

CITY OF HERMOSA BEACH
RESOLUTION NO. 26-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP25-04) TO CONSTRUCT AND OPERATE AN UNMANNED WIRELESS TELECOMMUNICATIONS FACILITY (VERIZON WIRELESS) ON THE ROOF OF AN EXISTING BUILDING AT 725 5TH STREET, AND DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15303, CLASS 3 OF THE CEQA GUIDELINES.

The Planning Commission of the City of Hermosa Beach does hereby resolve, and order as follows:

WHEREAS, on April 1, 2025, the applicant, Verizon Wireless, filed an application for a Conditional Use Permit (CUP 25-04) for the construction and operation of an unmanned wireless telecommunications facility (WTF) building (the "Project") located at 725 5th Street (the "site"). The project proposes to construct a 588.5-square-foot enclosed WTF on the roof of the existing commercial building with 3 sectors with 3 panel antennas per sector, six (6) radios, two (2) raycaps, and three (3) equipment cabinets; and

WHEREAS, the City has established minimum conditions and standards which apply to WTF pursuant to Section 17.040.170 of the Hermosa Beach Municipal Code ("HBMC"), in addition to any other deemed necessary or appropriate to ensure compatibility with existing or future uses in the vicinity, which may be required. WTF applications are subject to review by the Planning Commission; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing to consider the subject application on March 17, 2026, at which time testimony and evidence, both written and oral, was presented to and considered by the Planning Commission; and

WHEREAS, the proposed project is Categorically Exempt from the California Environmental Quality Act as defined in section 15303, Class 3, New Construction or Conversion of Small Structures. Class 3 exemptions include the installation of small new equipment and facilities, such as the proposed wireless antennas. Section 15300.2 of the CEQA Guidelines list the exceptions to the exemption and these exceptions to the exemptions define circumstances that override or negate the City's ability to use a categorical exemption. Specifically, these exceptions to the exemptions are:

- The project is located in a sensitive environment such that the project may impact an officially mapped and designated environmental resource of hazardous or critical concern;

- The cumulative effect of successive projects of the same type in the same place, over time, is significant;
- The project may have a significant environmental impact due to unusual circumstances;
- The project may damage scenic resources (i.e. trees, historic buildings, or rock outcroppings) within an official state scenic highway;
- The project is located on a listed hazardous waste site;

None of the exceptions to the Categorical Exemptions apply. The project is not located in particularly sensitive environment, nor will the location of the project impact an environmental resource of hazardous or critical concern. The project will not result in a significant cumulative impact of successive projects of the same type in the same place over time or have a significant effect on the environment due to unusual circumstances or damage a scenic highway or scenic resources within a state scenic highway. The site is not located on a hazardous waste site and will not cause a substantial adverse change in the significance of a historical resource. The existing home is not a significant landmark in the City nor is it considered a potential historic resource.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Based on the testimony and evidence received, the Planning Commission hereby further makes the following findings pursuant to Section 17.40.170(B) of the HBMC substantiating that the proposed the facility will be compatible with existing and future uses in the vicinity and not be materially detrimental to property or improvements in the vicinity and zone:

- 1. The facility shall not bear any signs or advertising devices other than certification, public safety, warning, or other required seals or required signage.**

The facility would not bear signs or private advertising devices other than for public safety purposes.

- 2. Any and all accessory equipment, or other equipment associated with the operation of the facility, including but not limited to transmission cables, shall be located within a building, enclosure, or underground vault in a manner that complies with the development standards of the zoning district in which such equipment is located. In addition, if equipment is located above ground, it shall be visually compatible with the surrounding buildings and either (1) shrouded by sufficient landscaping to screen the equipment from view, or (2) designed to match the architecture of adjacent buildings. If no recent and/or reasonable architectural theme is present, the Planning Commission may require a particular design that is deemed by the Commission to be suitable to the subject location;**

The wireless facility proposes to draw power from an existing Southern California Edison utility pole, undergrounding the fiber conduit at the street level, then running the conduit up the building within a rigid conduit painted to match the building and along the roof to the proposed enclosure. All additional support equipment would be located within the proposed enclosure behind the existing parapet wall.

