

RESOLUTION NO. 2019-R _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CULVER CITY, CALIFORNIA ESTABLISHING DESIGN
AND DEVELOPMENT STANDARDS FOR WIRELESS
FACILITIES IN THE PUBLIC RIGHTS-OF-WAY,
PURSUANT TO CULVER CITY MUNICIPAL CODE SECT.
11.20.065.E.4.

WHEREAS, Culver City Municipal Code (CCMC) Sect. 11.20.065 contains
the rules regarding the placement of wireless facilities in the public rights-of-way; and

WHEREAS, pursuant to CCMC Sect. 11.20.065.E.4, the City Council may
establish standards applicable to wireless facilities to be placed in the public rights-of-way.

NOW, THEREFORE, the City Council of the City of Culver City, California,
DOES HEREBY RESOLVE as follows:

1. The City Council does hereby establish, pursuant to CCMC Sect.
11.20.065.E.4, the design and development standards contained in the attached
exhibit, Exhibit A.
2. The adoption of this resolution is not intended to abrogate the authority of the
Public Works Director/City Engineer, pursuant to CCMC Sect. 11.20.065.D, to
further develop and implement the design and development standards enacted
herein.

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1 APPROVED AND ADOPTED this _____ day of _____, 2019.

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4 MEGHAN SAHLI-WELLS, Mayor
5 City of Culver City, California

6 ATTEST:

7 APPROVED AS TO FORM:

8 _____
9 JEREMY GREEN, City Clerk

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11 _____
12 CAROL A. SCHWAB, City Attorney
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EXHIBIT A

DESIGN AND DEVELOPMENT STANDARDS FOR WIRELESS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY

The following Design and Development Standards are subject to change at any time. When preparing and submitting permit applications, applicants are responsible for ensuring that they refer to and use the most-current version of these standards, available on Culver City's website

Chapter 11.20.065.D.1 of the Culver City Municipal Code (CCMC) governs the permitting, installation, and regulation of personal wireless services facilities in the City's public rights-of-way (PROW). Chapter 11.20.065.D.1 also authorizes the Public Works Director/City Engineer to develop and publish standards governing the placement and modification of wireless facilities, including regulations governing collocation, resolution of conflicting applications for placement of wireless facilities, and creating acceptable design and development standards for wireless facilities located in the PROW that protect and preserve community aesthetics and zoning districts.

SECTION 1. DEFINITIONS. The definitions set forth in Chapter 11.20.065.B of the CCMC are incorporated herein by reference.

SECTION 2. DESIGN AND DEVELOPMENT STANDARDS. The following design and development standards shall apply to all wireless facilities in the PROW

A. Visual Criteria

1. Undergrounding of all wireless facilities, except for antennas (and antennas with radios that are manufactured together as one piece of equipment), and structures (e.g. poles, towers and conduit) needed to physically support or connect the antennas, is required in Underground Districts and strongly preferred everywhere else. Where above-ground facilities will be installed, utilization of equipment mounting base plates and equipment enclosures that are no wider than the existing pole, and therefore less likely to detract from views of scenic streetscapes, are preferred. Camouflaging and integrating above-ground wireless facilities by using non-reflective materials and colors that blend in with their surroundings is required. When placed above-ground, wireless equipment shall either be completely contained and concealed within the interior of an integrated streetlight, be contained within an above ground pedestal, or when technically feasible attached within a shroud at the top of an existing street light or utility pole in a manner where their protrusion is minimized. Above ground pedestal cabinets in the Transit Oriented Development District and Downtown District require photo- wrapping to camouflage them. New pole installations shall be substantially similar in type, height, color and texture as the other poles in the immediate area.

B. Location and Design

1. Traffic Signals: Attaching wireless facilities to City-owned traffic signal poles is permitted under the following conditions:
 - a. Installations on all traffic signal structures must not interfere with the integrity of the facility in any way that may compromise the safety of the public. The installation must not interfere with other existing uses on the pole such as traffic signals, traffic signs, traffic signal preemption devices, cameras, street light luminaries, hanging flower planters, flags, and/or banners. Installation of small cell facilities on any traffic signal structure shall
 - (a) not obstruct the safe operation of traffic control; and
 - (b) be encased in a separate conduit than the traffic signal electronics; and
 - (c) have an electric power connection, that is fully contained within the pole, that is separate from the traffic signal's electric power connection; and
 - (d) have a separate pull box from the traffic signal; and
 - (e) not interfere with driver or pedestrian sight lines for vehicles or pedestrians.
2. Undergrounding: Except for antennas, antennas and radios that are manufactured together as one piece of equipment, and structures (e.g. poles, towers and conduit) needed to physically support or connect the antennas, undergrounding of wireless facilities in Underground Districts is required.
3. Sharing: Sharing of equipment location by wireless infrastructure providers is preferred within underground vaults, in above-ground pedestal cabinets, integrated streetlights and within integrated Stand-Alone poles. However, to avoid excessive visual clutter, sharing is undesirable on utility-owned poles, except for utility-owned poles located in alleys.
4. Traffic Sign Posts: Attachments to stop sign or other traffic sign posts are prohibited. However, wireless infrastructure

