were not leaving it to chance.

Bill Hammett added that it includes several conservative factors when he approves the project, and he knows that it will be less than some of these numbers.

Commissioner Cooper stated that he has a microcell and asked, if he is sitting next to the microcell and watching television, what the difference was between that microcell and one of these towers and if there was any relation.

Bill Hammett stated that there was. He expected the microcell in his home to be higher than the pole. He stated that the microcell, baby monitor, cordless phone all emit power and the proximity does come into play.

Chair Campbell opened the Public Hearing.

Ken Miles, Pacifica, stated that he lived in Vallemar on one of the hills, and he doesn't have any problem with service. He added that he would not want one of the poles near his window. He stated that he has dealt with this issue before, starting off with the Navy and nuclear power with reactors, then Lawrence Laboratory, then the FDA with radiological health products, totalling 35 years of experience. He didn't think the Commission had the qualification to make a decision, and thought they should study this issue as it was their duty to protect the citizens.

John Sillari, Pacifica, stated the he was pointing out the fact that in Section 7B of the use resolution, the second sentence figures were incorrect and should be reversed.

Norman Stoddard, Pacifica, stated that he lived in Vallemar and was looking forward to having this coverage in the back. He mentioned that his daughter has Verizon and gets coverage sometimes. He stated that his son had food allergies and needed an Epi pen at times and they would like coverage just for the times when walking in the area.

Colleen Williams, Pacifica, stated she was in agreement with Ken Miles in terms of the time needed to get up to speed on these issues. She felt, as responsible Commissioners and citizens, they needed to study what benefits AT&T but might seriously impact some of her neighbors. She stated that she has perfect reception from Verizon but she is not willing to pursue something of benefit to her that would seriously impact others. She stated that this was 24/7 emission and it was an experimental program. She felt we needed to seriously consider the impact. She also mentioned that while AT&T said it was not a serious impact, when she questioned them further, they admitted that the data was from 2006. She felt the Commission needed to study it further, talk with the city attorney and among themselves before deciding.

Mark Andrews, Pacifica, stated that he supported the project. He and his wife live in Vallemar with minimal service and his wife has her own business, uses her cell phone, and needs better service. He urged the Commission to approve the project.

Jimmie Stillman, Pacifica, stated that he felt this was the type of technology for the city to pursue as we have a unique topography. He stated that wireless was not a one size fits all. He felt this was about the least intrusive design. He learned that you cannot deny a project on health concerns as long as a proper study was carried out. He added that he enjoyed the beautiful corridors and scenic views throughout Pacifica. He stated that, without this new approach, AT&T would have to expand the tower on the police station and destroy our views with a massive tower. He felt this was the least intrusive design that was available and fills the gap. He felt they met their obligations. He stated that when he moved to Pacifica and was looking for a home to buy, he always checked to see if his phone worked in the home. He felt telecommunications has a big impact on the value of homes. He referred to the fact that 45% of homes have abandoned land lines and he thought it was only going to continue in that direction. He felt AT&T has done a good job and he asked that they encourage other carriers to follow this policy as well.

Chair Campbell closed the Public Hearing.

Chair Campbell asked staff, if they approve this tonight and AT&T has the ability to add the new installations on the existing poles, if that allows other carriers to put up antennas without coming before the Commission.

Assoc. Planner Murdock stated that the legal framework is spelled out by Congress and the FCC regulations and states that, when a facility has gotten approval, subsequent colocations may not be subjected to review by local government if they have not made any substantial changes in what was approved, giving examples such as the height being increased up to 10 feet without discretionary review, etc. However, if they proposed added ground mounted equipment which was a substantial change, that would require discretionary review by the Commission. He stated that the practical impact was that the present poles were already maxed out and the likelihood of colocation was small, but it would be legally possible without discretionary review.

Chair Campbell asked if the city could ask for that discretionary review or was that determined by the FCC.

Assoc. Planner Murdock stated that it was not something the city could change because it was defined by the FCC regulations, explaining that it was as a result of the carriers' perception of the cities creating delays and this expedited process allows the rapid deployment which is the intent.

Chair Campbell had no comment on the laws. He asked if there were some that had the possibility of going up 10 feet or out several feet.

Assoc. Planner Murdock stated that he didn't have that information but the applicant might be able to answer his question but there may be a possibility.