3. The facility exterior shall be comprised of non-reflective material(s) and painted or camouflaged to blend with surrounding materials and colors; and

The screening enclosure for the proposed wireless communication facility would be painted and textured to match the existing building.

4. Any screening used in connection with a wall mounted and/or roof mounted facility shall be compatible with the architecture, color, texture and materials of the building or other structure to which it is mounted; and

The existing building is a split-face concrete block building, and the proposed enclosure is designed to blend in with the existing building by matching the exterior building materials (texture and paint color).

5. The facility shall be placed to the centermost location of the roof top to screen it from view from the street and adjacent properties.

The facility would be placed to the northwest corner of the roof top for the signal to propagate and the proposed antennas would be screened. The facility would be located close to the center of the building at the elbow of the L-shaped building and setback ten feet from the property line. The proposal results in a design that is architecturally compatible with the existing building. Alternative placement of the WTF could result in less aesthetically compatible architectural blend.

6. The facility shall not be permitted on residentially zoned property.

The facility is not located on a residentially zoned property. The project is located in the Specific Plan Area 7 Zone (SPA-7) and is within the Housing Element Overlay Zone. Although the zoning permits residential uses, the property has a base zoning of Service Commercial (SC).

7. The facility shall not include the use or installation of a monopole.

The facility does not involve the installation of a monopole. The proposed WTF consists of a roof mounted installation located within an enclosure.

SECTION 2. Based on the testimony and evidence received, the Planning Commission hereby further makes the following findings pursuant to Section 17.56.050 of the HBMC:

A. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the Hermosa Beach Municipal Code.

The proposed project is for the construction and operation of an unmanned WTF building located at 725 5th Street. The project proposes to construct a 588.5-square-foot enclosed WTF on the roof of the existing commercial building with 3 sectors with 3 panel antennas per sector, six (6) radios, two (2) raycaps, and three (3) equipment cabinets in SPA-7. HBMC Section 17.38.300 Plan Area No. 7 permitted uses subsection A states, "Commercial permitted uses shall be the same as those permitted in C-3 General Commercial Zone as contained in Section 17.26.040, and nonconforming uses shall be subject to the provisions of Chapter 17.52." HBMC Section 17.26.030 C-1, C-2, and C-3 land use regulations require a conditional use permit for wireless communications facilities in the C-3 (and C-1 and C-2) zones. HBMC Section 17.40.170 contains the City's primary regulations for the siting of wireless

telecommunications facilities outside of the public right-of-way and regulates conditions and standards that apply to the siting of a facility. The proposed use complies with all applicable provisions of the HBMC.

B. The proposed use is consistent with the General Plan and any applicable specific plan.

The proposed project is consistent with the following Goals and Policies of the General Plan:

Infrastructure Element

Goal 1. Infrastructure systems are functional, safe, and well maintained.

Policies:

- **1.1 Infrastructure systems plan.** Establish and adopt an integrated, holistic systems approach to guide infrastructure development, improvement, maintenance, and resilience.
- **1.5 New technologies.** When feasible, utilize emerging technologies and funding strategies that improve infrastructure efficiency, sustainability, and resiliency.
- **1.6 Utility Infrastructure Siting.** Ensure new infrastructure is sited in a manner to minimize negative impacts to the community and prioritize projects to address the greatest deficiencies.
- **1.7 Aesthetic and urban form.** Require infrastructure and infrastructure improvements that are aesthetically pleasing and consistent with the scenic character of the surrounding area.

Goal 7. A reliable and efficient telecommunications network available to every resident, business, and institution.

Policies:

- **7.1 Accommodate future technologies.** Encourage telecommunications providers and building developments to size infrastructure and facilities to accommodate future expansion and changes in the need for technology.
- **7.2 Appropriate siting of telecommunications infrastructure.** Design and site all facilities to minimize their visibility, prevent visual clutter, and reduce conflicts with surrounding land uses while recognizing that the entire community can have access to communication infrastructure.
- **7.5 Access for all.** Encourage the installation and availability of facilities that provide free telecommunication access at key activity and business centers throughout the community.