providers may propose their removal and replacement with a Stand-Alone Pole pursuant to Section 2.B.5.d of these Design and Development Standards, provided that the new Stand- Alone Pole has the capability of attaching one or more traffic signs or banners to it.

5. Design/Styling Guidelines:

- a. Pedestal Cabinets: Pedestal Cabinets are prohibited in Underground Districts.

When wireless facilities cannot be placed underground or be integrated into a pole, the radios, meter, batteries, fiber optic cable connections and other equipment shall be contained within the smallest pedestal cabinet available that will accommodate the equipment. In the Transit Oriented Development District and in those City Business Improvement Districts that require it, pedestal cabinets will be camouflaged. This may be in the form of photo-wrapping or other method as established for each Business Improvement District by the City. In those Business Improvement Districts that require photo- wraps such as in Downtown, they shall use photographs of the adjacent physical surroundings to create photo-wraps that minimize the cabinets' visual impact in a manner consistent with Section A.1 of these Design and Development Standards. Below are examples of appropriately wrapped pedestal cabinets:



b. Utility-Owned Pole Mounts:

Antennas installed on utility-owned poles:

- (1) Antennas shall be attached to the very top of the pole unless the proposed facility is exempt from this requirement to top-mount the antenna pursuant to the provisions of Section 2.D (Exemptions).
- (2) Shall be contained within a shroud of the same color as the pole. When it is technically infeasible to shroud the antennas, they must simulate the same material and color as the existing utility pole and be stacked vertically.
- (3) Must use conduit, concealing all cables leading to the antenna, which is the same color as the pole their being attached to.
- (4) Antennas may also be strand-mounted, which is preferred in non-residential zones, residential backyard easements and in alleys.

Radios must either be:

- (1) Enclosed within a shroud that matches the color of the utility pole and be mounted at the very top of the utility pole in a manner that minimizes their protrusion; or,
- (2) Strand-mounted on aerial fiber optic cables, which are encouraged in non-residential zones, residential backyard easements and in alleys.
 - (a) When it is technically infeasible to shroud the radios, they must simulate the same material and color as the existing utility pole and be stacked vertically.

Below is an example of an acceptable antenna and radio enclosed within a shroud that is attached to the very top of the pole that matches its color:

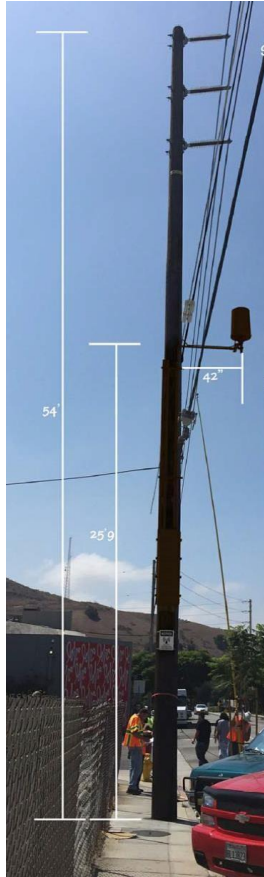


Below is an example of an acceptable radio and antenna strand-mounted on aerial fiber optic cable:



When an applicant can demonstrate that it is i) infeasible to attach their antenna and radio to the top of a utility pole; **and** ii) infeasible to strand mount, **and** iii) infeasible to attach to or replace a nearby streetlight, then the antenna and radio may be placed mid-pole on the utility pole.

Below is an example of an acceptable radio and antenna that are mounted mid-pole on a utility pole containing electric transmission lines:



c. City-owned streetlights: Radios and antennas may be attached to a City streetlight under the following conditions:

- (1) All equipment shall be attached to the very top of the pole.
- (2) All cables, radios and antennas shall be contained within a shroud where technically feasible that simulates the same material and color as the existing pole.
 - (a) When it is technically infeasible to shroud the radio and/or antenna, they must simulate the same material and color as the existing streetlight pole and be stacked vertically.