Chair Campbell stated that they were constrained in that they could not use health as a determining factor. He was looking at it as zoning and did know that, if there was a pole near a person's home and it had the ability to go up 10 feet, that would have an impact on their property

value. They might have good cell phone reception, but with something that looks bad outside their window. He thought some are stuck where they are but others might get burdened with colocation. He approved what staff did to get down the mass on the pole but he was concerned about the next carrier who did not cooperate and they start getting an unsightly thing in the neighborhood. He asked if there was any thought on the subject, as he was looking for a certain amount of certainty.

Assoc. Planner Murdock stated that there was an inherent uncertainty. There was some deviation from pole to pole and quadrant to quadrant, as well as from carrier to carrier as to what they would need to fill coverage and gaps. He stated that it was highly speculative to determine where future locations could occur. He had questioned how many colocations could occur and thought it was possible, although unlikely, that there would be many more places where it could occur. He thought an alternative was to have fewer numbers or one massive site in the middle of Vallemar. In terms of a concern about multiple colocations, he respected where the Commission was coming with those concerns and he wasn't sure how to provide a tradeoff. He thought it was possible to have a single site for all the neighborhood but it would be subject to height increases and colocation. He stated that staff struggled regarding tradeoffs, and he thought these were the least impactful and didn't have concern for expansion and future colocation to the extent they had the ability to control it.

Commissioner Evans referred to the statement that they didn't have much control over expansion of the existing site, but he asked if someone wanted to come in and put on a different pole that would start the process again and come under their review.

Assoc. Planner Murdock responded affirmatively, adding that every facility, to qualify that administrative only approval, had to receive one discretionary approval. Other poles do not have those approvals, and they would come before the Commission.

He asked if it was just like this process.

Assoc. Planner Murdock responded affirmatively.

Tasha Stack clarified that both PG&E and the JPA have the obligation to determine if any future additions on the pole are allowed based on their fulfillment of their regulations, because those are two additional thresholds of review.

Commissioner Gordon concluded that she was saying if another carrier's addition was going to interfere with power issues, those entities have the ability to say no.

Tasha Stack responded affirmatively.

Commissioner Gordon stated that Chair Campbell raised an interesting point. He thought, to the extent they approve this installation, they were potentially approving the ability for subsequent carriers to max out those quadrants.

Assoc. Planner Murdock stated that was correct in that the Commission could not prohibit wireless carriers from installing facilities in the right-of-way and were not allowed to act in a way to prohibit such installations in the right-of-way or private property. He stated that they can only prohibit it if it impacts the public from safe use of the right-of-way. Staff did not identify any of

those circumstances with any of these projects. He added that, if the Commission could see a way to make findings that a particular site is unsuitable, they were really only talking about shifting it from one pole to another or directing the applicant to install a new pole which was more visibly obtrusive. He thought it might be more suitable for greater height or colocations. He felt the Commission was in a difficult position in trying to think through the scenarios without violating any prohibitions that are in place.

Commissioner Gordon thought the issues raised were not health related but more about aesthetically related impacts.

Assoc. Planner Murdock agreed that they were but were speculatively related to situations not before them. He added that their decisions would have to be confined to what was before them for consideration. While the Commission might find them objectionable, staff did not. They also did not recommend changes to the facilities and felt that the small scale they reached with the applicant and painting a dark color to match the facility was a suitable alternative.

Commissioner Gordon felt they were stuck because they will be giving the green light for future installations. He stated that, while he was saying it was speculation and conjecture, by approving what was before them, they lose the ability to subsequently evaluate.

Chair Campbell didn't think it was correct that they couldn't look at what could potentially go on the poles even if they don't have another carrier coming before them. He also thought they could look at the cumulative impact of this decision on the poles. He wasn't saying it was a bad or a good thing, but he was struggling with a lack of information as to the worst case scenarios for the poles. He acknowledged that he was fortunate in that he didn't have one of these poles in front of his house but there were 12 people in the city that do. He wanted to understand the potential aesthetic impact of these poles. He asked if someone could tell them if these poles were maxed out. He didn't think anyone had explored that. He thought, if this was the only thing going on with the poles, it was a fairly minimal impact and he could see voting for it. If it was going to go up 10 feet, he had a hard time giving a blanket stamp of approval.

Commissioner Vaterlaus stated that she found these poles far more aesthetically pleasing than those like the one at the police station. She felt that the emissions from that larger pole would be far greater than these as they are much smaller and more spread out. She felt, with the safety concerns in Vallemar, that was a big issue, mentioning that with 45% of those without land lines, they needed their cell phone for safety issues.