C. The proposed use will not be averse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements.

Local authority to approve or deny a WTF application by any state or local government is subject to limitations established by federal law. Therefore, in addition to the City's local regulatory process for approval of a WTF, the Federal Telecommunications Act of 1996 ("Telecom Act") requires that any decision to deny a request to place, construct, or modify a WTF must be supported by substantial evidence contained in written record (47 U.S.C. 332(c)(7)). Also under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of radio frequency ("RF") emissions (including health effects) of the

proposed facility if the WTF will operate in compliance with federal regulations. The applicant submitted a Radio Frequency Emissions Compliance Report to demonstrate compliance with federal law. Additionally, Condition of Approval 9 requires the applicant to modify or remove its wireless facility or obtain adjacent property owner consent to mitigation measures on the adjacent property if required to maintain compliance with any laws applicable to human exposure to RF emissions. The proposed use will not be adverse to the public health, safety, or general welfare, nor be detrimental to surrounding properties or improvements.

D. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses and circulation in the vicinity.

The design, location, size, and operating characteristics of the proposed WTF is compatible with the existing and reasonably foreseeable future land uses and circulation in the vicinity. The 588.5 square foot WTF is located on the roof of an existing commercial building and within an enclosure painted and textured to match the existing building.

E. The site is physically suitable for the type of the use being proposed, including access, utilities, and the absence of physical constraints.

The project site is physically suitable for the type of use being proposed. The project site is developed with an existing commercial building and the WTF will be setback ten from the property line. Utilities will be supplied underground from an adjacent power pole and from a meter on site.

SECTION 3. Based on the testimony and evidence received, the Planning Commission hereby further finds, determines, and declares the following factual findings:

1. The applicant proposes to install three (3) sectors with three (3) panel antennas per sector, six (6) radios, two (2) raycaps, and three (3) equipment cabinets and related equipment concealed in a screened structure located in a 588.5 square foot lease area on the roof of the existing building.
2. The facility is located on the north side of 5th Street, one block from Pacific Coast Highway on an existing multi-tenant commercial building at 725 5th Street. The closest residential uses are located immediately to the south and west of the multi-tenant commercial building. General commercial uses are located to the north and east of the subject site.
3. The applicant has furnished required materials per Section 17.40.170(A), explained site selection, service area, nature of proposed facilities, provided letter for willingness to allow for future co-location, and Radio Frequency Radiation evaluation report dated February 20, 2026 demonstrating the facility meets FCC regulations and standards for construction.

SECTION 4. Based on the foregoing, the Planning Commission **hereby approves** the subject Conditional Use Permit (CUP25-02) for the project located at 725 5th Street as set forth in Planning Commission Resolution 26-XX, subject to the following Conditions of Approval:

1. The details of the project application and supplemental materials, including all safety measures as contained in the Radio Frequency Emissions Compliance Report for Wireless by Waterford dated 02/20/26 are incorporated as Conditions of Approval unless modified herein. Any changes to, or relocation of, antennas or other equipment associated with the wireless telecommunications facility shall be reviewed and approved by the Planning Commission. Antenna upgrade, repair and replacement with devices of equivalent or lesser number, dimensions, height in the same locations, may be considered to be routine maintenance or minor, provided visual impacts are not increased, and may be reviewed and approved by the Community Development Director.
2. The 588.5 square foot roof top screening structure contains three (3) sectors with three (3) panel antennas per sector, six (6) radios, two (2) raycaps and three (3) equipment cabinets shall be fully concealed within the screened structure located on the roof of the existing building. The exterior of all screening walls shall be comprised of non-reflective material(s) and painted and textured to match the existing building.
3. All conduits and cables shall be screened from view or painted and textured to match the existing building.
4. This approval applies to the proposed wireless telecommunications facility only. Any other wireless telecommunications facility companies or affiliates must obtain separate Conditional Use Permit approval for co-location of additional wireless telecommunications facilities.
5. A Radio Frequency (RF) Environmental Evaluation Report shall be prepared by the applicant and submitted to the Community Development Director substantiating that the proposed wireless telecommunications facility meets FCC regulations and standards for construction, maintenance and operations within ten (10) days after installation of the facility and before the Building permit is finalized.
6. No exterior lighting, signs, logos or other commercially identifying graphics shall be installed on the wireless communication facility (excluding those required by law) in connection with the equipment enclosure use.
7. The installation and operation of the facility shall comply with all applicable requirements of the Building and Fire Department requirements, and applicable building, zoning, and electrical code regulations and requirements of the Municipal Code, and all State and Federal requirements. To the extent applicable, every such device shall be adequately grounded for protection against a direct strike of lightning.
8. Future removal of the wireless communication facilities shall comply with the following:
 - a. The applicant shall provide notification to the Community Development Director upon cessation of operations on the site. The applicant shall remove all obsolete or unused facilities from the site within six (6) months of termination of its lease, cessation of operations, or expiration of its permit, subject to the determination of the director of community development. Should the owner fail to effect such removal, the property owner shall be responsible for the removal of the equipment.

- b. A new permit shall be required if the site is to be used again for the same purpose as permitted under the original permit, if a consecutive period of six (6) months has lapsed since cessation of operations.
 - c. Any FCC licensed wireless communications carrier that is buying, leasing, or considering a transfer of ownership of an already approved facility shall submit a letter of notification of intent to the community development director.
9. Compliance with Applicable Laws/RF Emissions Exposure Limits. The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("Laws") applicable to the permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, including any Laws applicable to human exposure to RF emissions. This permit is not granting the permittee any rights to make any portion of the adjacent properties inaccessible to the general public or to hinder future lawful development of adjacent properties as a mitigation measure to ensure the wireless facility will comply with Laws applicable to human exposure to RF emissions, absent agreement from the adjacent land owner. The permittee understands that if site conditions change in the future due to lawful development on adjacent property, the permittee may need to modify or remove its wireless facility or obtain adjacent property owner consent to mitigation measures on the adjacent property if required to maintain compliance with any Laws applicable to human exposure to RF emissions. If the Community Development Director finds good cause to believe that the wireless facility is not in compliance with any Laws applicable to human exposure to RF emissions, the Director may require the permittee to submit a written report, signed by an RF engineer under penalty of perjury, that: (1) the installation is operated in compliance with 47 U.S.C. § 324 (use of minimum power); and (2) the installation complies with all applicable FCC rules and regulations for human exposure to RF emissions and will not cause members of the general public to be exposed to RF levels that exceed the maximum permission exposure levels deemed safe by the FCC. The applicant shall submit the requested written RF report within sixty calendar days of notification in writing by the Director. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all Laws.
10. If a review of this Conditional Use Permit occurs, the Planning Commission may amend the above conditions and/or impose any new conditions deemed necessary to mitigate detrimental impacts on the environment or neighborhood arising from use of the premise.
11. Approval of this permit shall expire twenty-four (24) months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby has commenced. One or more extensions of time may be requested. No extension shall be considered unless requested, in writing to the Community Development Director including the reason therefore, at least 60 days prior to the expiration date. No additional notice of expiration will be provided.

General Conditions

1. The development and continued use of the property shall be in conformance with submitted plans received and reviewed by the Planning Commission at its meeting of March 17, 2026, in accordance with the conditions below. The Community Development Director may approve minor modifications that do not otherwise conflict with the HBMC or requirements of this approval.
2. The project shall fully comply with all requirements of the Specific Plan Area 7 (SPA-7) Zone as applicable of the Municipal Code, including but not limited to:
 - a. Height, including all required roof-mounted equipment, shall fully comply with the 35-foot height limit. Precise building height compliance shall be reviewed at the time of the building plan review, to the satisfaction of the Community Development Director.
 - b. Architectural treatments and accessory facilities shall be as shown on building elevations, site, and floor plans.
3. The project shall comply with all requirements of the City of Hermosa Beach Building Division, Public Works Department, Los Angeles County Fire Department, and the HBMC.
4. This approval shall not be effective for any purposes until the permittee, Verizon Wireless, and the owners of the property involved have filed at the office of the Planning Division of the Community Development Department signed affidavits stating that they are aware of, and agree to accept, all the conditions of this grant. The Conditional Use Permit shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.
5. The Planning Commission may review this Conditional Use Permit and may amend the subject conditions or impose any new conditions deemed necessary to mitigate detrimental effects on the surrounding neighborhood.
6. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this permit and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
7. To the extent permitted by law, permittee shall defend, indemnify and hold harmless the City of Hermosa Beach, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by any party against the indemnified parties to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney's fees and costs in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought

against the City because of this permit. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

8. Each of the above conditions is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

Planning

9. All Conditions of Approval shall be printed verbatim on all plans submitted for plan review to the Community Development Department. These conditions shall be indexed on the cover sheet and referenced on the site plan.
10. All devices associated with the project shall meet all manufacturer's specifications, and all antennas and screens shall be fire-resistive and of corrosive resistant material, and shall be erected in a secure, wind resistant manner. They shall also be maintained in good condition.
11. Every such device shall be adequately grounded for protection against a direct strike of lightning.
12. Construction projects within the city shall demonstrate compliance with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering, or other appropriate

means to prevent spillage and dust.

- All dirt/soil materials transported off-site shall be required to cover their loads as required by California Vehicle Code Section 23114 to prevent excessive amount of dust.

- General contractors shall maintain and operate construction equipment to minimize exhaust emissions.

- Trucks having no current hauling activity shall not idle but shall be turned off.

13. In accordance with Section 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to 5 minutes at any location.

14. The project shall comply with South Coast Air Quality Management District Rule 1113, limiting the volatile organic compound content of architectural coatings.

15. Construction projects within the city shall install odor-reducing equipment in accordance with South Coast Air Quality Management District Rule 1138.

16. Project applicants shall identify all measures to reduce air pollutant emissions below SCAQMD thresholds prior to the issuance of building permits. Should attainment of SCAQMD thresholds be determined to be infeasible, construction contractors shall provide evidence of this to the City and will be encouraged to apply for SCAQMD SOON funds.

17. As a standard condition of approval for future development projects implemented under PLAN Hermosa that involve ground disturbance or excavation:

- For any project where earthmoving or ground disturbance activities are proposed at depths that encounter older Quaternary terrace deposits, a qualified paleontologist shall be present during excavation or earthmoving activities.

If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.

18. Pedestrian and adjacent property protection plans will be required for review and approval.

Public Works

The following conditions of approval shall be satisfied, subject to the satisfaction of the Public Works Director or designee.

19. No new walls or foundation footings will be allowed to be constructed on or over the public right-of-way.
20. A Residential Encroachment Permit is required for non-conforming structures located over or within the public right-of-way.
21. If public improvements are required, the following items (Items 3-8) must be completed. Prior to the issuance of a Building Permit, an approved set of civil engineering plans, prepared by a licensed civil engineer and approved by Public Works, must be submitted to the Community Development Department. These plans must address grading, undergrounding of all utilities, pavement, sidewalk, curb and gutter improvements, on-site and off-site drainage (no sheet flow permitted), installation of utility laterals, and all other necessary improvements to comply with the Municipal Code and Public Works specifications.
22. Civil engineering plans must include adjacent properties/structures, sewer laterals, and storm drain main lines on the street.
23. Project construction must protect both private and public property in compliance with Sections 15.04.070 and 15.04.140. No work within the public right-of-way shall commence unless all necessary permits are obtained from the Public Works Department, including, if applicable, an approved Residential or Commercial Encroachment Permit.
24. Sewer manhole rim/lid elevations must be submitted prior to grading and plan check.
25. A sewer lateral video must be submitted with the plan check submittal if the developer plans to use the existing sewer lateral. Sewer lateral work may be required following the review of the sewer lateral video.
26. The project must comply with Storm Water and Urban Runoff Pollution Control Regulations (HBMC Ch. 8.44). Required Low Impact Development (LID) Standards must be implemented, and necessary calculations and documentation (e.g., Appendix D and E of the Storm Water LID Guidelines) must be submitted at the time of grading and plan check, along with an erosion control plan.

SECTION 5. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after exhaustion of any available administrative remedies, must be made within 90 days after the final decision by the City Council. The Hermosa Beach City Council may on its own initiative review all actions of the Planning Commission. If the City Council does not initiate review of this decision as set forth in Hermosa Beach Municipal Code Section 2.52.040, this decision will become final.

PASSED, APPROVED, and ADOPTED on the 17th day of March, 2026.

VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

CERTIFICATION

I hereby certify the foregoing Resolution PC 26-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at its regular meeting of March 17, 2026.

Stephen Izant, Chair

Alison Becker, Secretary

Date