Examples of acceptable cable, radio and antenna installations contained within a shroud that simulate the material and color of the existing streetlight are depicted below:



- d. Subject to City's approval and execution of a separate agreement, wireless infrastructure providers may remove existing City-owned streetlights and replace them with integrated streetlight poles that contain all of the wireless infrastructure provider's equipment concealed within their interior, so long as the replacement streetlight and pole is substantially similar in type, taper, height, color and texture to the City streetlight being replaced.

Samples of Acceptable Integrated Streetlight Replacement Poles

Though other integrated streetlights may be acceptable to the City, following are samples of facilities which the City finds to be acceptable.

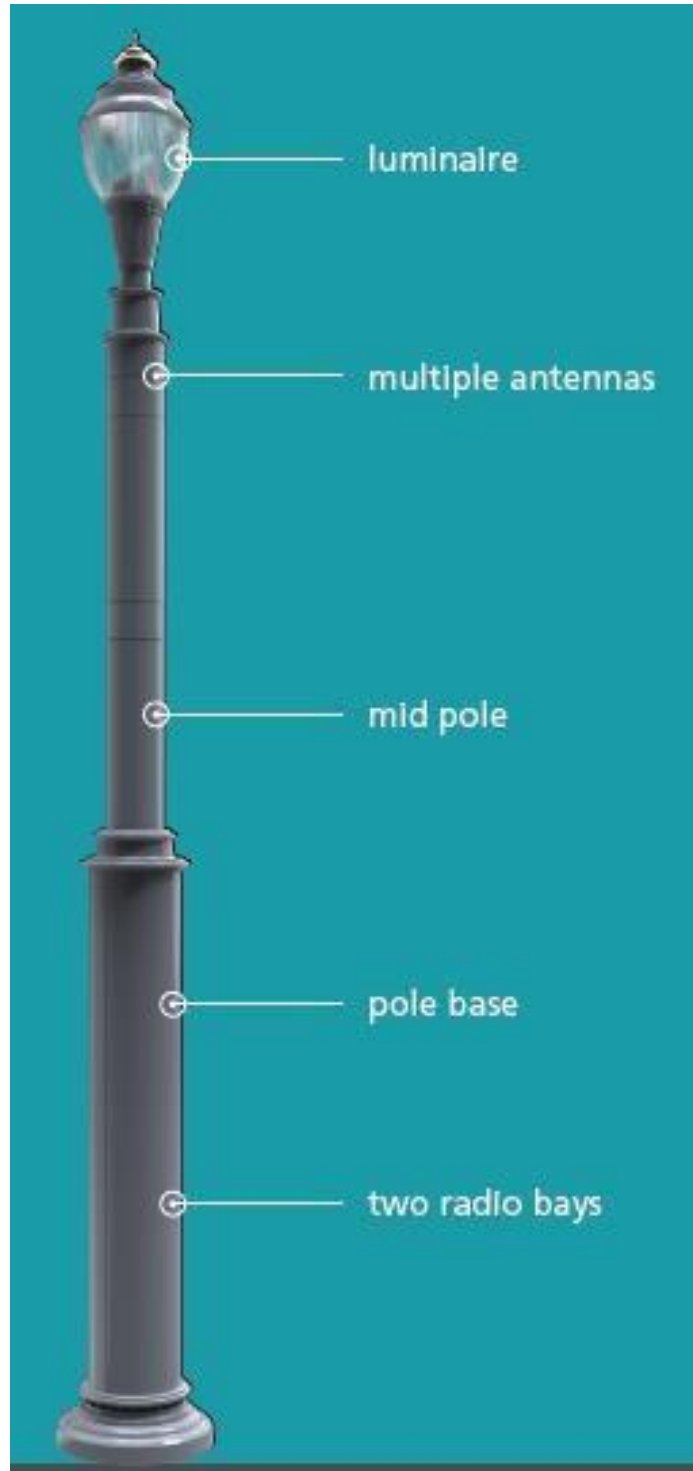
Cobra Head: An example of an acceptable cobra head Integrated Streetlight Replacement Pole is the Smart Fusion Line manufactured by American Tower, depicted below:



Davit Streetlight: An example of an acceptable Davit Integrated Streetlight Replacement Pole is the one manufactured by Conceal Fab, depicted below:



Single Acorn: An example of an acceptable single acorn Integrated Streetlight Replacement Pole is the Smart Fusion Line manufactured by American Tower, depicted below:



Double Acorn: An example of an acceptable double acorn Integrated Streetlight Replacement Pole is the Concealment Pole Line manufactured by Conceal Fab, depicted below:



(The photograph above is intended to depict the whole pole from top to bottom however, it includes a single acorn luminaire instead of double.)

- e. New Stand-Alone Poles: A Stand-Alone Pole is one that is owned and maintained by the Wireless Infrastructure Provider and does not contain any City-owned facilities within or upon them. Pursuant to CCMC Section 11.20.065.D.k all applications proposing the installation of a Stand-Alone Pole may be referred to the City Council for review and decision, which review is triggered when the Public Works Director / City Engineer determines that the Wireless Infrastructure Provider has failed to adequately demonstrate that all other options are technically infeasible to implement. Stand-Alone Poles must contain all of the wireless infrastructure provider's equipment concealed within their interior and be substantially similar in type, height, color and texture as the other poles located in the immediate area. Any of the integrated streetlight poles identified in Section 2.B.5.d of these Design Standards are available from their manufacturers without their luminaires and may be proposed for use as Stand-Alone Poles. Stand-Alone Poles are not required to be equipped with a luminaire. Provided the Wireless Infrastructure Provider agrees to permit the City to do so at no cost to the City, the City may affix traffic, parking, directional or other non-electrified signs upon Stand Alone Poles, provided doing so does not interfere with their operation.

C. **General Requirements**

1. Conflicting Applications: Where applications to install wireless facilities conflict, colocation is encouraged. If colocation is not feasible, the site will be made available to the first applicant.
2. Permitting: An application must be submitted to obtain an Encroachment Permit to install any wireless facility in the PROW pursuant to Chapter 11.20.065.F of the CCMC.
3. Conditions of Approval: All the conditions of approval adopted by Resolution of the City Council pursuant to Chapter 11.20.065.H.1 of the CCMC are incorporated herein by reference.
4. Generators: Electric generators that support wireless facilities are prohibited in the PROW.

5. Electric Service: Above ground electric meter facilities are prohibited in Southern California Edison (SCE) territory. Wireless Infrastructure Providers shall execute a contract with SCE for service under their Wireless Technology Rate (WTR) Schedule. WTR equipment shall be installed below grade. To minimize the amount of above-ground equipment placed in the PROW, installation of electric meters is discouraged in Los Angeles Department of Water and Power (LADWP) territory. When necessary, the City will provide applicants a letter to submit to the LADWP stating that in every case, above-ground meter pedestals are visually intrusive, constrain the space, and are summarily rejected. However, where flat rate service is not offered in LADWP service areas and meters are required, use of the smallest available meter equipment, including smart meters, is desired. A smart meter is a meter that may be read wirelessly, allowing it to be placed at a higher location on the pole. If contained within an above-ground pedestal cabinet, the meter equipment placement shall conform to the requirements contained in Section 2.B.5.a of these Design and Development Standards.
6. Security: Installation designs shall prevent creating an attractive nuisance and shall deter incidents of graffiti, vandalism and unauthorized access such as climbing.
7. Safety: Wireless facilities cannot endanger public/property, impede the flow of vehicle or pedestrian traffic, obstruct clear sight lines for vehicle or non-vehicular traffic, impair the use of poles, traffic signs, traffic signals, outdoor dining areas, emergency facilities or result in a failure to comply with the Americans with Disabilities Act.
8. Signs: Except for signs or decals containing safety warnings, indicating ownership of equipment or required by federal, state or local law, installation of signs, including but not limited to advertising signs, is prohibited.
9. Landscaping: Wireless infrastructure providers are required to replace, in a manner consistent with surrounding landscaping or vegetation, any existing landscaping that is adversely impacted by installation of the providers' wireless facilities.
10. Modifications: Modifications to existing wireless facilities such as equipment replacements and collocations cannot have the effect of defeating the camouflaging and aesthetic objectives of the existing installation.

11. Noise: Operation of wireless facilities shall not create a nuisance as defined by Chapter 9.04 of the CCMC and shall comply with all noise regulations established in Chapter 9.07 of the CCMC.
12. Lighting:
 - a. No facility may be illuminated unless specifically required by the Federal Aviation Administration (FAA) or other government agency. Beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency.
 - b. Legally-required lightning arresters and beacons shall be included when calculating the height of facilities.
 - c. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhood.
 - d. Unless otherwise required under FAA or FCC regulations, applicants may install only timed or motion-sensitive light controllers and must deflect lights so as to avoid illumination impacts to adjacent properties to the maximum extent feasible. The City may, in its discretion, exempt an applicant from the foregoing requirement when the applicant demonstrates a substantial public safety need.

D. Exemptions:

The only exemptions to these design and development standards will occur:

- 1) If a wireless infrastructure provider demonstrates that adherence to these standards is technically infeasible or would violate General Order No. 95 of the California Public Utilities Commission or some other pole owner requirement; or
- 2) If a wireless infrastructure provider establishes that a denial of its application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services or otherwise violate applicable laws or regulations; provided, however, that these standards are then waived only to the minimum extent required to avoid the involved prohibition or violation.