Commissioner Evans reiterated that what was before them was very defined and he didn't think they could make a prediction of what might happen, but with these 7 inch antennas replacing the big poles, you could conclude that future technology will be even smaller. He felt that they were only talking about these ten poles, with any additional proposed poles requiring a review by the Commission. He also mentioned that they can't talk about health issues, since the federal government has stated that it is not an issue at this time and they can't vote for anything that is not in front of them.

Chair Campbell understood that but he mentioned that they sometimes have to look at foreseeable consequences of their decisions that are not happening now but could happen in the future and he felt that, according to CEQA requirements, they could look at the possibility of their decision triggering similar type activities.

Commissioner Evans reminded him that this was CEQA exempt.

Chair Campbell stated that it didn't matter. You can still go through the same process. It was exempt from a CEQA permit but still CEQA.

Commissioner Cooper stated that he was ready to make a motion. He felt they all made good points and had very good concerns, but was ready to make a motion if they were all done.

Commissioner Gordon referred to Chair Campbell's thinking that you are not constrained to look at only what was before you, but required to look at potential impacts. He felt the proposal was interesting, with having 12 little sites instead of one monopole at the Police Station, but he was puzzled because Verizon was providing great service with minimal impact. He understood that AT&T did not know the technology being used by Verizon.

Commissioner Cooper stated that they were using a different kind of technology and frequency.

Commissioner Gordon wondered why AT&T couldn't figure out a way to provide excellent coverage in a way that was not as intrusive to the neighborhood.

Chair Campbell stated that his concern wasn't about Verizon doing it with minimal impact because he didn't know where their towers were or whether they were causing significant impact somewhere else. He didn't have a big problem with it and could see voting for it, but he felt he didn't have a good description of the potential impact. He thought it would be nice if he had an example of a pole with the maximum amount of installations and 10 feet higher for a more informed decision, specifically the best case scenario and the worst case scenario. He felt the same way with developers, etc. where they show examples of potential impacts and he didn't have it now. He was not willing to just shrug his shoulders.

Commissioner Cooper moved that the Planning Commission find these projects exempt from the California Environmental Quality Act, in particular approving Use Permits, UP-54-15, UP-56-15, UP-57-15, UP-58-15, UP-59-15, UP-61-15, UP-62-15, UP-63-15, UP-64-15 and UP-65-15, by adopting the resolutions to each respected item with the modifications in size as discussed previously, including conditions of approval in Exhibit A of each resolution; and incorporate all maps and testimony in the record by reference; Commissioner Evans seconded the motion..

The motion carried **3-2**.

Ayes: Commissioners Cooper, Evans and Vaterlaus
Noes: Chair Campbell and Commissioner Gordon

Assoc. Planner Murdock asked that Chair Campbell read the disclaimer statement for both resolutions as he believed it wasn't made for the prior item.

Chair Campbell declared, for Item 1 and Item 2, that anyone aggrieved by the action of the Planning Commission has ten (10) calendar days to appeal the decision in writing to the City Council.

CONSIDERATION:

None.

COMMISSION COMMUNICATIONS:

Chair Campbell referred to the conditions of approval regarding Harmony at One mentioned previously.

Planning Director Wehrmeister stated that she planned to bring back information on drafting effective conditions of approval most likely at the second meeting in January.

Chair Campbell appreciated that, adding that he would like that specific condition of approval be brought before the Commission.

Commissioner Gordon stated that he also would like amending the condition of approval concerning the color of the asphalt. He stated that, since it is an ongoing project, he would like to know the status of implementing that condition.

Planning Director Wehrmeister stated that she would determine whether that was appropriate to bring back as an agenda item or write a memo to the Planning Commission communicating the status of that condition.

Commissioner Cooper thought it would be a report, not an actual agenda item.

Chair Campbell stated that he didn't want to discuss it too much.

Planning Director Wehrmeister understood that they wanted some information on that condition, and she would get them some information on it.

Chair Campbell suggested that they start off with a report.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that the next scheduled meeting was December 21, which was Christmas week. She stated that there were no items for that agenda and, given that it was Christmas week, thought it was a good idea to take a break and come back at the next regularly scheduled meeting in January.

Commissioner Cooper agreed with that.

Commissioners Evans and Campbell stated they would vote for that.

ADJOURNMENT:

There being no further business for discussion, Commissioner Vaterlaus moved to adjourn the meeting at 9:44 p.m.; Commissioner Cooper seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Vaterlaus, Evans, Gordon,
Cooper and Chair Campbell

Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister