



# City of Escondido Zoning Administrator

## MEETING AGENDA

201 North Broadway  
City Council Chambers  
**May 26, 2020**  
**8:00 p.m.**  
**(Estimated start time)**

Pursuant to Governor Newsom's Executive Orders, including N-25-20 and N-29-20: Certain Brown Act requirements for the holding of a public meeting have been temporarily suspended and members of the Zoning Administrator and staff will participate in this meeting via teleconference. In the interest of reducing the spread of COVID-19, members of the public are encouraged to submit their agenda and non-agenda comments online at the following link <https://www.escondido.org/public-comment-form.aspx>. Council Chambers will be closed, no public allowed.

Public Comment: To submit comments in writing, please do so at the following link: <https://www.escondido.org/public-comment-form.aspx>. If you would like to have the comment read out loud at the meeting (not to exceed three minutes), please write "Read Out Loud" in the subject line. All comments received from the public will be made a part of the record of the meeting. The meeting will be available for viewing via public television on Cox Communications Channel 19 (Escondido only). The meeting will also be live streamed online at the following link: <https://www.escondido.org/> and click on the graphic showing "live stream - meeting in progress".

A. Call to Order:

B. Agenda items:

**1. MINOR CONDITIONAL USE PERMIT - Case Nos PHG 20-0003, PHG 20-0005, PHG 20-0008, PHG 20-0015, PHG 20-0017, PHG 20-0022 and PHG 20-0024:**

A Minor Conditional Use Permit to install and operate seven (7) AT&T small wireless facilities (referred to as nodes) in the public right-of-way. The proposed nodes involve the replacement of existing concrete street light poles. All proposed node installations are designed to accommodate one canister-type antenna mounted on the top of the pole, and four (4) radio units mounted vertically onto the side of the pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handholes). The light fixtures would be upgraded to an LED fixture. Trenching and boring is required to extend power and telecommunication lines to the new facilities. The proposal also includes the adoption of the environmental determination prepared for the project.

Location: Seven (7) locations within the public right-of-way, generally located along Timken Circle, E. Grand Avenue, S. Broadway, Willow Tree Lane, Oak Forest Place, Crane Avenue, and Howard Avenue.  
Applicant: Timothy J. Groves, Black and Veatch (AT&T carrier)  
Planner: Darren Parker

**2. MINOR CONDITIONAL USE PERMIT – PHG 19-0061, PHG 19-0062, & PHG 19-0063:**

A Minor Conditional Use Permit to install and operate three (3) Crown Castle (T-Mobile carrier) small wireless facilities (referred to as nodes) in the public right-of-way. The proposed nodes involve mounting two (2) integrated radio/antennas within a concealment shroud (approximately 6 inches in depth x 10.22 inches wide x 24 inches tall) onto the side of an existing 27-foot high concrete street light pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handhole). The light fixture would be upgraded to an LED fixture. Trenching or boring is required to extend power and telecommunication lines underground to the new facility. The proposal also includes the adoption of the environmental determination prepared for the project.

Location: Three (3) locations within the public right-of-way, generally located along N. Hickory Street and Oak Hill Drive  
Applicant: Crown Castle (T-Mobile carrier)  
Planner: Jay Paul

**3. MINOR CONDITIONAL USE PERMIT – PHG 19-0046:**

A Minor Conditional Use Permit to install a drive-thru window at an existing 1,181 square foot restaurant. The project would include a 75 square foot addition to the building, along with necessary modifications to the exiting parking lot to accommodate a drive-thru lane, menu boards, a trash enclosure and landscaping. Additionally, the Minor Conditional Use Permit would allow a 20 percent reduction in the amount of required parking.

Location: On the southeast corner of East Valley Parkway and South Elm Street, addressed as 805 E. Valley Parkway (APN 230-222-07-00)  
Applicant: Yvonne Holdings, LLC  
Planner: Paul Bingham

**C. Adjournment:**

## **ZONING ADMINISTRATOR**

- CASE NUMBER:** PHG 20-0003, PHG 20-0005, PHG 20-0008, PHG 20-0015, PHG 20-0017, PHG 20-0022 & PHG 20-0024
- APPLICANT:** Timothy J. Groves, Black and Veatch (AT&T carrier)
- PROJECT LOCATION:** Seven (7) locations within the public right-of-way, generally located along Timken Circle, E. Grand Avenue, S. Broadway, Willow Tree Lane, Oak Forest Place, Crane Avenue, and Howard Avenue.
- REQUEST:** A Minor Conditional Use Permit to install and operate seven (7) AT&T small wireless facilities (referred to as nodes) in the public right-of-way. The proposed nodes involve the replacement of existing concrete street light poles. All proposed node installations are designed to accommodate one canister-type antenna mounted on the top of the pole, and four (4) radio units mounted vertically onto the side of the pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handholes). The light fixtures would be upgraded to an LED fixture. Trenching and boring is required to extend power and telecommunication lines to the new facilities. The proposal also includes the adoption of the environmental determination prepared for the project.
- STAFF RECOMMENDATION:** Approve, subject to conditions
- GENERAL PLAN DESIGNATION:** N/A, Public Right-of Way
- ZONING:** Varies per adjacent site (street right-of-way)

**BACKGROUND/PROJECT DESCRIPTION:** AT&T Wireless proposes to install seven (7) small wireless facilities (nodes) in the public right-of-way. All of the wireless facilities would be located adjacent to single-family or multi-family residential zones. All seven (7) of the AT&T facilities consists of replacing an existing City street light pole with a new 27-foot tall street light pole and mounting one (1) canister type antenna (24-inches tall x 10-inches in diameter) to the top of the light pole with four (4), 7.8-inch wide x 4.13" deep x 7.8-inch long radio units mounted vertically onto the side of the street light pole. The new street light poles would still function and operate

as a standard City Street light, with a new LED fixture. The new streetlights would be in conformance with the City's Design Standards for ornamental street lighting and visual impacts of the proposed facilities would be minimized by incorporating a stealth type design into the street light. Additional associated equipment would be placed in small new underground concrete vaults (handholes). SDG&E would bring power to a handhole near the pole and conduit from the handhole to the pole.

A Minor Conditional Use Permit and public notice is required to permit the proposed seven (7) small wireless facilities in the City's right-of-way, in accordance with Zoning Code Article 34, "Communication Antennas", Section 33-704(k), because the proposed nodes are within forty-feet (40) of a residential unit.

- PHG 20-0003, adjacent to 900 Howard Avenue is approximately 24 feet to the nearest structure.
- PHG 20-0005, adjacent to 726 Grand Avenue is approximately 25 feet to the nearest structure.
- PHG 20-0008, adjacent to 1440 Broadway is approximately 38 feet to the nearest structure
- PHG 20-0015, adjacent to 3291 Timken Circle is approximately 33 feet to the nearest structure.
- PHG 20-0017, adjacent to 3137 Willow Tree Lane is approximately 32 feet to the nearest structure.
- PHG 20-0022, adjacent to 3320 Oak Forest Place is approximately 24 feet to the nearest structure.
- PHG 20-0024, adjacent to 3172 Crane Avenue is approximately 27 feet to the nearest structure.

The proposed small wireless antennas would provide AT&T wireless voice and data coverage to the surrounding area where there is currently a need for additional service coverage. The proposed wireless node(s) also would provide coverage to areas of Escondido that are otherwise very difficult or impractical to cover using traditional larger macro wireless telecommunications facilities. Conditions of approval have been added to this project to minimize potential impacts to the public and adjacent residences. The Zoning Administrator is the authorized decision-maker for reviewing and granting discretionary approvals related to Minor Conditional Use Permits. It is important to note that this staff report has grouped together the seven (7) applications for sake of exposition. Exhibits attached hereto are to be incorporated by reference to each case file and appended to each record of action to establish site improvement specifications and conditions and other requirements for the new small wireless facility installations.

#### **REASON FOR STAFF RECOMMENDATION:**

1. The proposed small wireless facilities would be located within the city's right-of-way, which permits wireless facilities subject to approval of a Minor Conditional Use Permit.



The proposed facilities would enhance communication services throughout the City in areas where there currently is a need for additional service coverage or capacity. The replacement streetlights, and antennas would not be out of character with the area because the facilities would still resemble and function as a street light pole. The proposed wireless equipment has been integrated into the design of the light pole such that the average, untrained observer generally cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Associated support equipment is proposed to be placed in a small new underground concrete vaults (handhole).

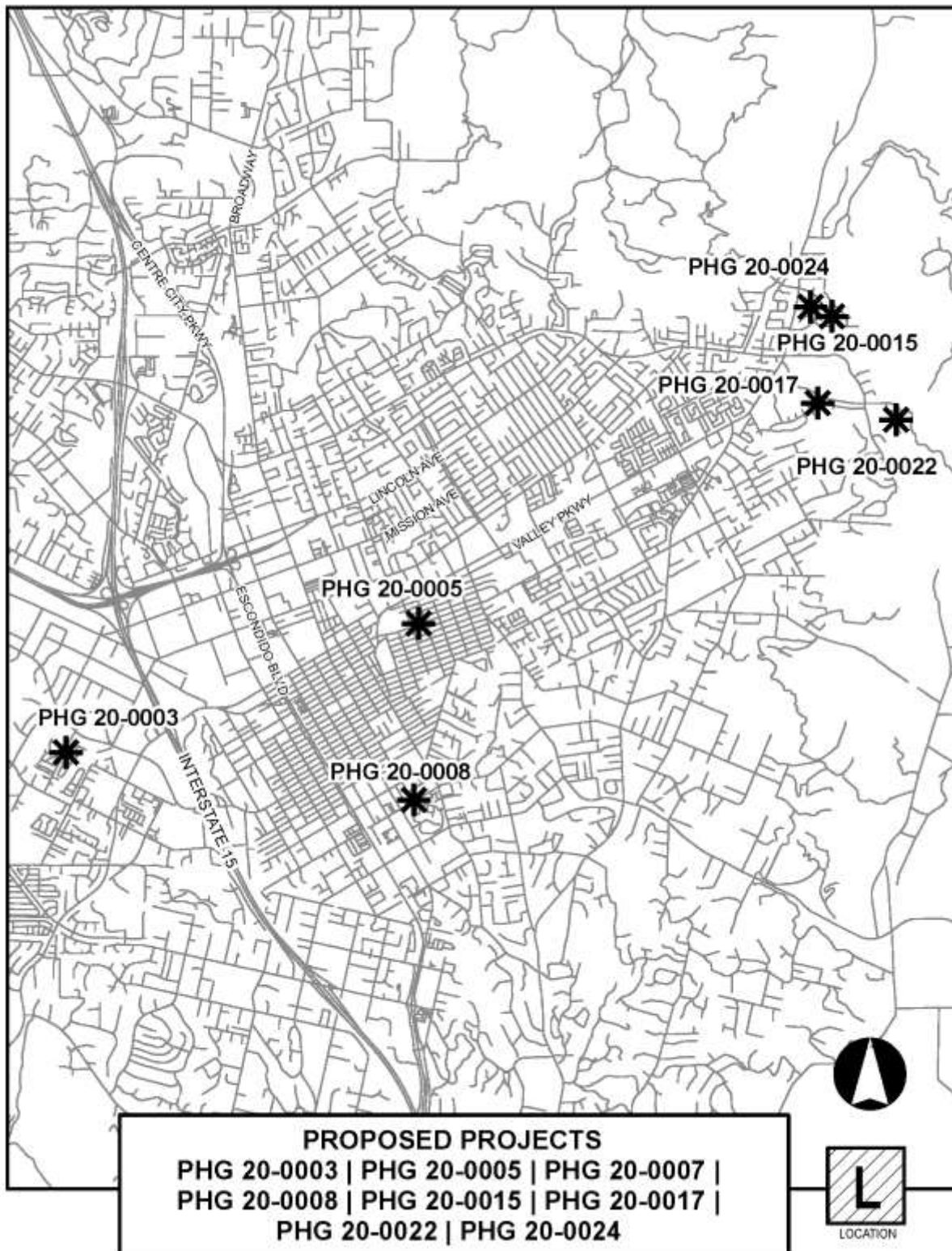
2. Staff believes that each of the seven (7) small wireless facilities would not be hazardous to the health of nearby residents based on the results of an RF Compliance Certification (Radio Frequency) prepared by AT&T, on April 2, 2019. The study indicates the facility would be within the maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) guidelines.

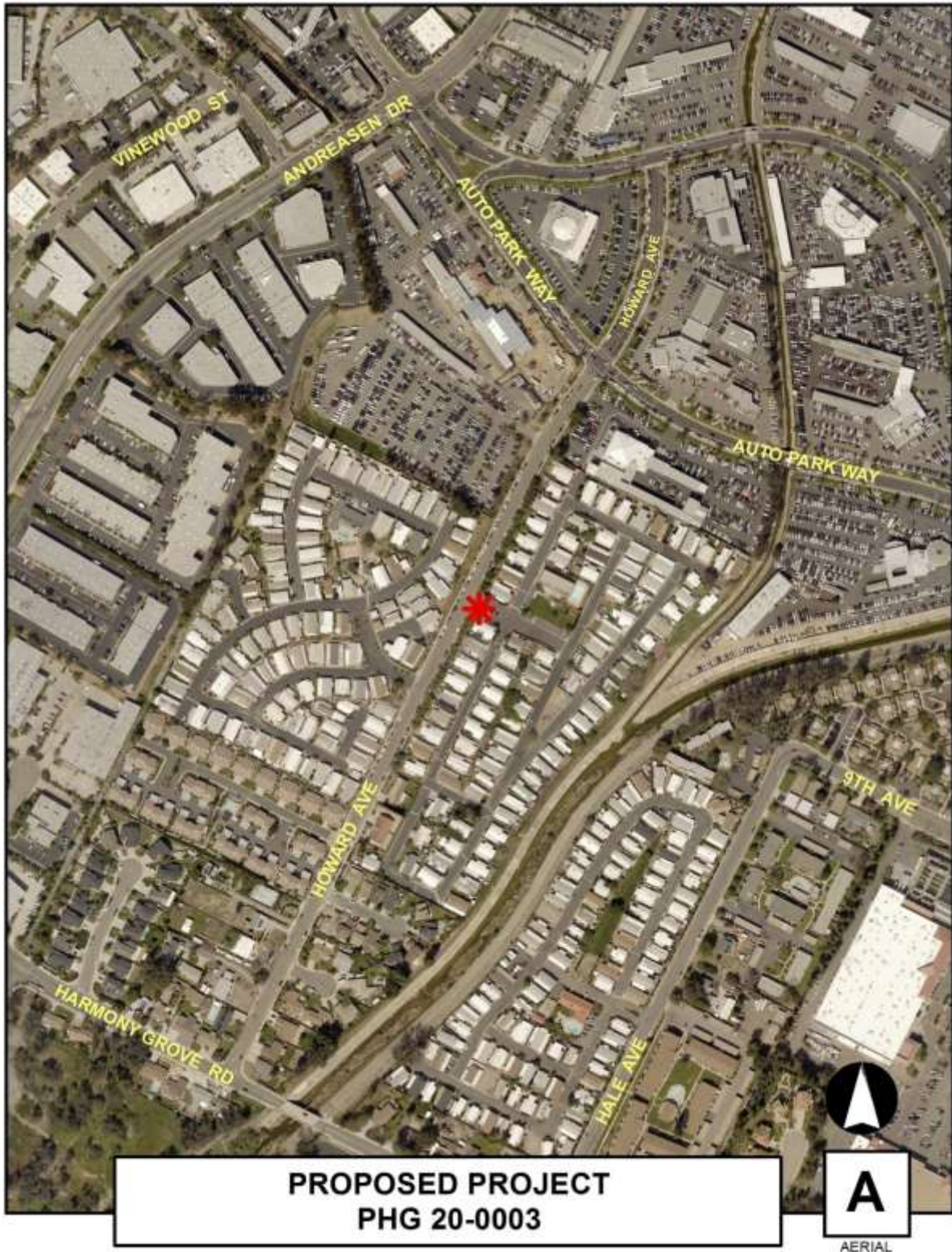
Respectfully submitted,

*Darren Parker*

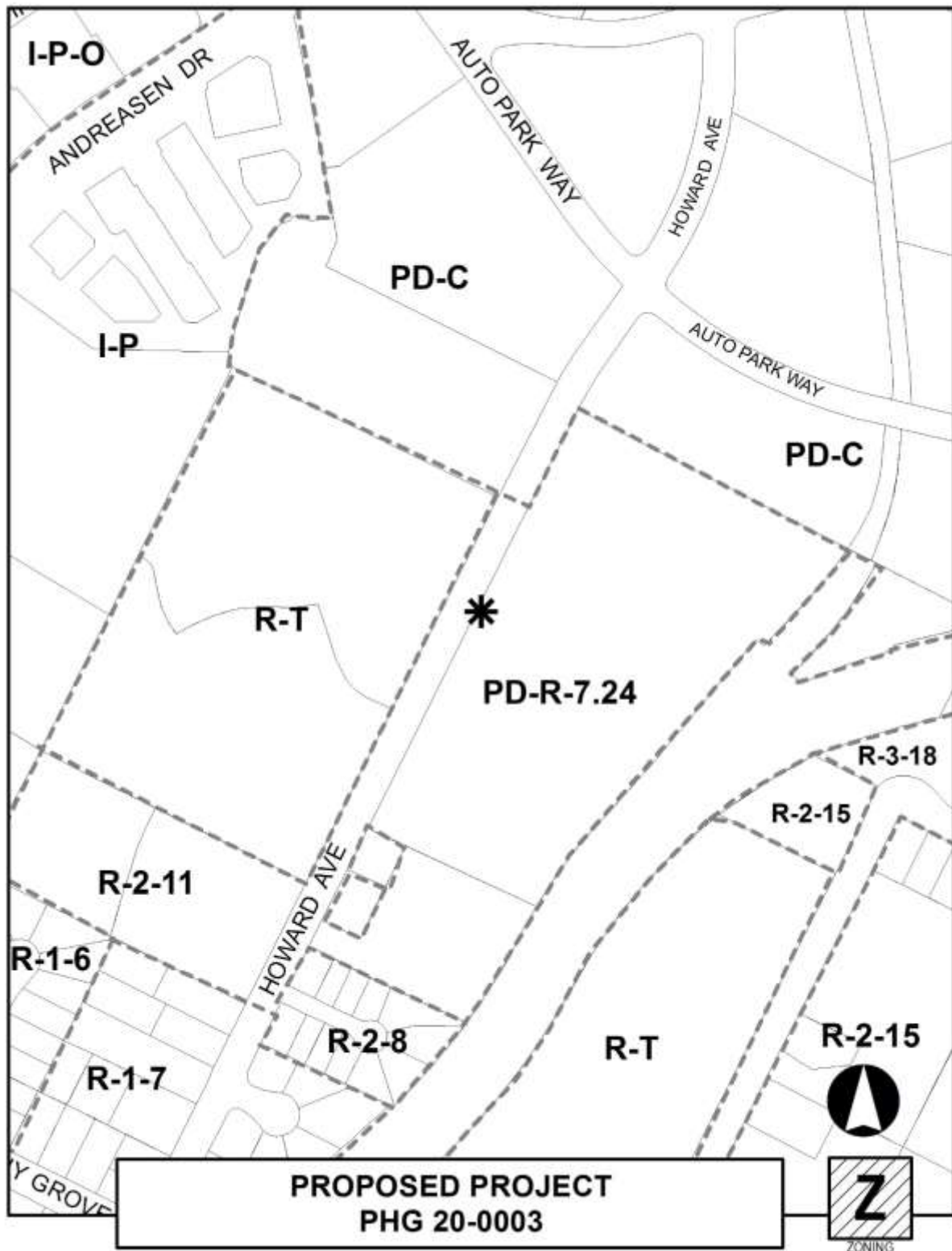
Darren Parker  
Associate Planner

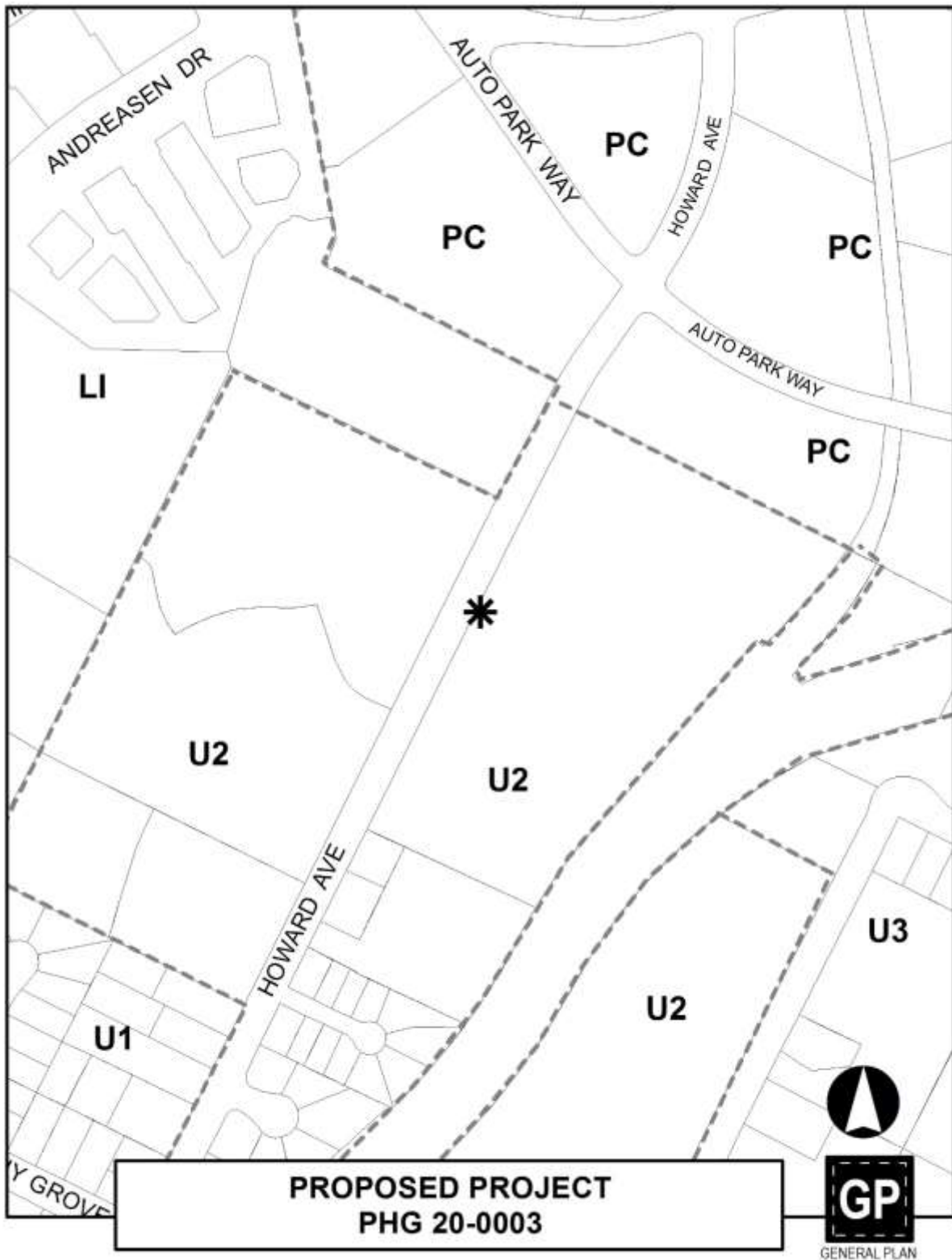
### AT&T Sites



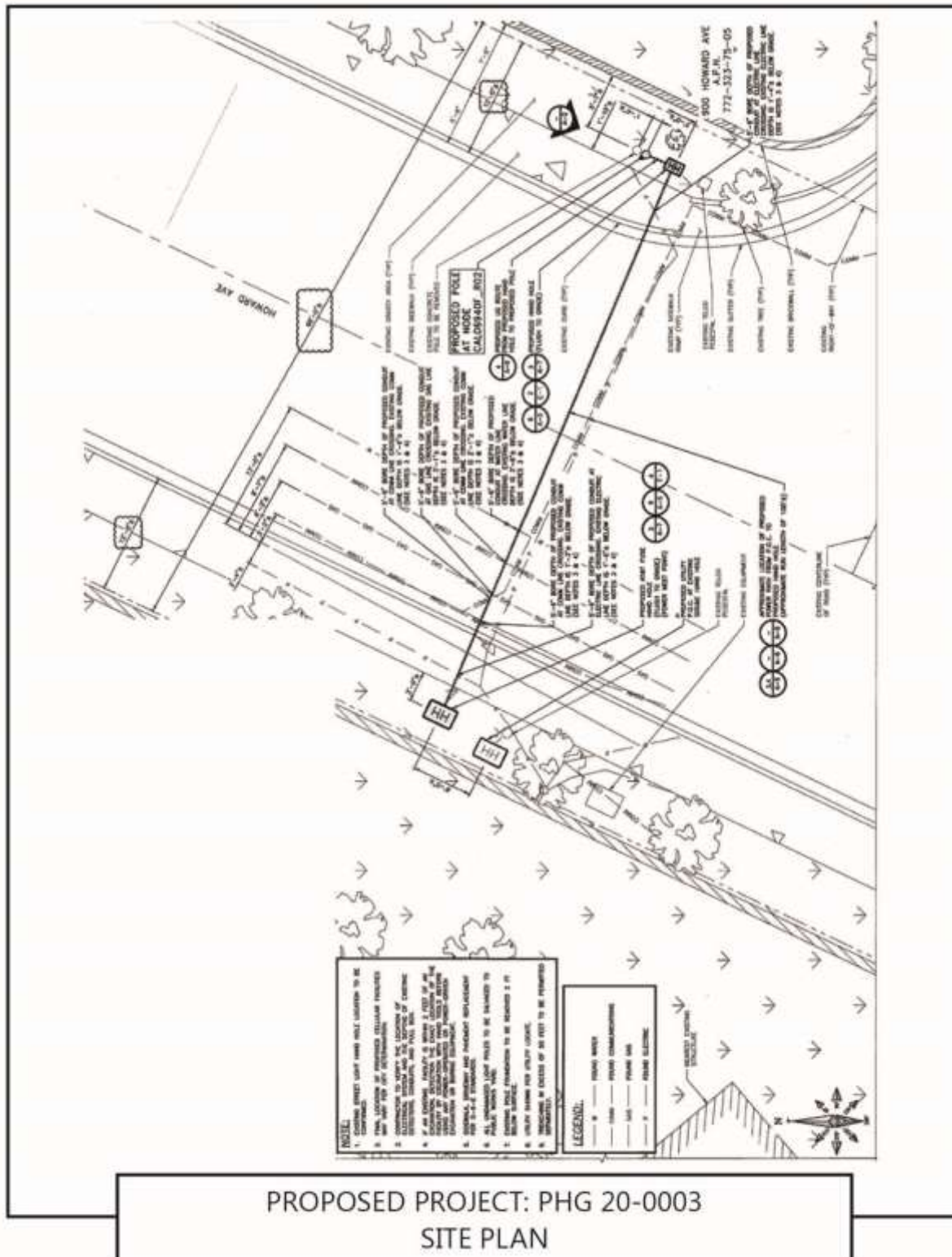




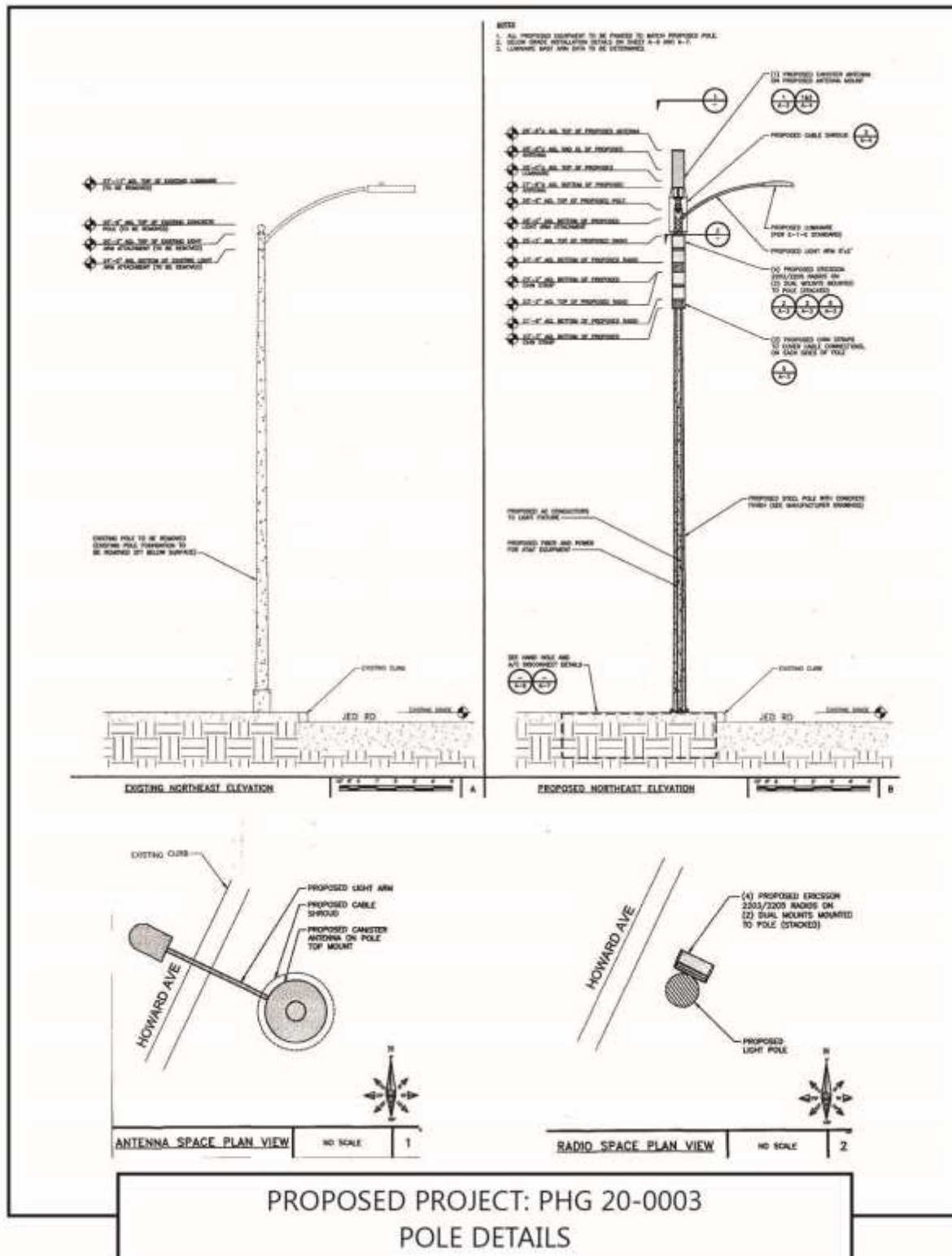




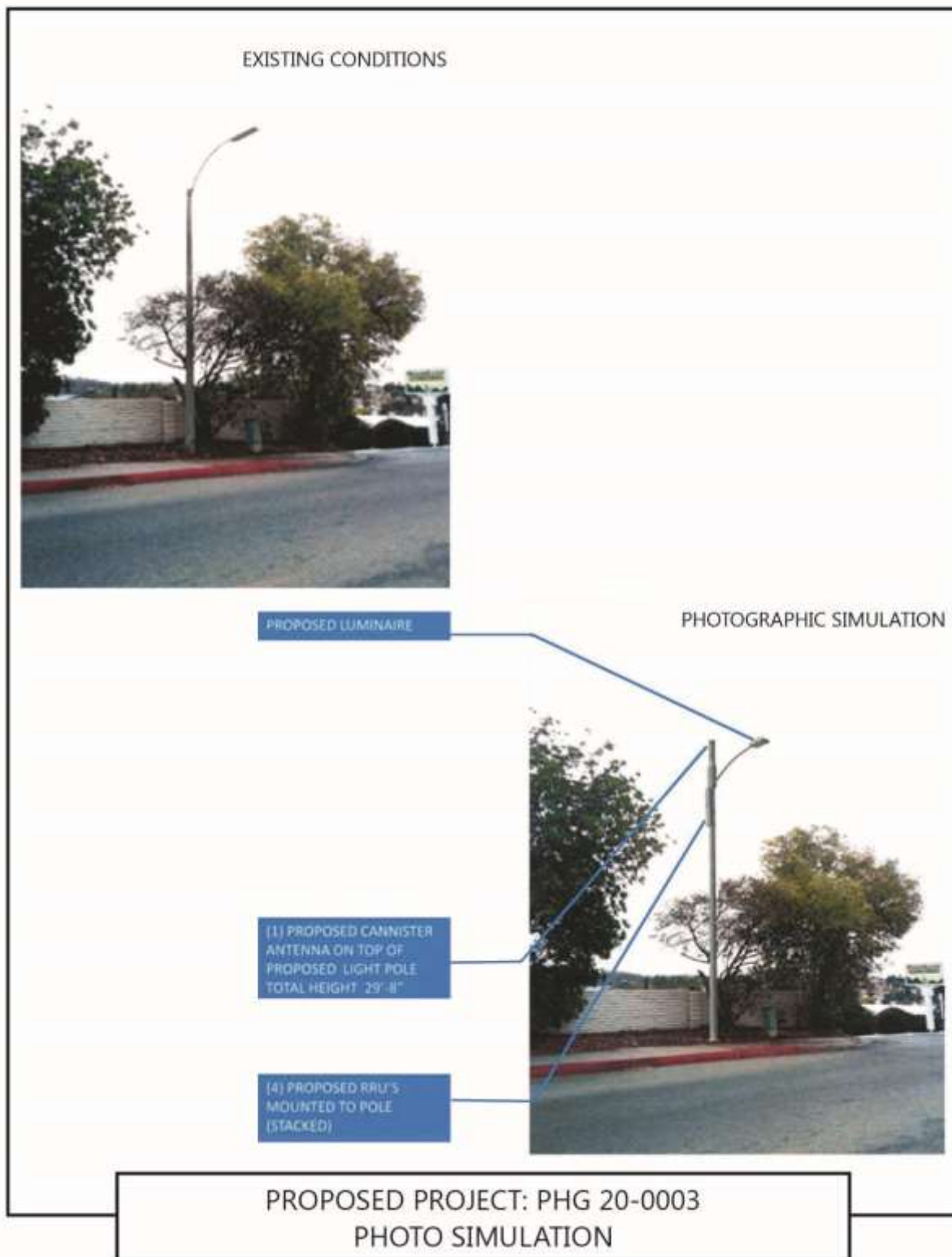
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PHG 20-0003, PHG 20-0005, PHG 20-0008, PHG 20-0015,  
PHG 20-0017, PHG 20-0022 & PHG 20-0024



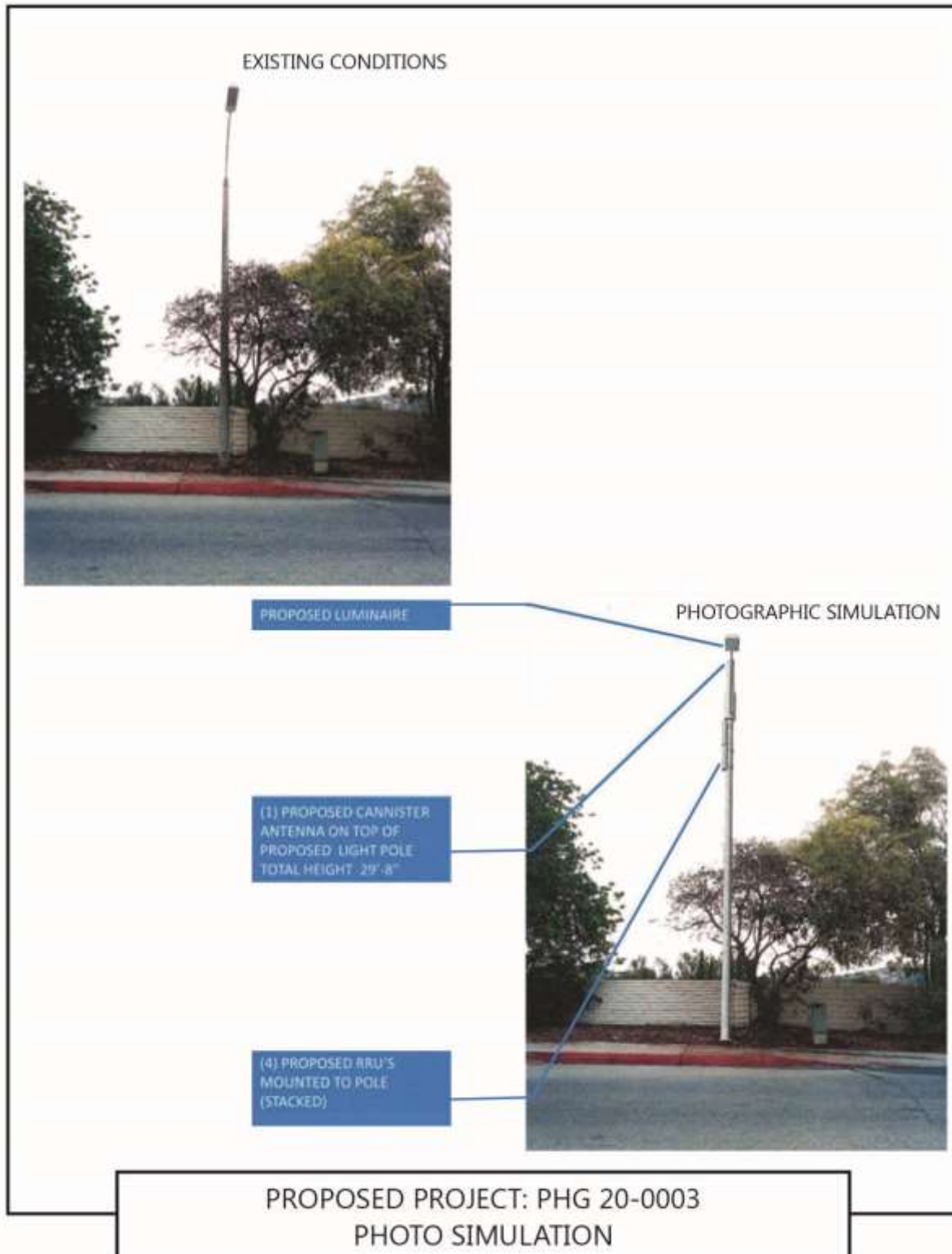
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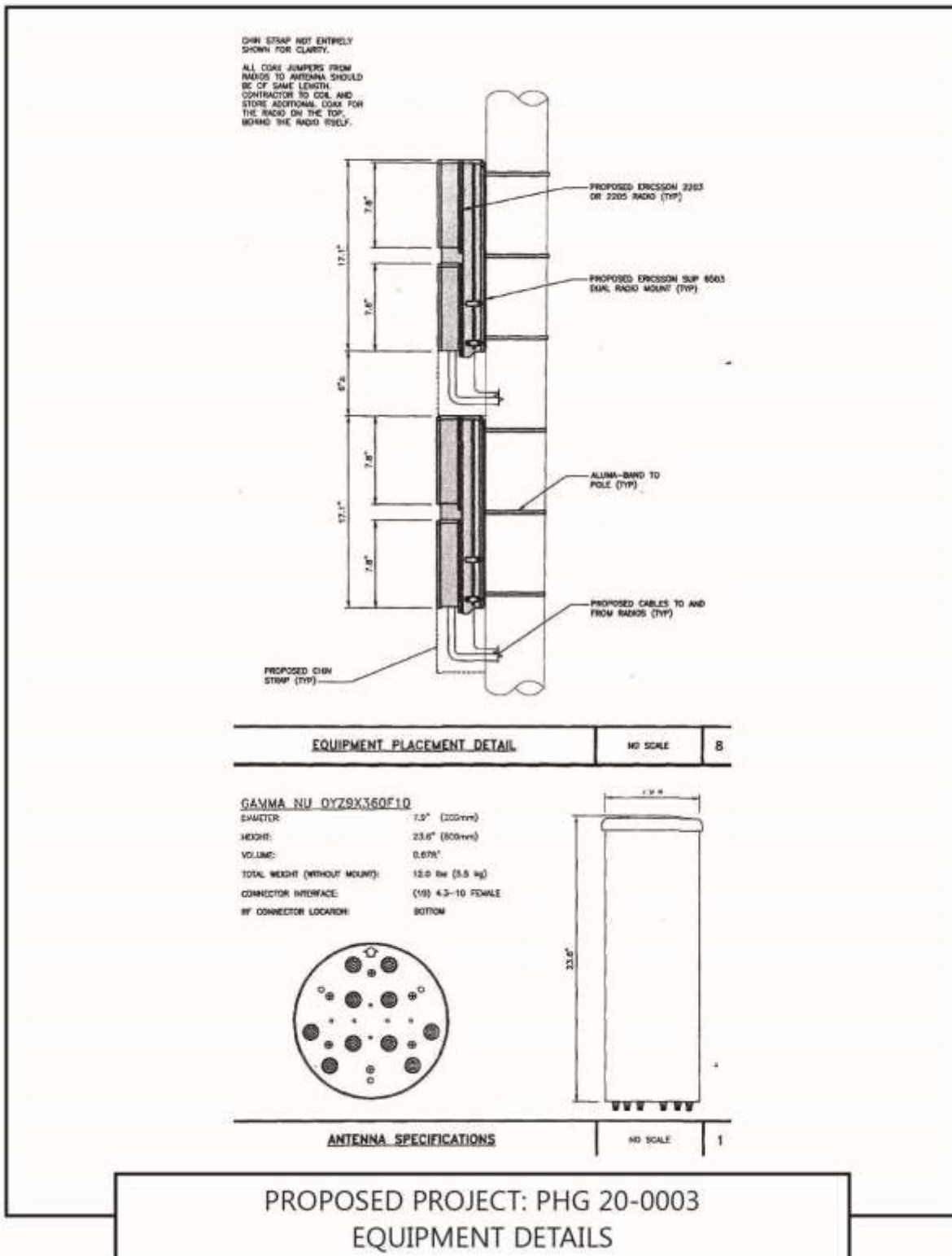


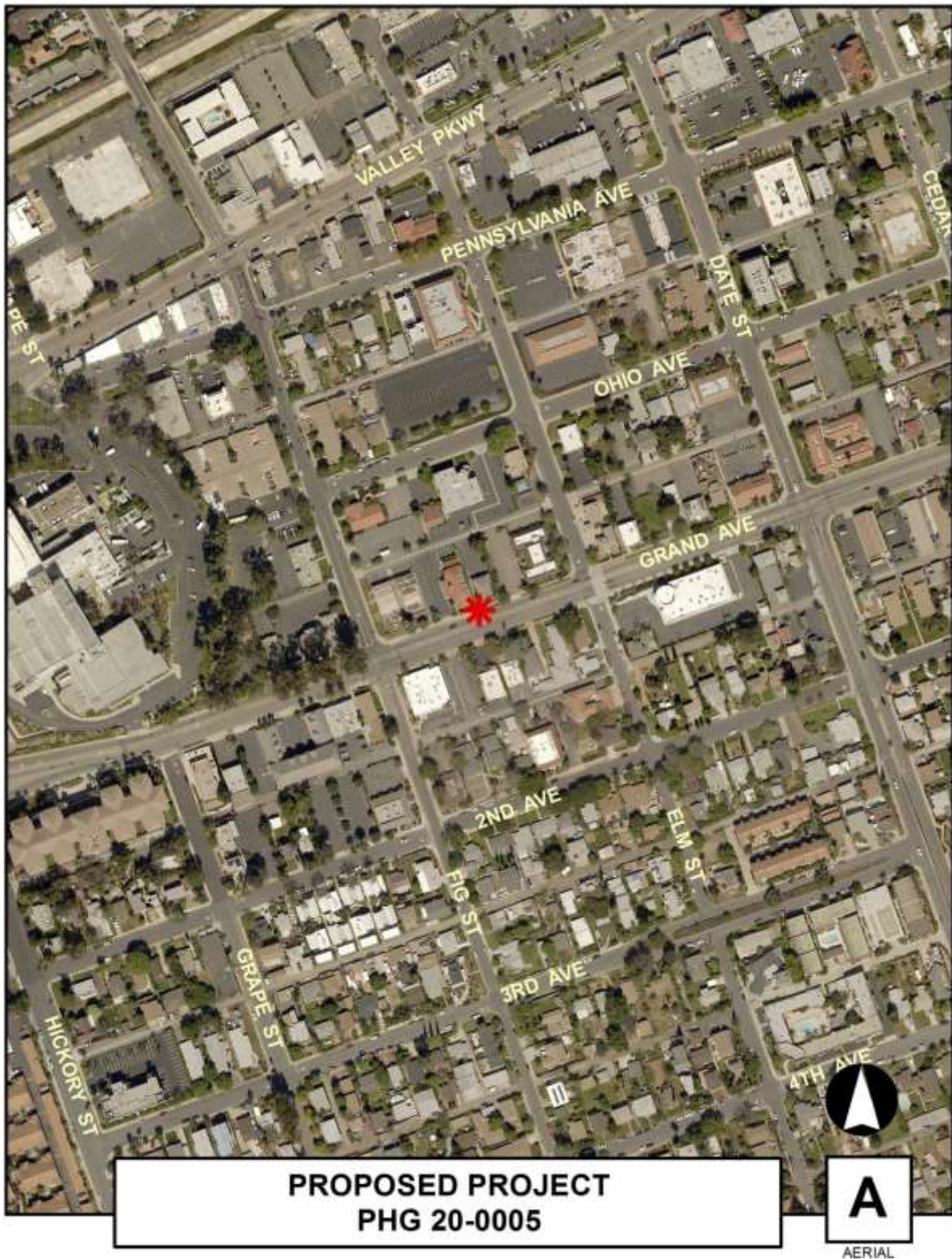










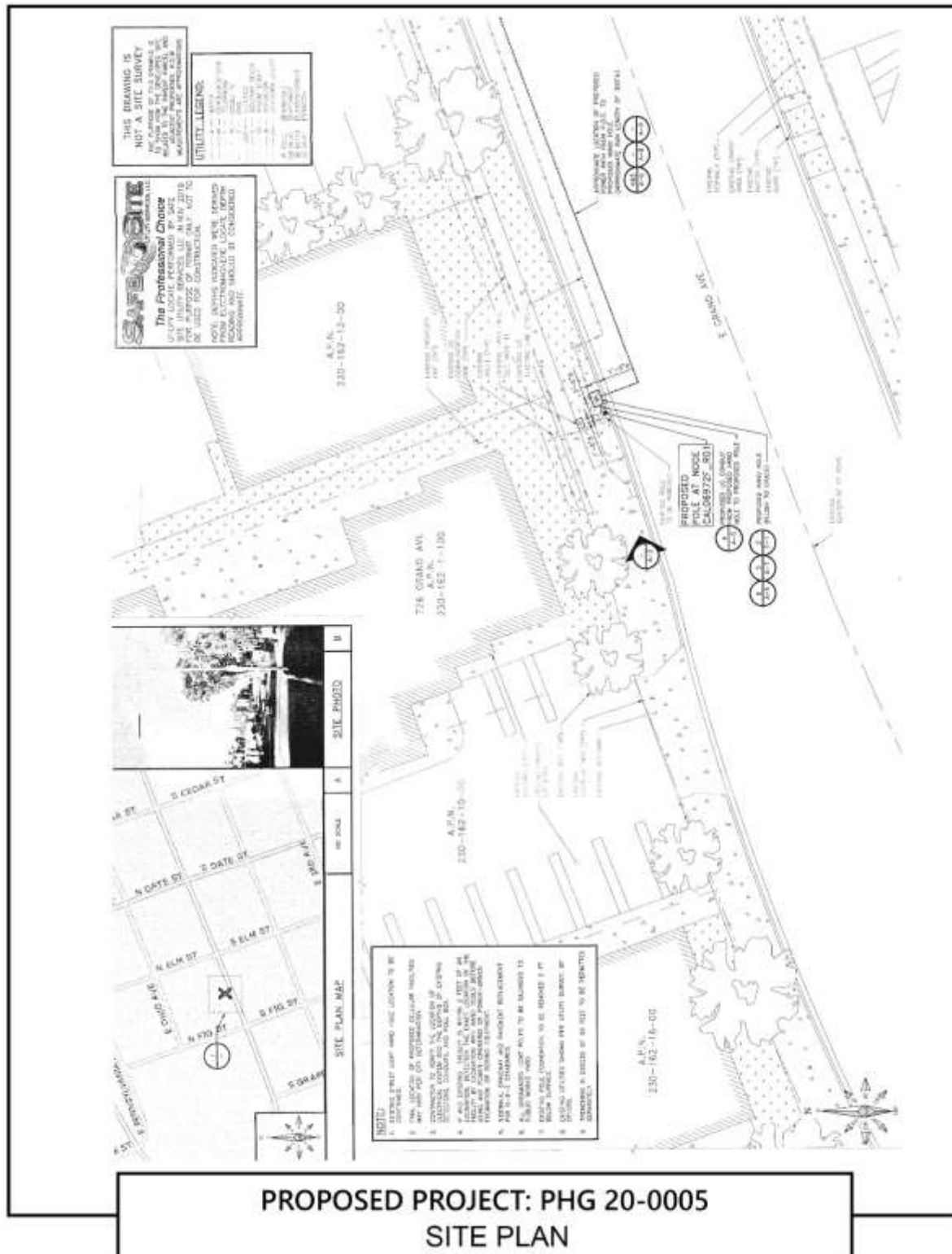


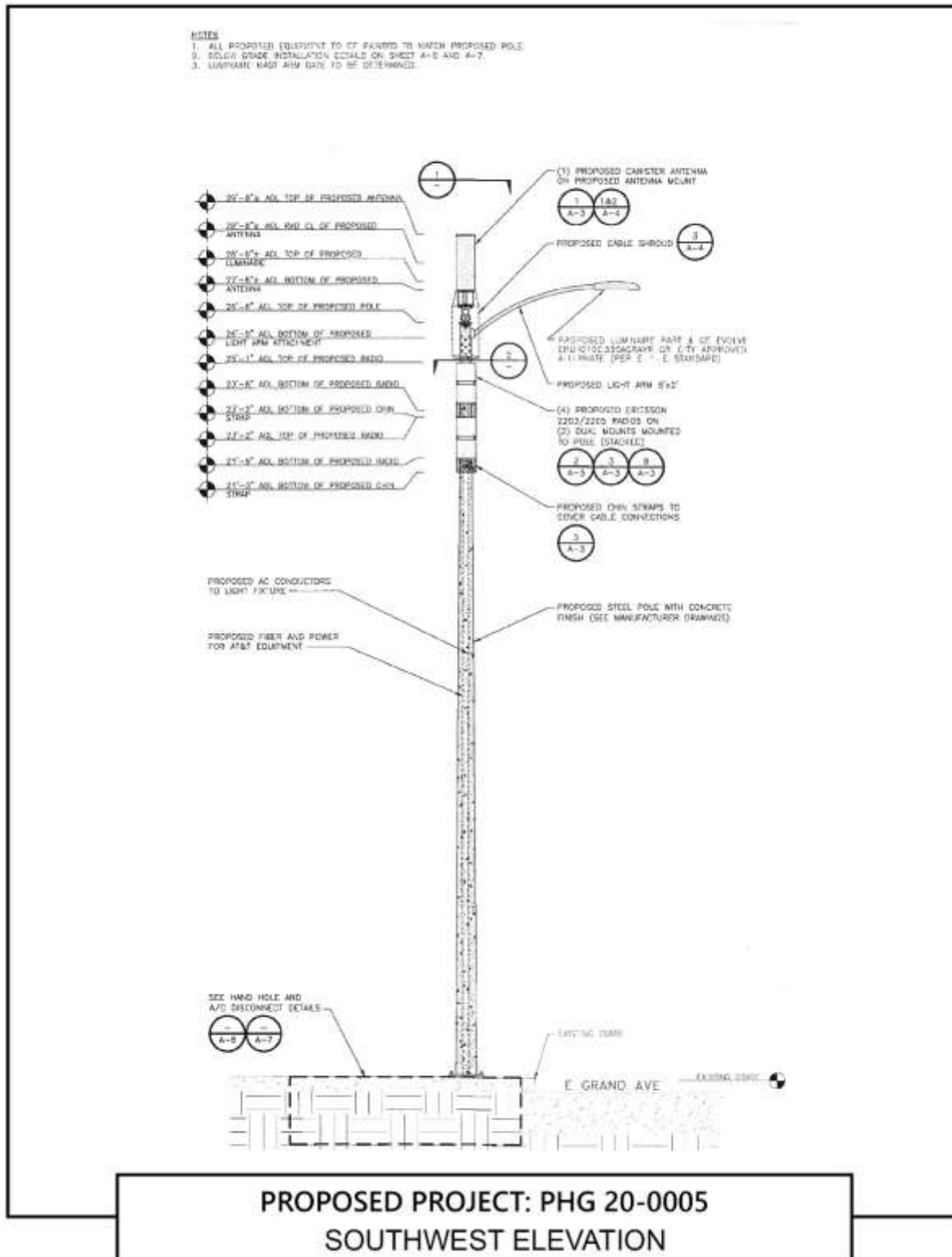


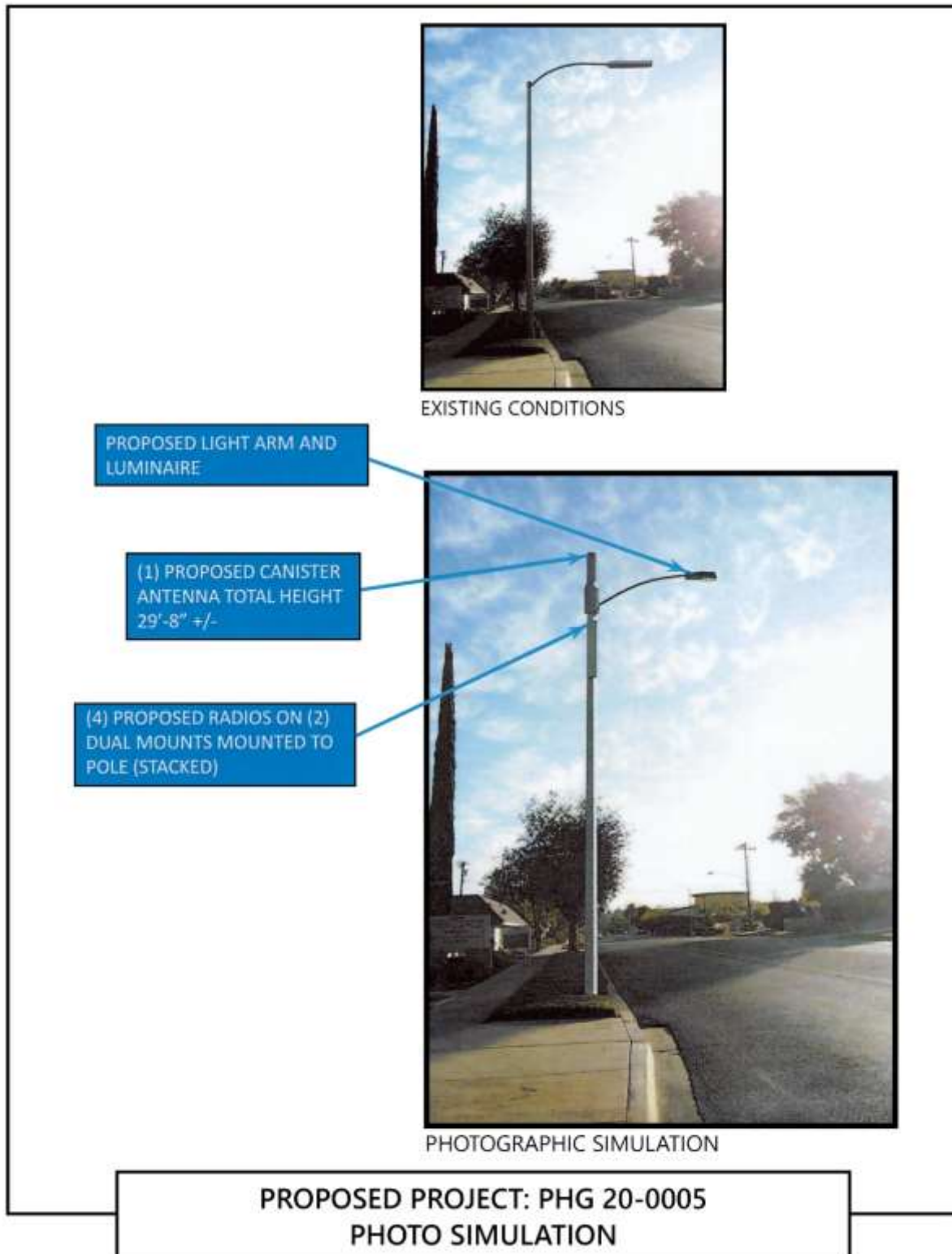




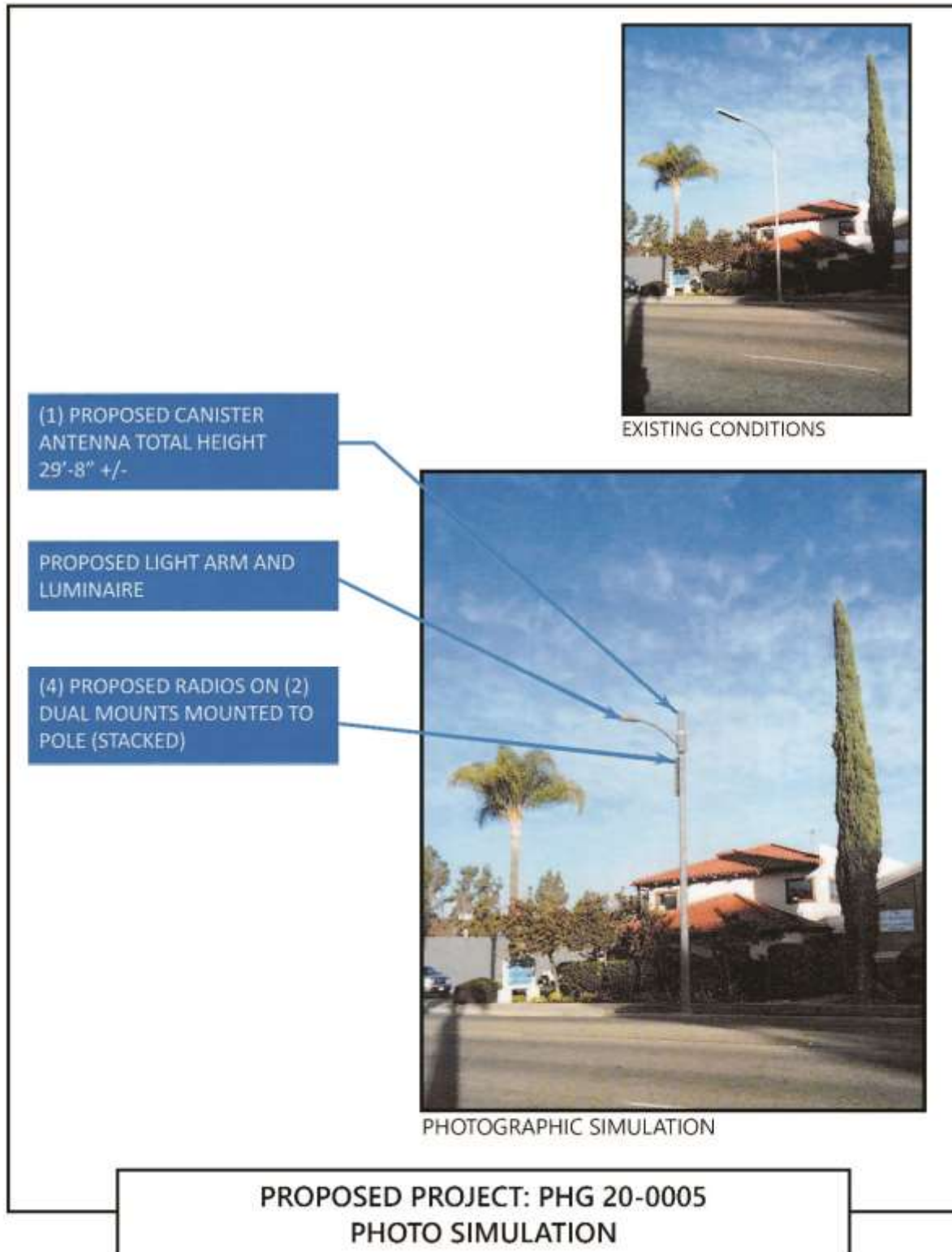
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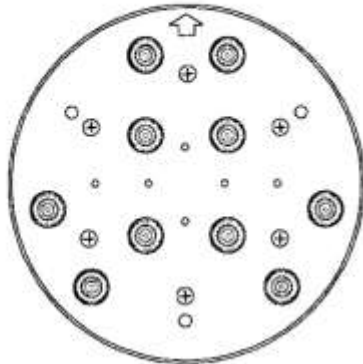






GAMMA NU OYZ9X360F10

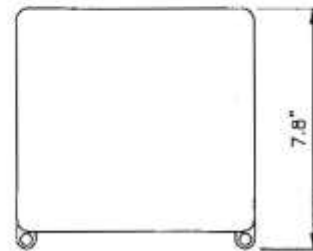
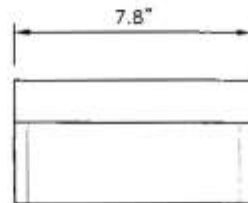
DIAMETER:	7.9" (200mm)
HEIGHT:	23.6" (600mm)
VOLUME:	0.67ft <sup>3</sup>
TOTAL WEIGHT (WITHOUT MOUNT):	12.0 lbs (5.5 kg)
CONNECTOR INTERFACE:	(10) 4.3-10 FEMALE
RF CONNECTOR LOCATION:	BOTTOM



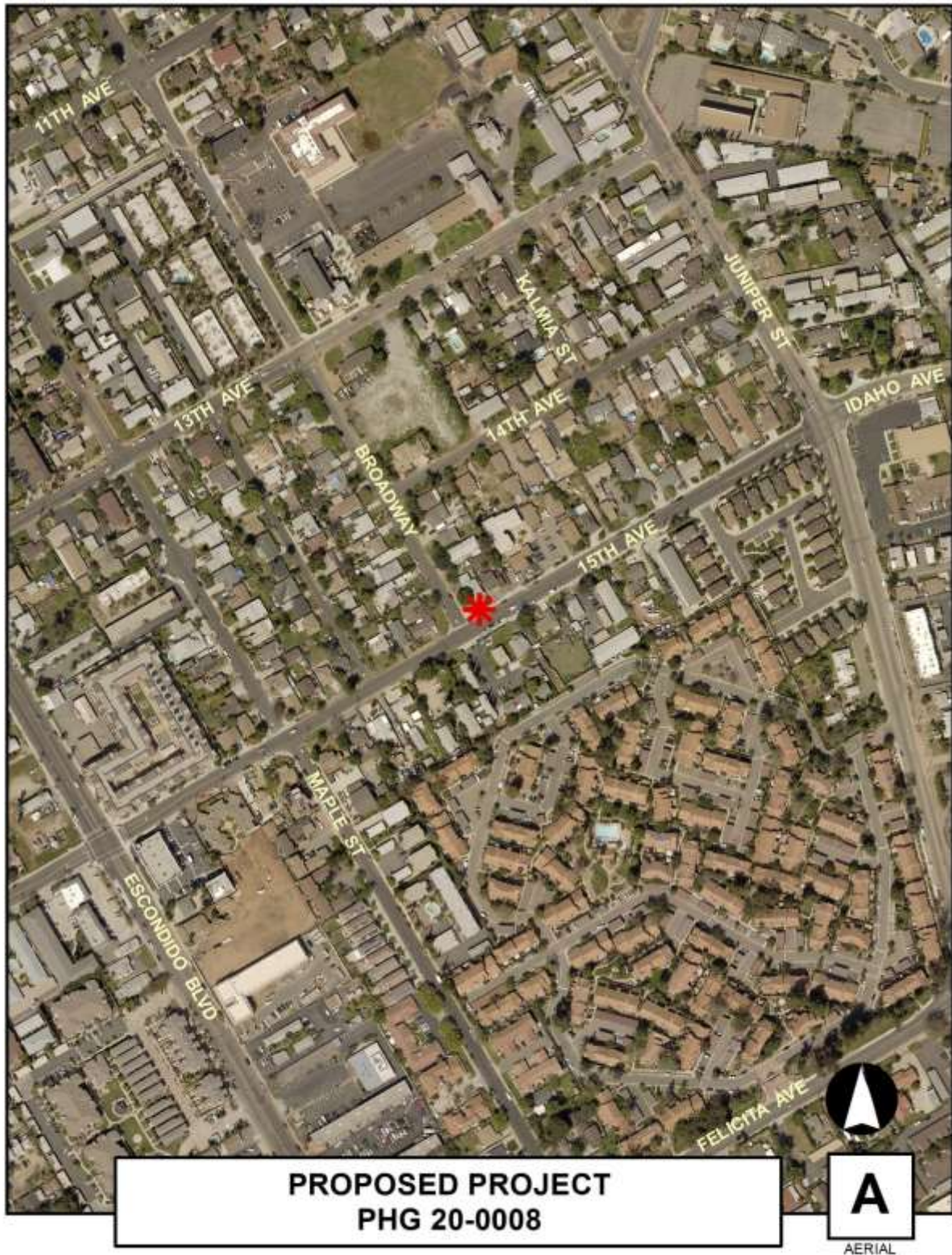
**PROPOSED PROJECT: PHG 20-0005**  
**ANTENNA SPECIFICATIONS**

ERICSSON RRUS-2203/2205 RADIO

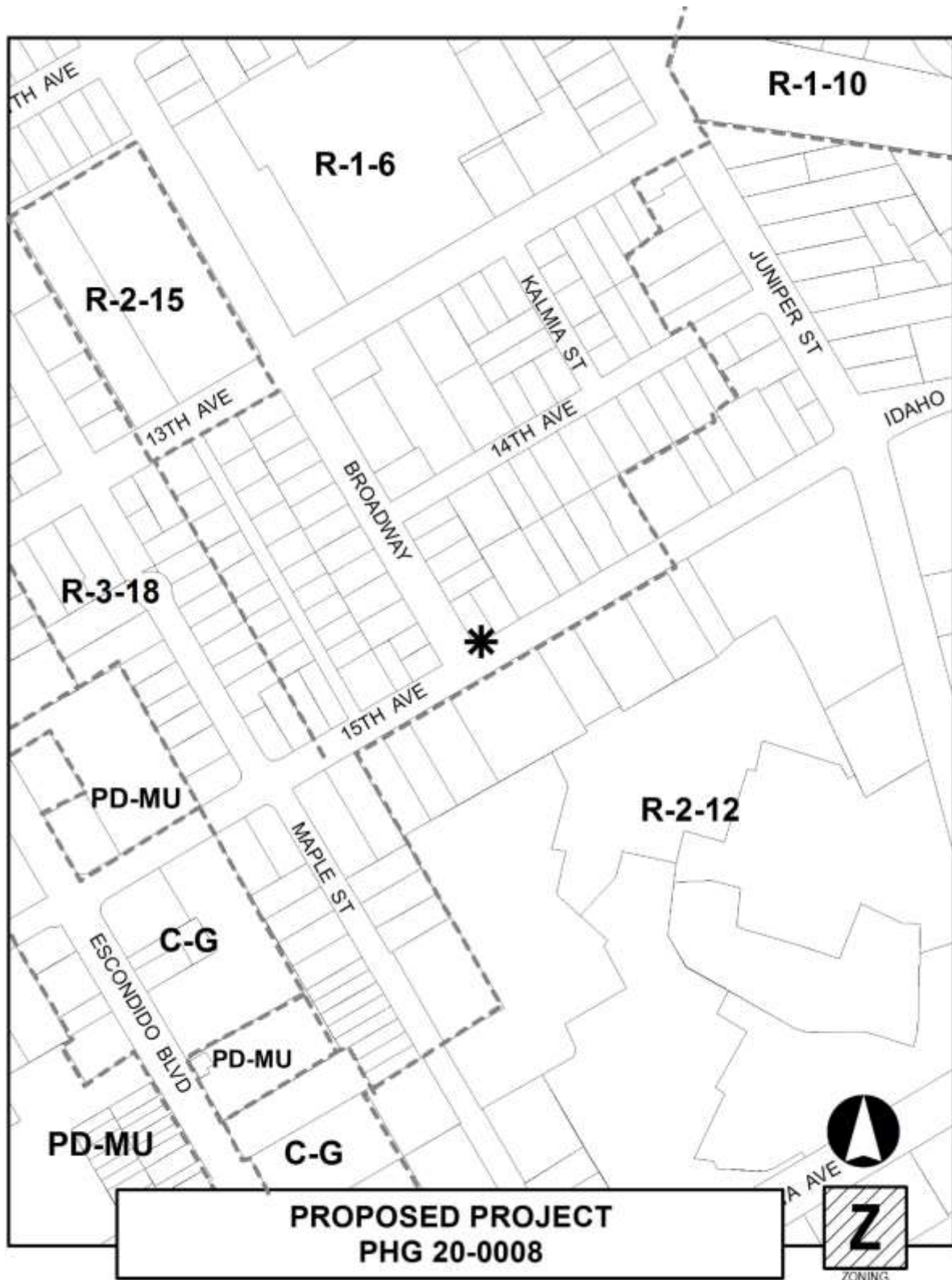
LENGTH:	7.8" (200mm)
WIDTH:	7.8" (200mm)
DEPTH:	3.93" (100mm)
VOLUME:	0.14 ft <sup>3</sup>
TOTAL WEIGHT:	2203: 9.92 lbs (4.5 kg) 2205: 11.02 lbs (5 kg)

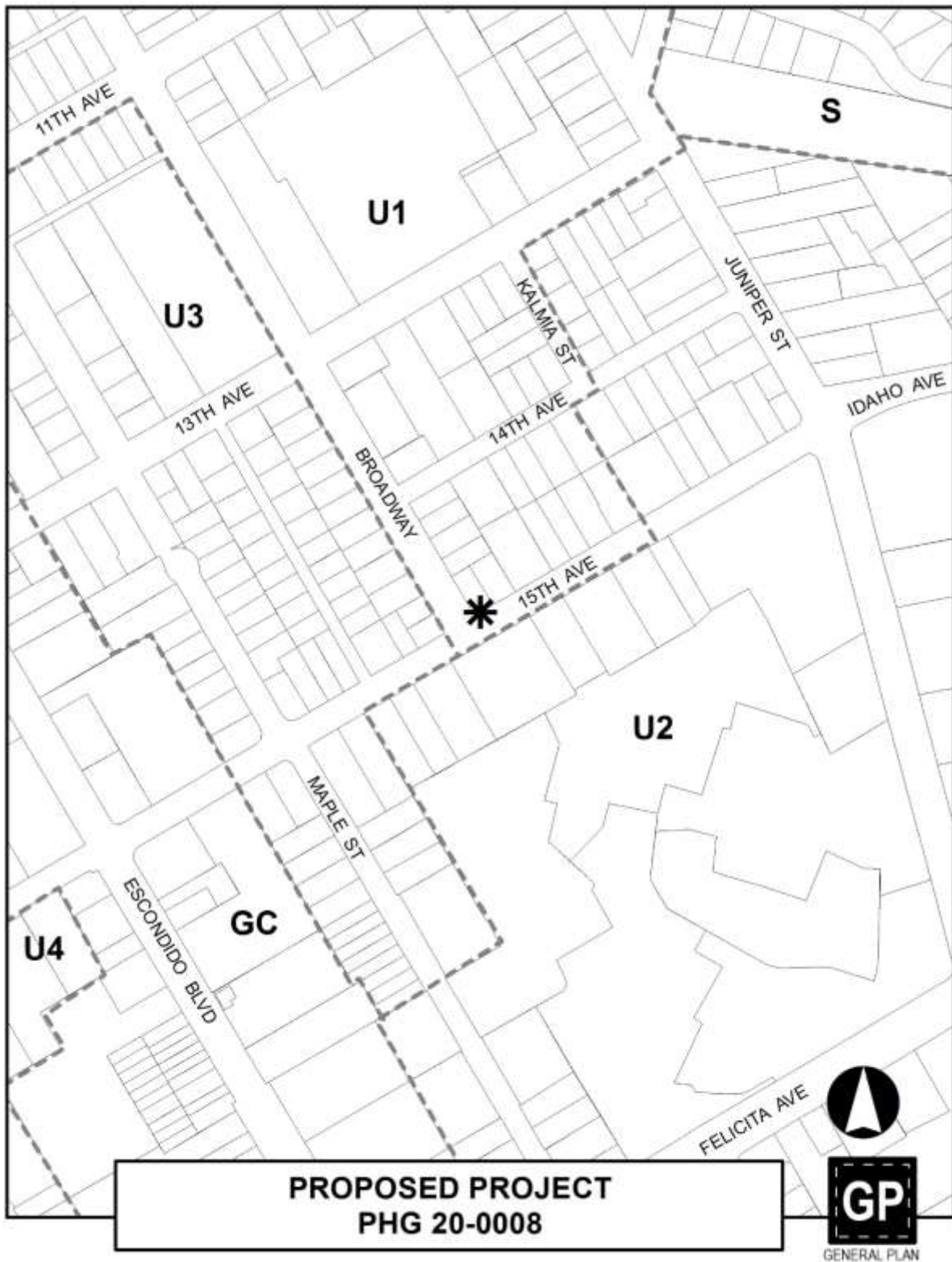


**PROPOSED PROJECT: PHG 20-0005**  
**RADIO SPECIFICATIONS**

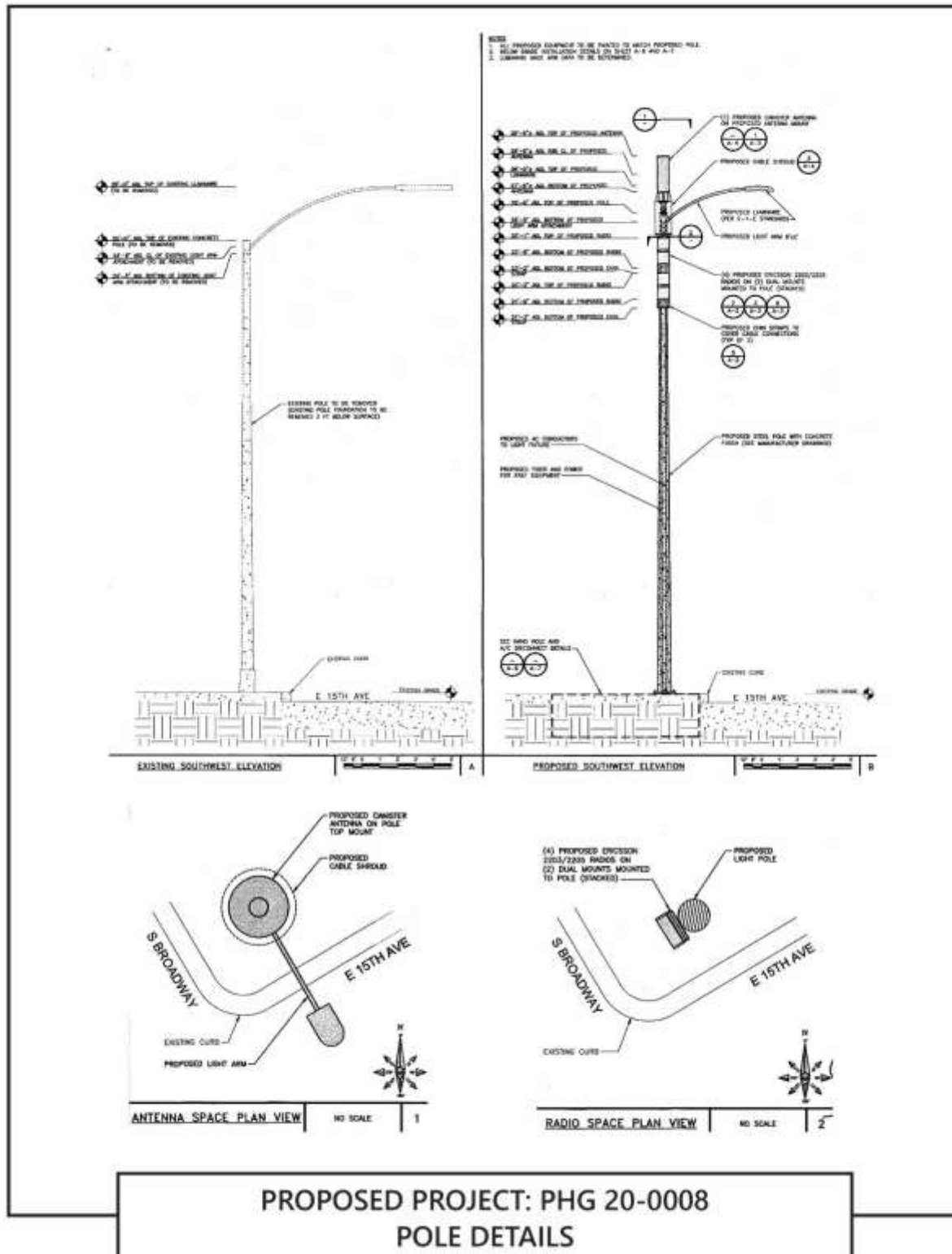


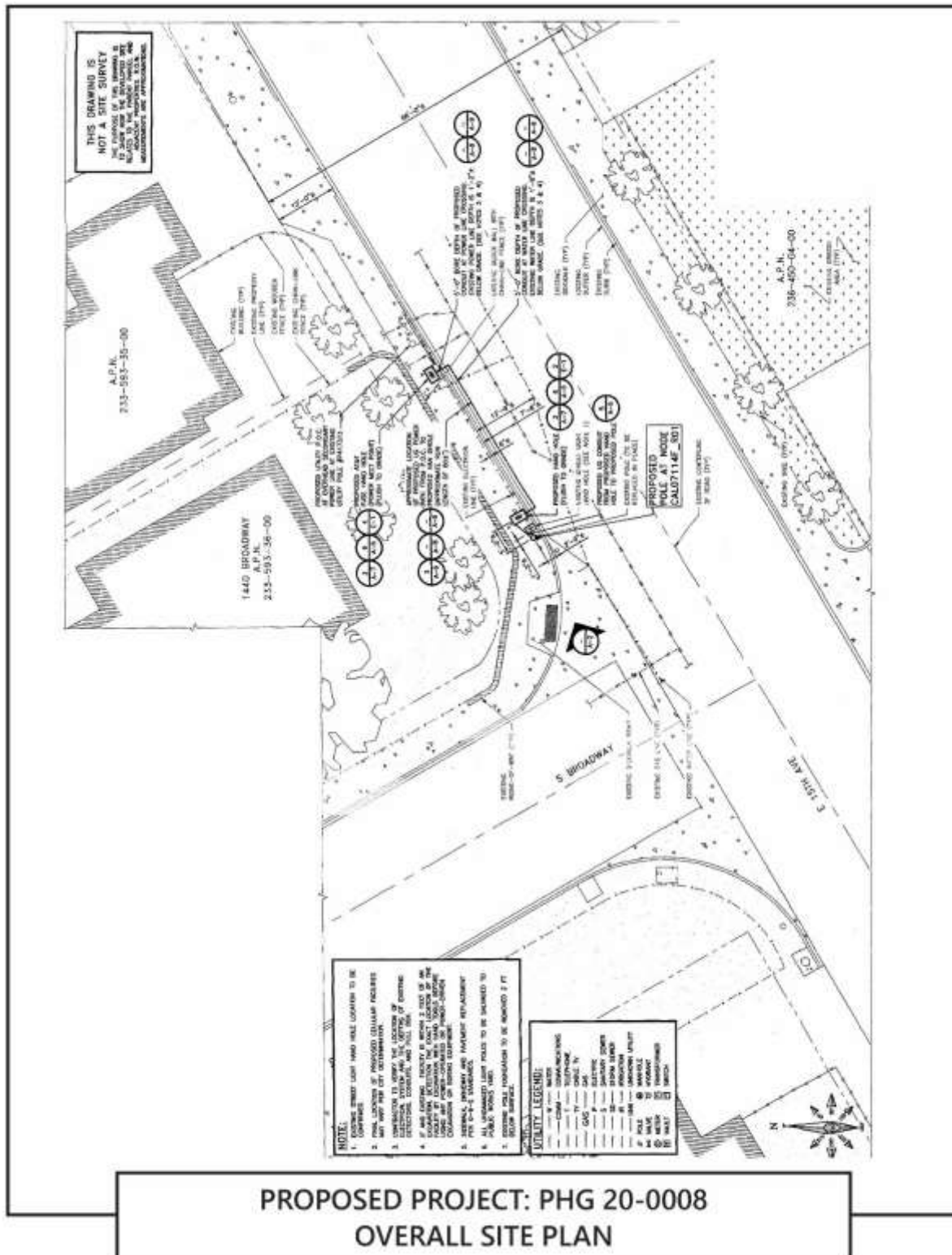




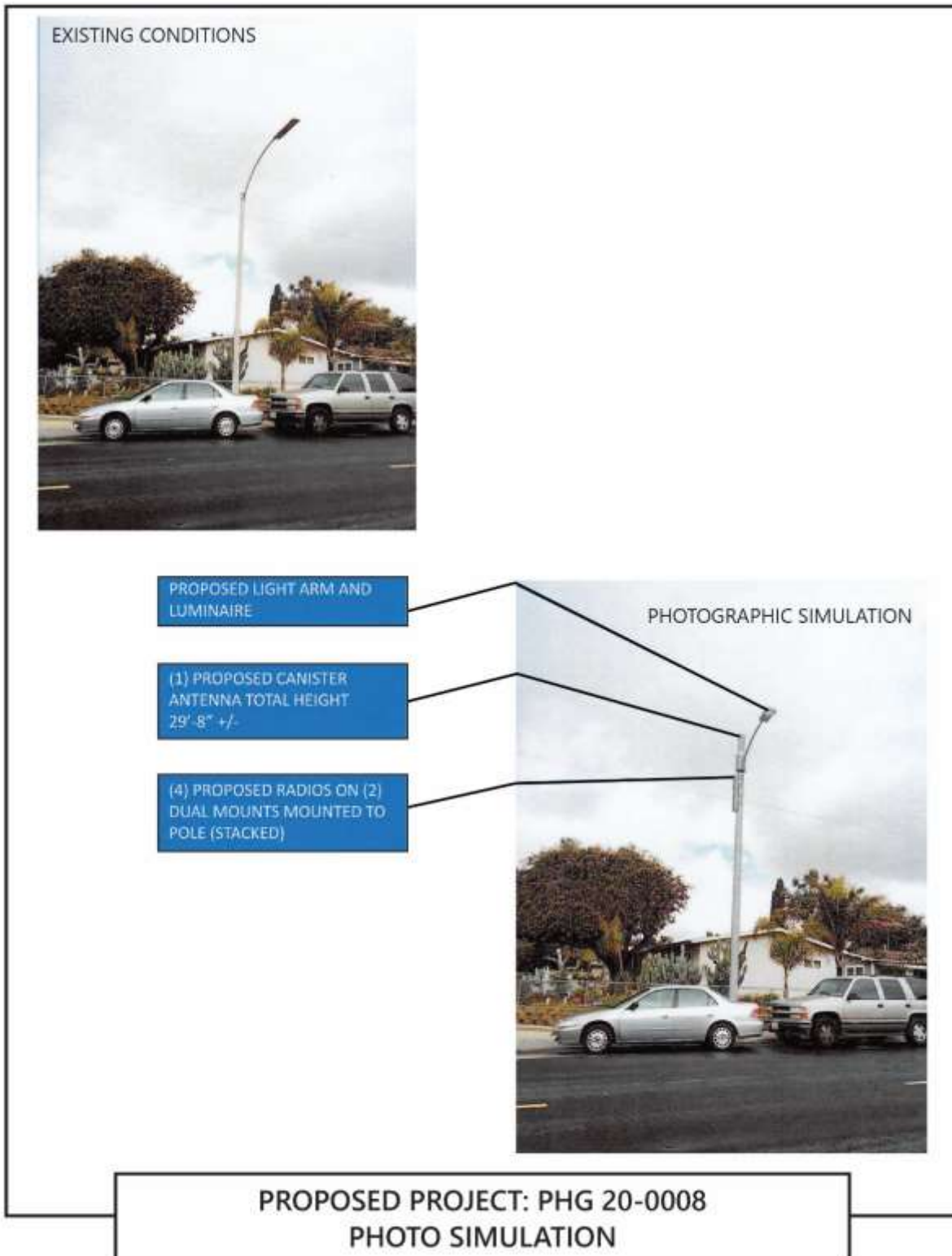


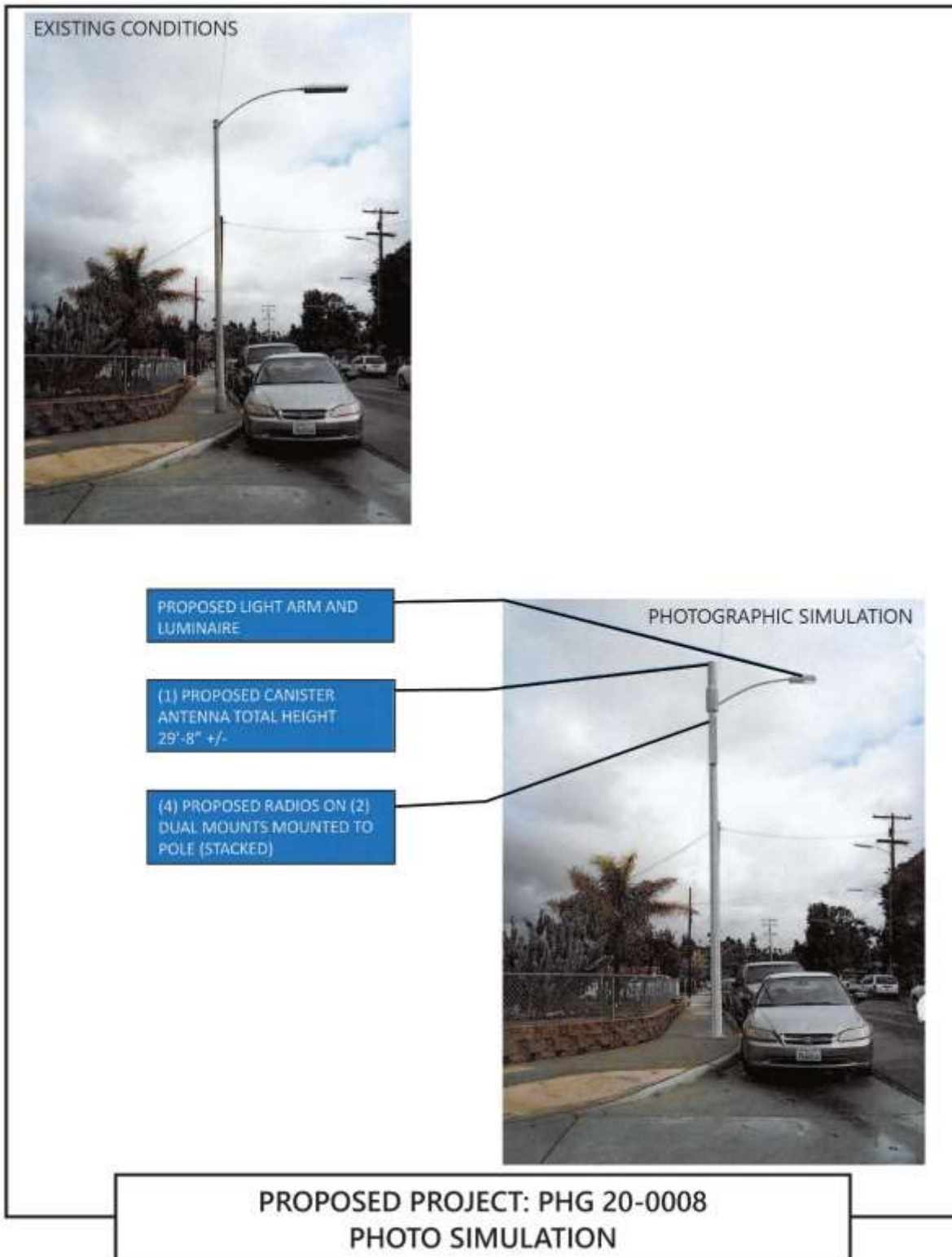
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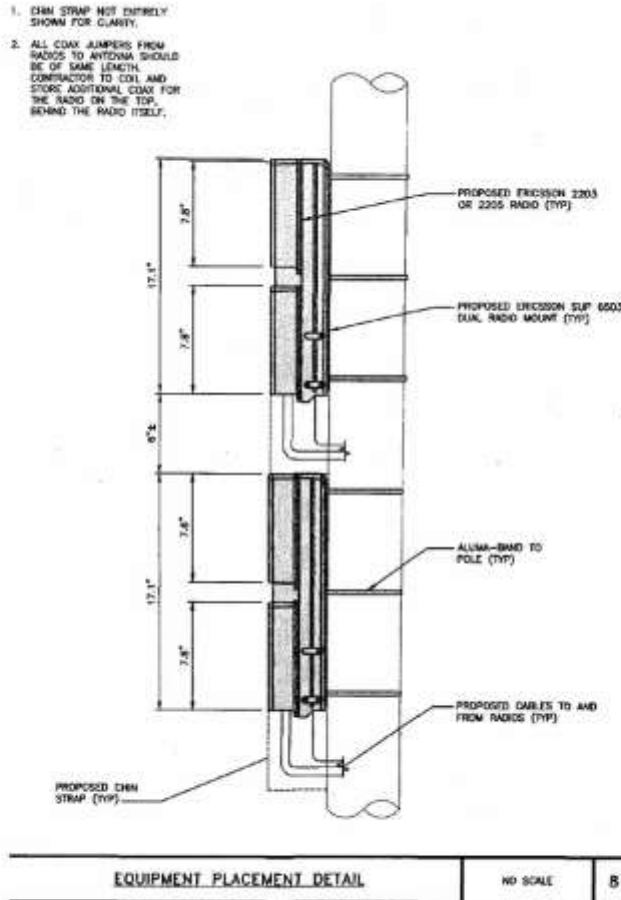




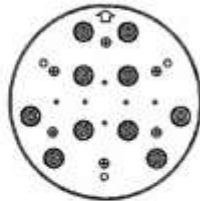








**GAMMA NU OYZ9X360F10**  
 DIAMETER: 7.9" (200mm)  
 HEIGHT: 23.6" (600mm)  
 VOLUME: 0.67ft<sup>3</sup>  
 TOTAL WEIGHT (WITHOUT MOUNT): 12.0 lbs (5.5 kg)  
 CONNECTOR INTERFACE: (10) 4.3-10 FEMALE  
 RF CONNECTOR LOCATION: BOTTOM



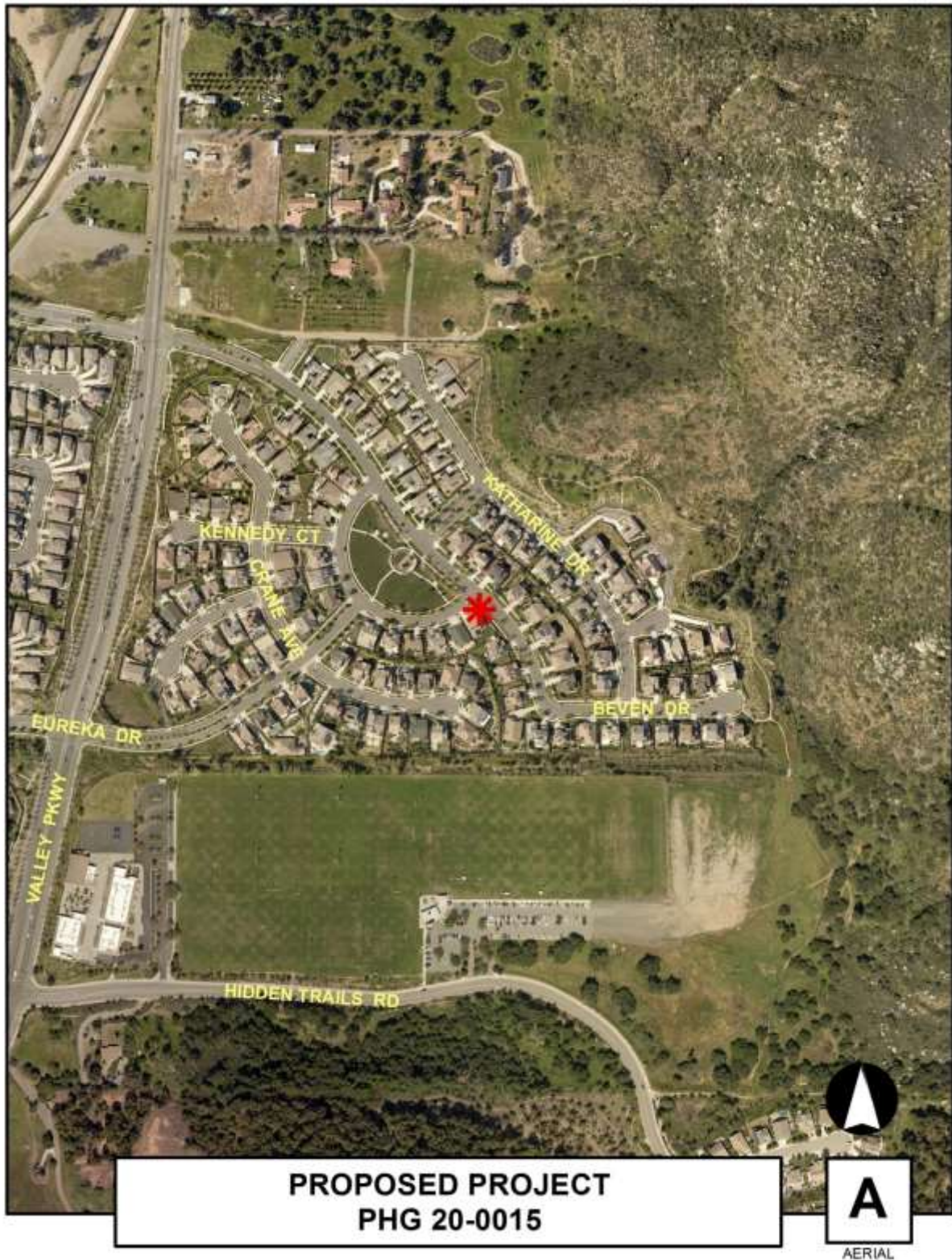
ANTENNA SPECIFICATIONS

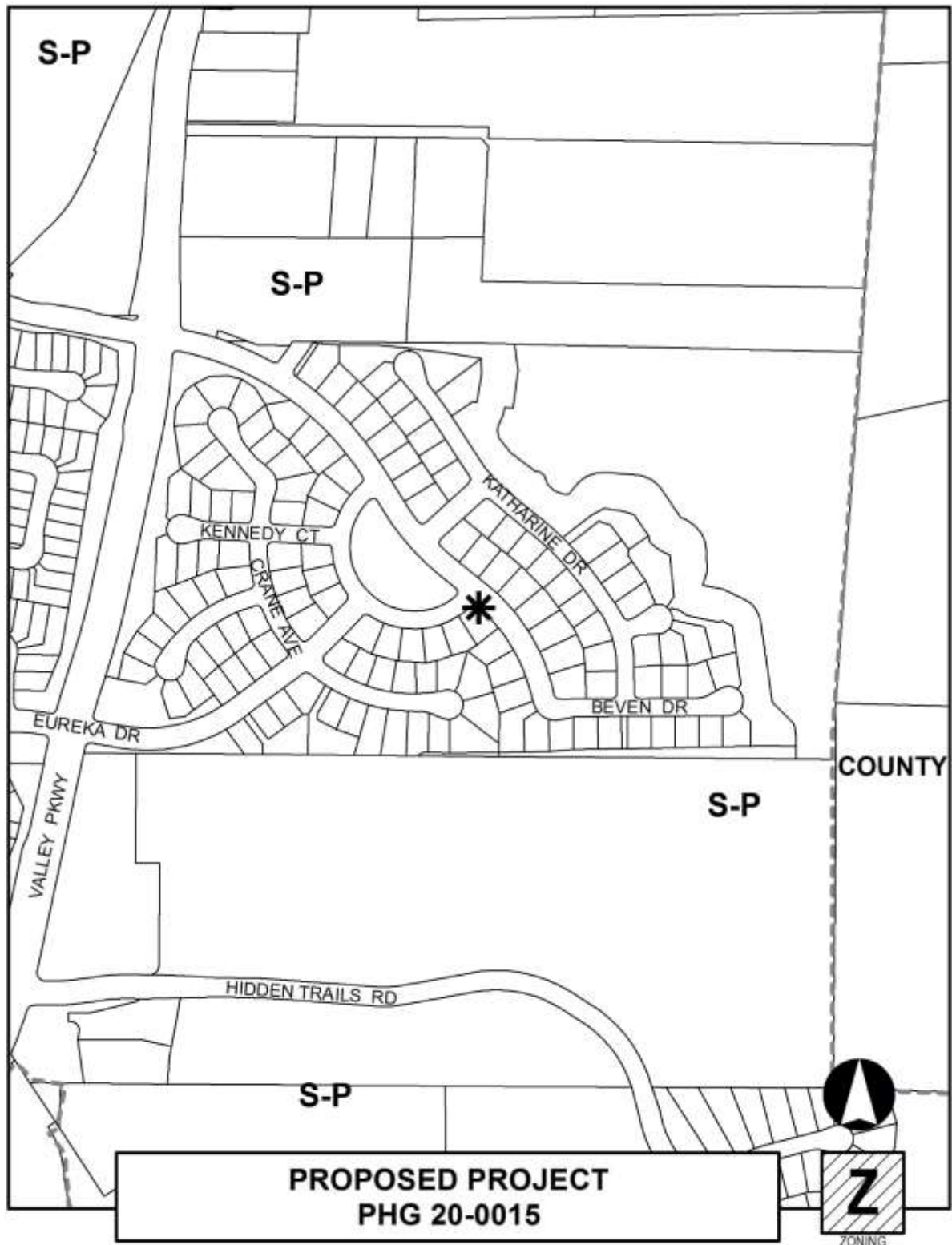
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1

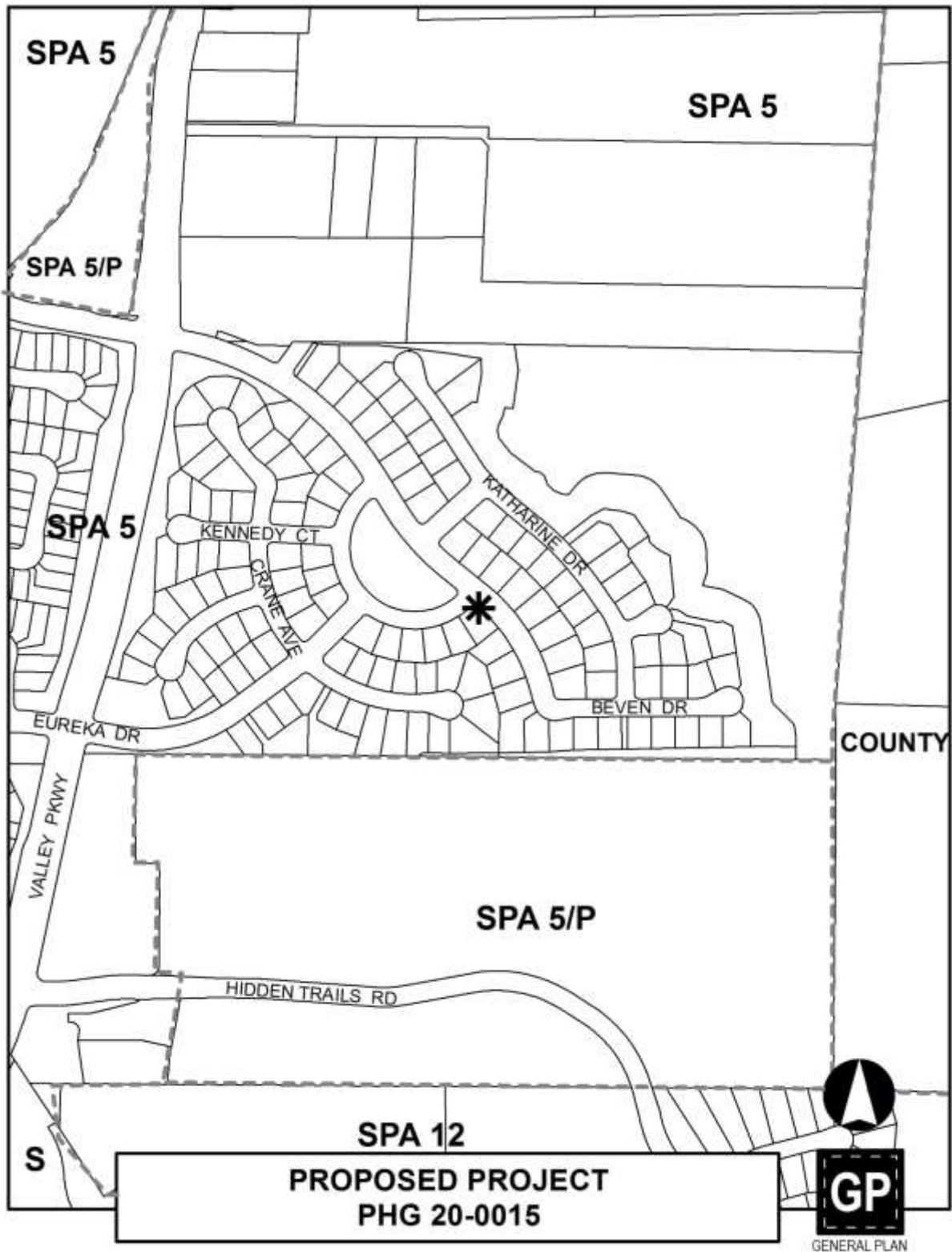
**PROPOSED PROJECT: PHG 20-0008  
 EQUIPMENT DETAILS**



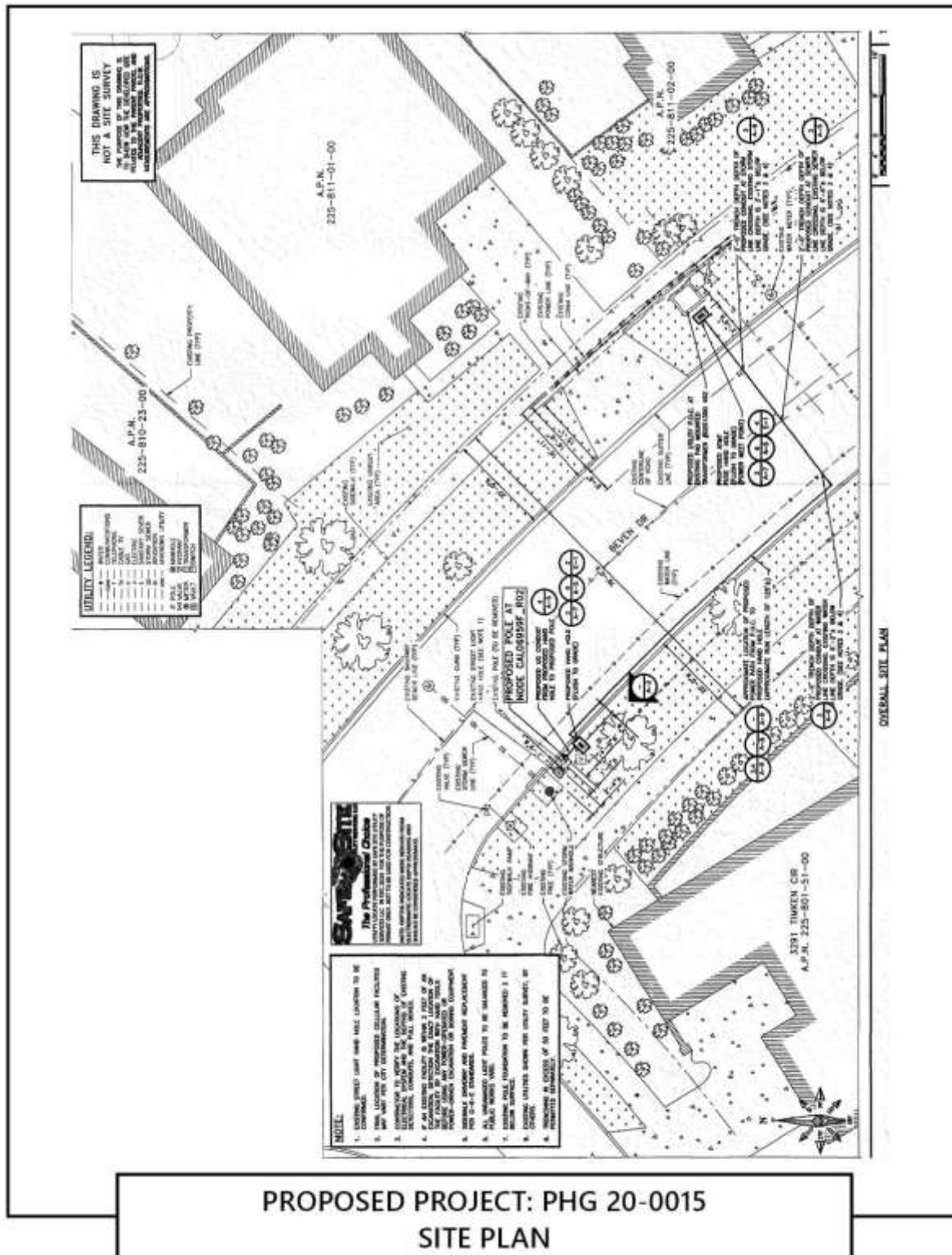


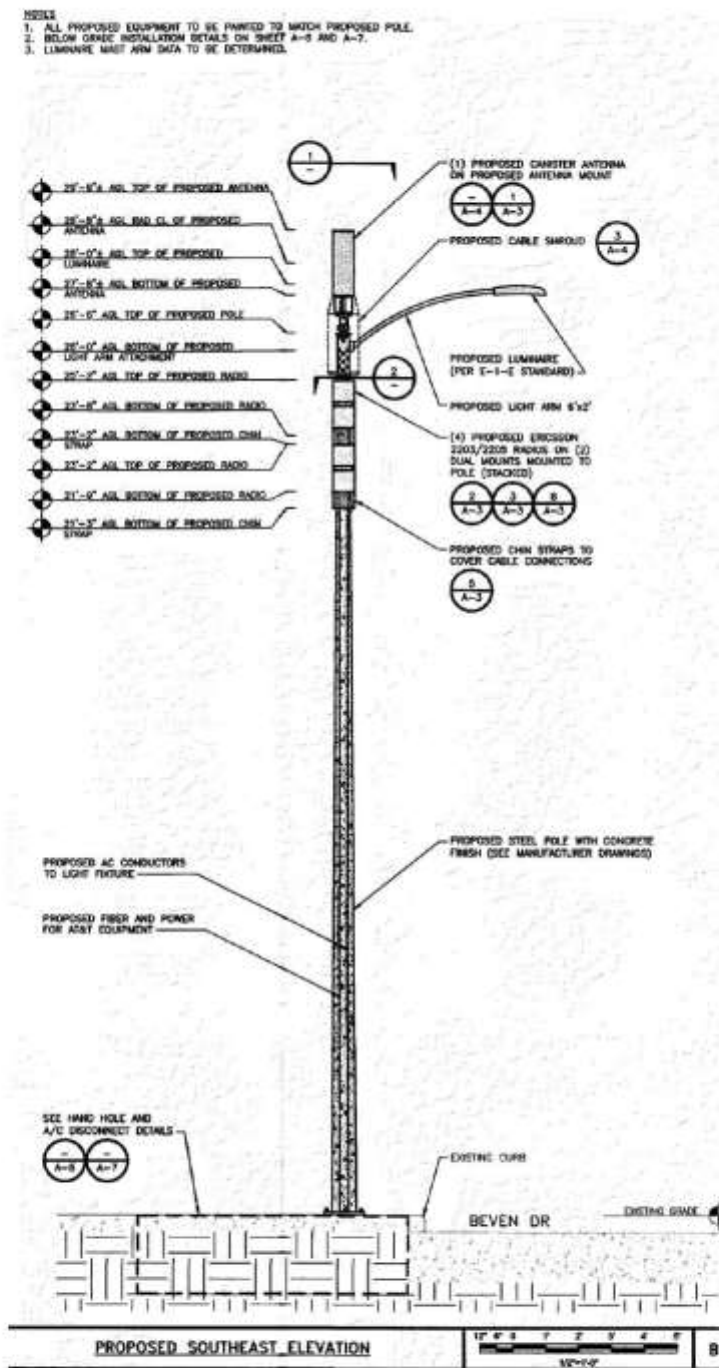






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PHG 20-0003, PHG 20-0005, PHG 20-0008, PHG 20-0015,  
PHG 20-0017, PHG 20-0022 & PHG 20-0024





**PROPOSED PROJECT: PHG 20-0015**  
**SOUTHEAST ELEVATION**



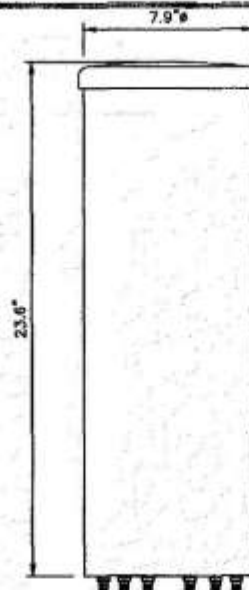
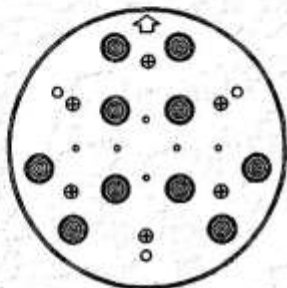


- (1) PROPOSED CANISTER ANTENNA TOTAL HEIGHT 29'-8" +/-
- (4) PROPOSED RADIOS ON DUAL MOUNTS MOUNTED TO POLE (STACKED)
- PROPOSED LUMINAIRE

**PROPOSED PROJECT: PHG 20-0015  
PHOTO SIMULATION**

### GAMMA NU OYZ9X360F10

DIAMETER: 7.9" (200mm)  
 HEIGHT: 23.6" (600mm)  
 VOLUME: 0.67ft<sup>3</sup>  
 TOTAL WEIGHT (WITHOUT MOUNT): 12.0 lbs (5.5 kg)  
 CONNECTOR INTERFACE: (10) 4.3-10 FEMALE  
 RF CONNECTOR LOCATION: BOTTOM



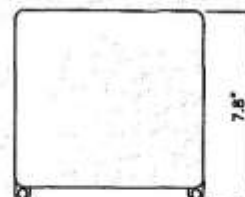
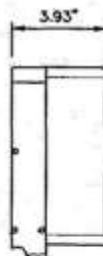
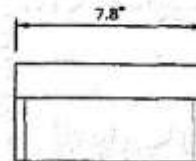
### ANTENNA SPECIFICATIONS

NO SCALE

1

### ERICSSON RRUS-2203/2205 RADIO

LENGTH: 7.8" (200mm)  
 WIDTH: 7.8" (200mm)  
 DEPTH: 3.93" (100mm)  
 VOLUME: 0.14 ft<sup>3</sup>  
 TOTAL WEIGHT: 2203: 9.92 lbs (4.5 kg)  
 2205: 11.02 lbs (5 kg)



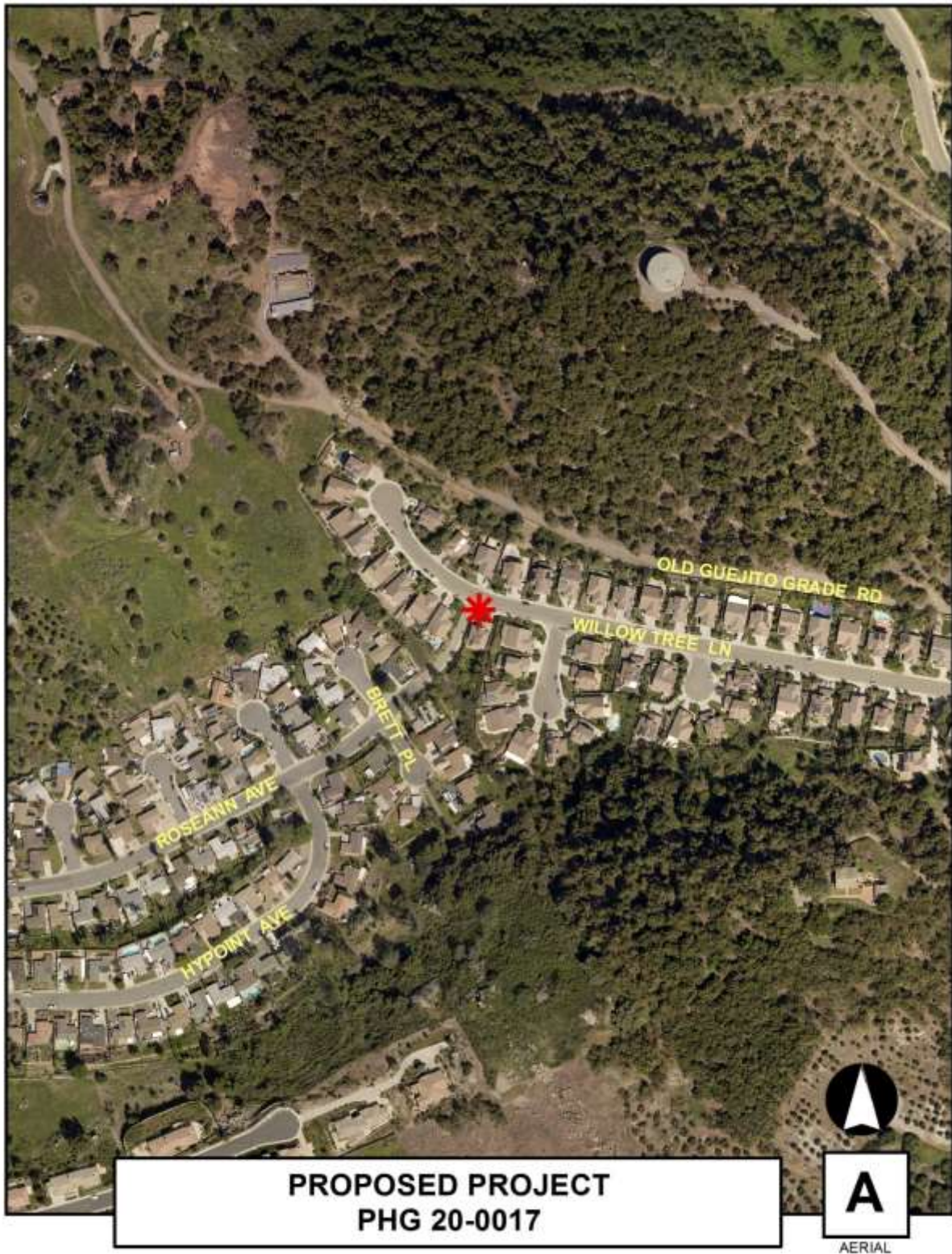
### RADIO SPECIFICATIONS

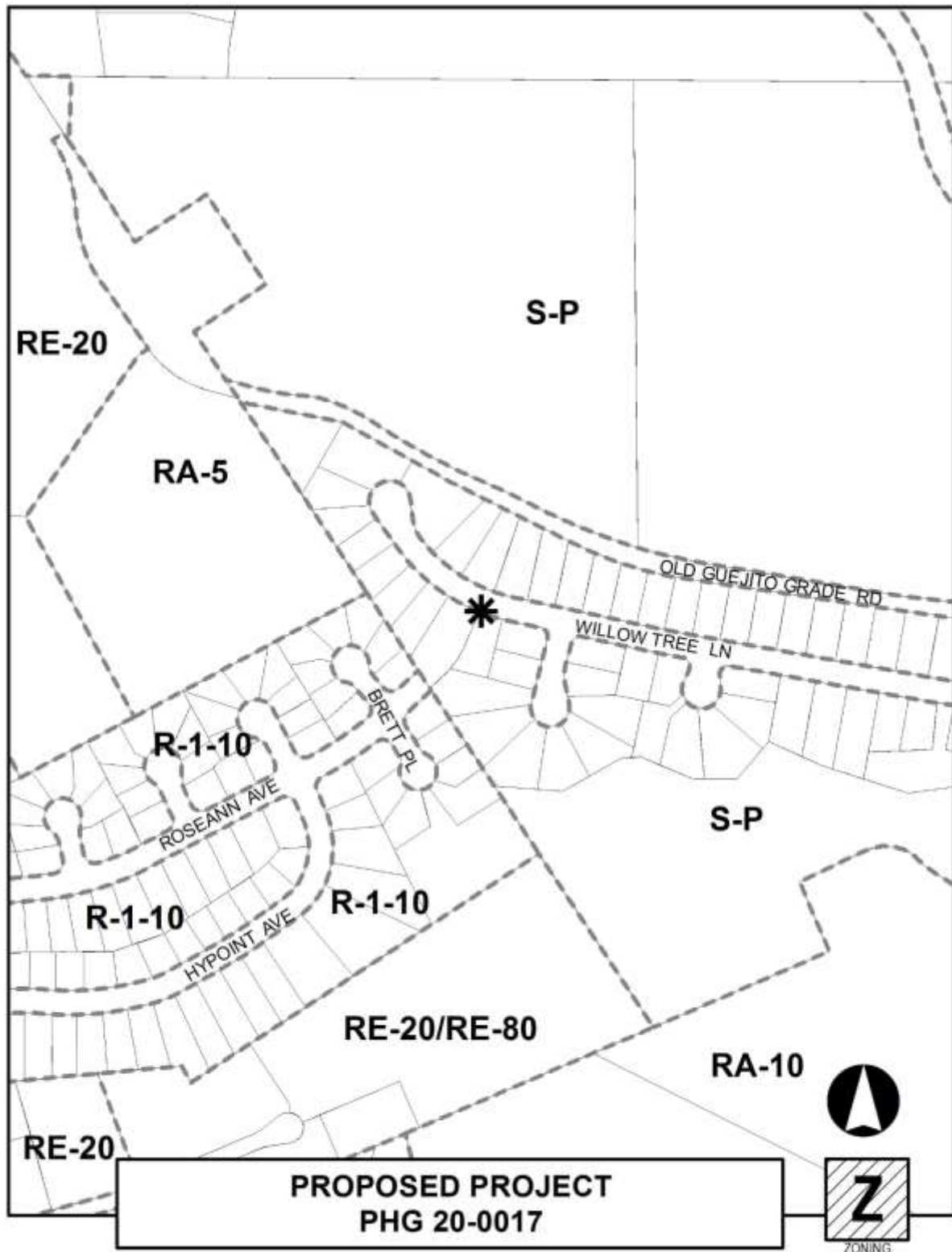
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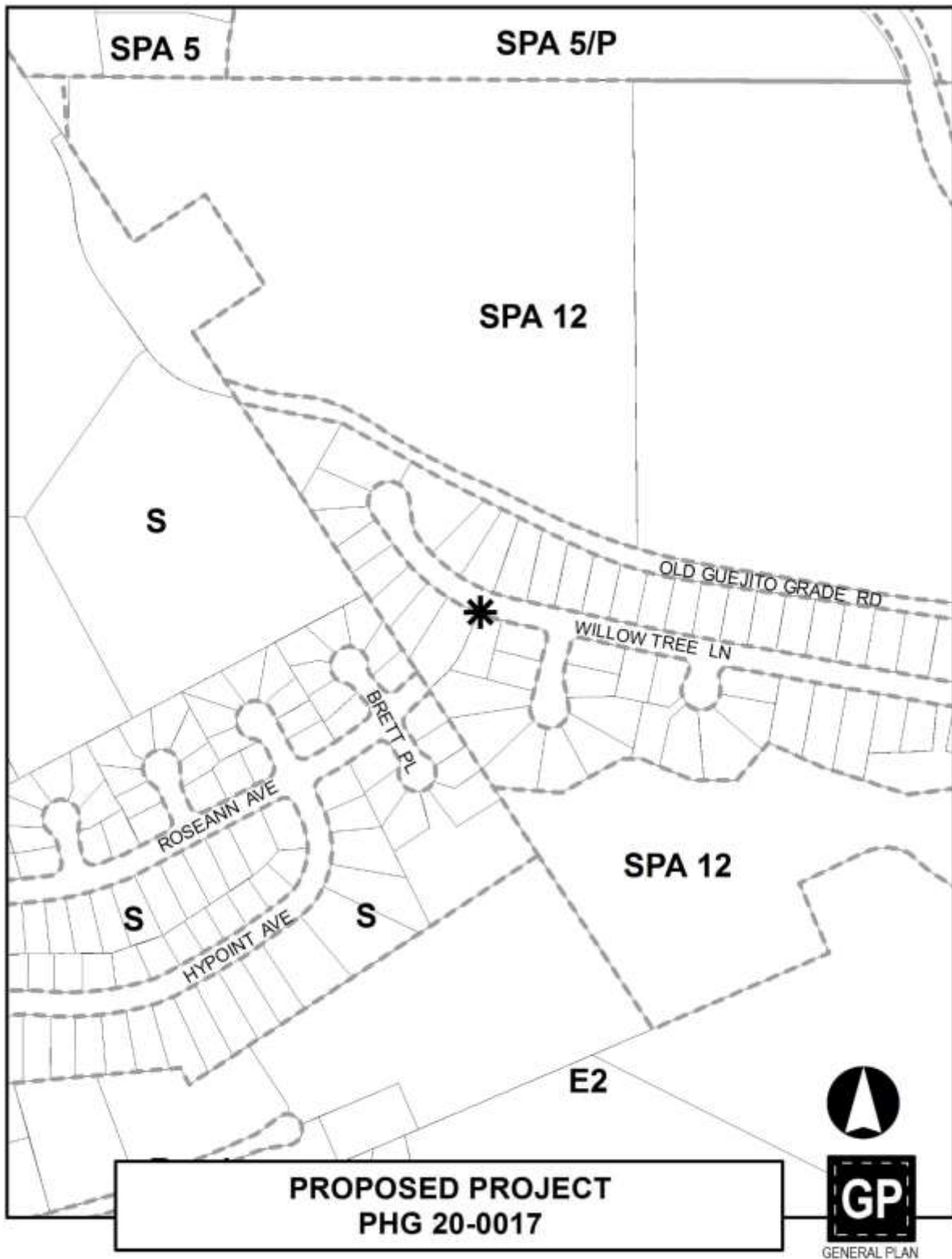
**PROPOSED PROJECT: PHG 20-0015  
 ANTENNA & RADIO SPECIFICATIONS**

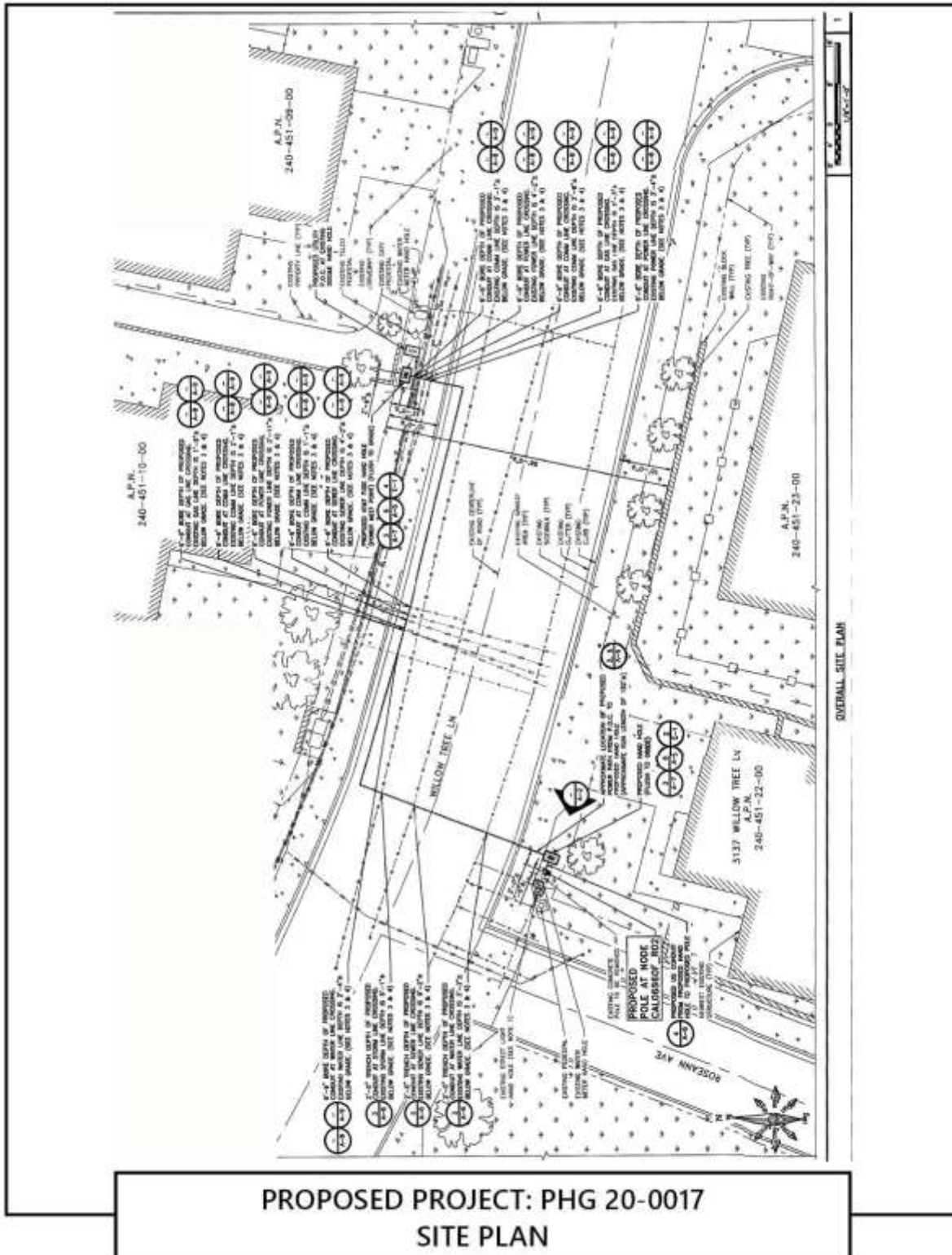


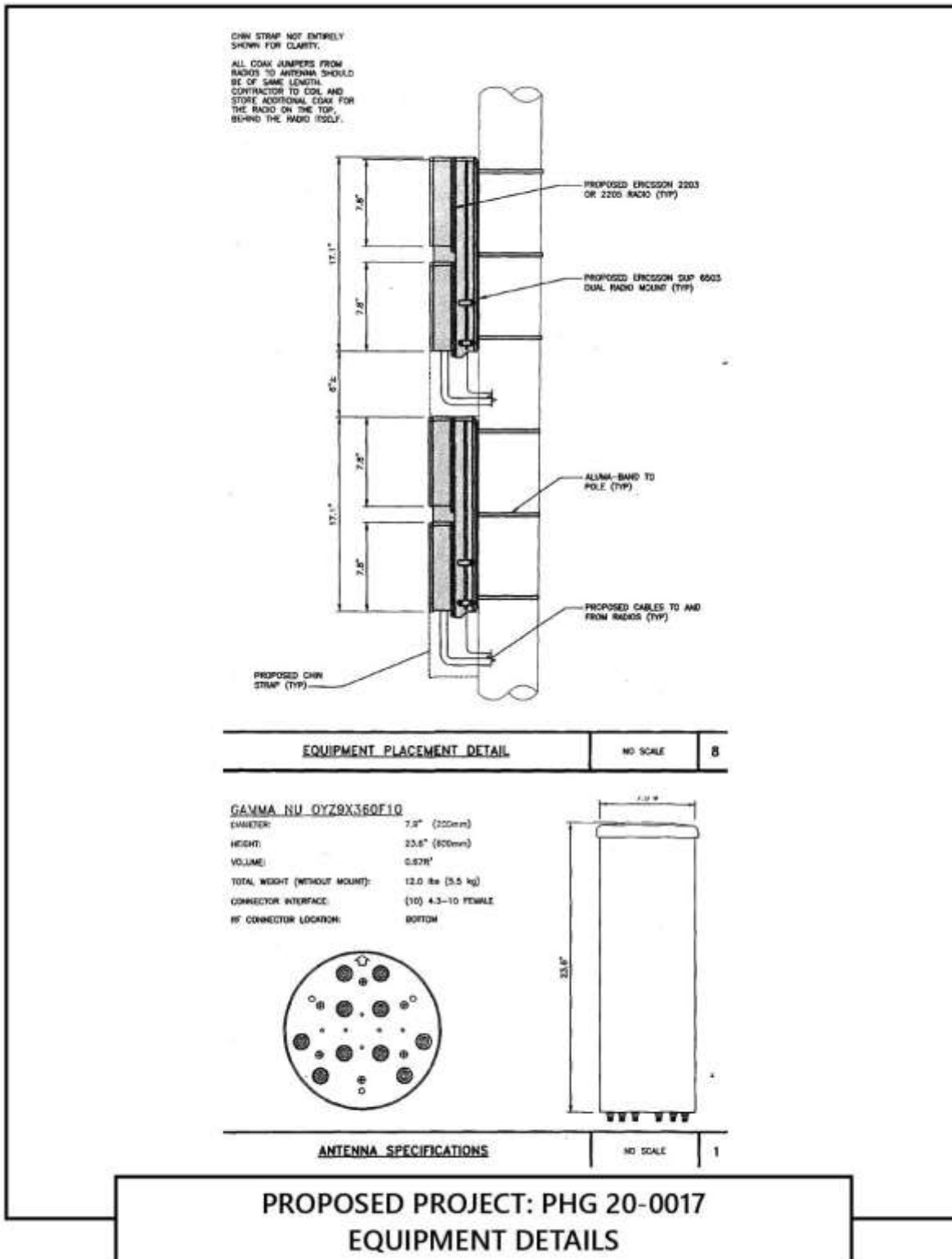


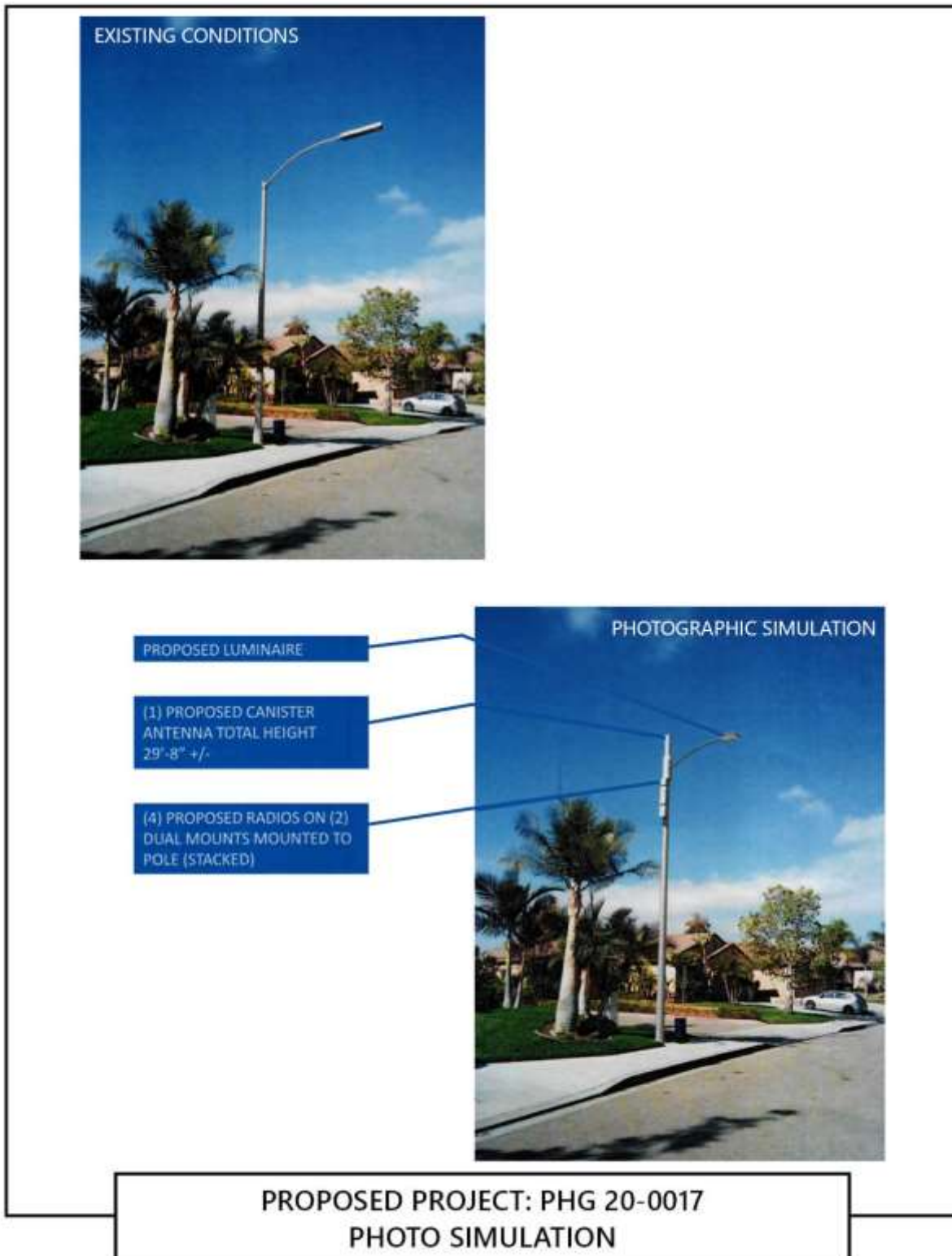




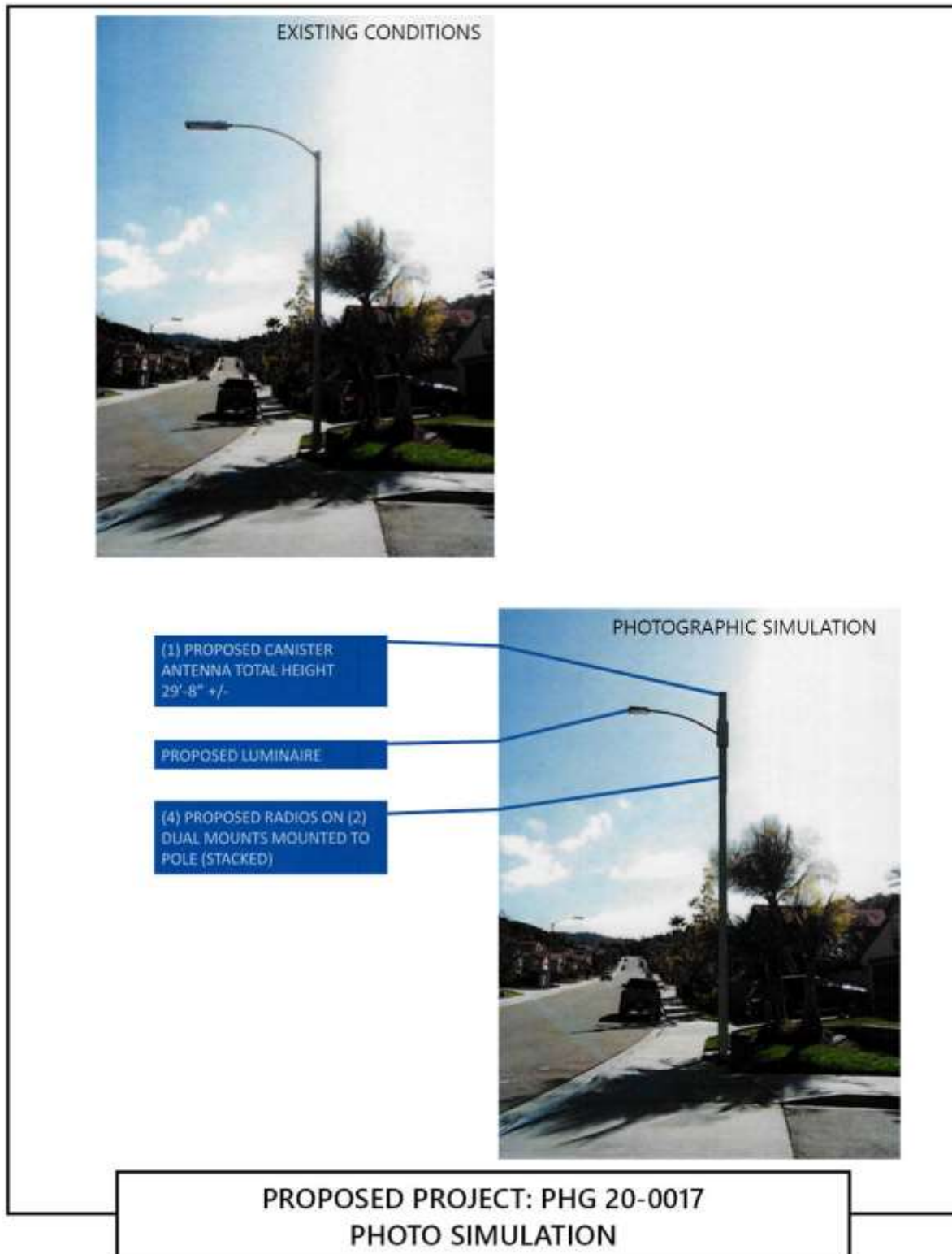






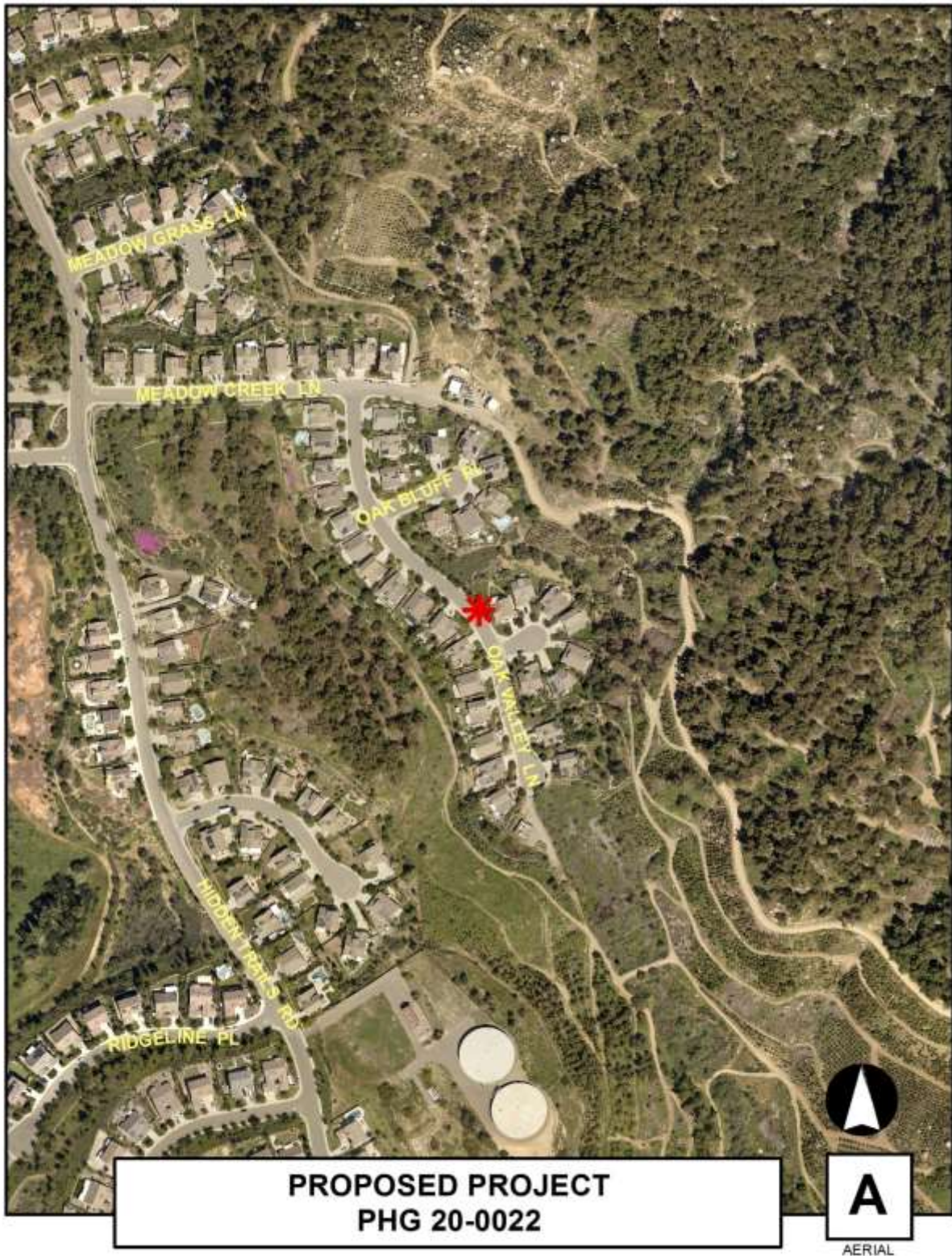


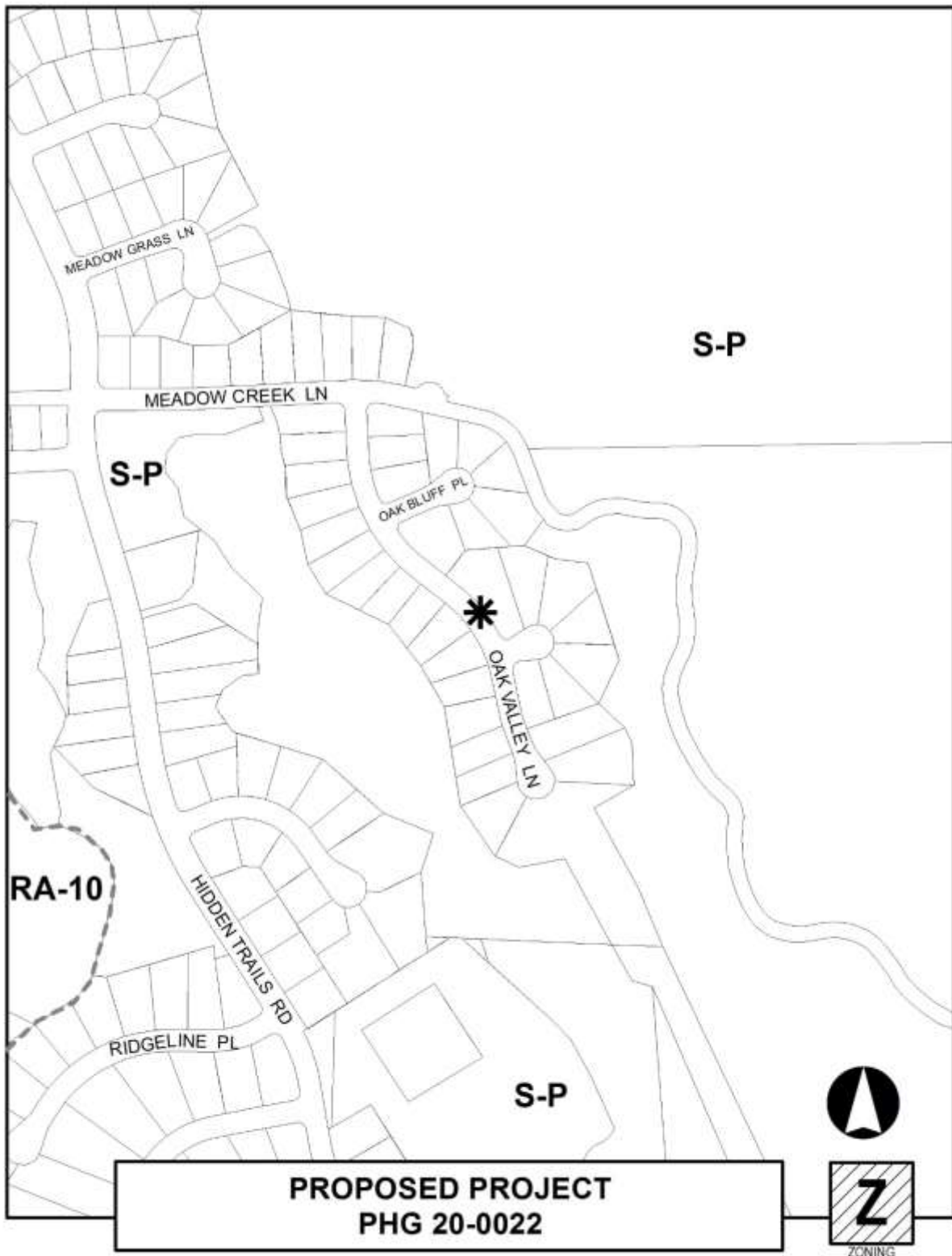




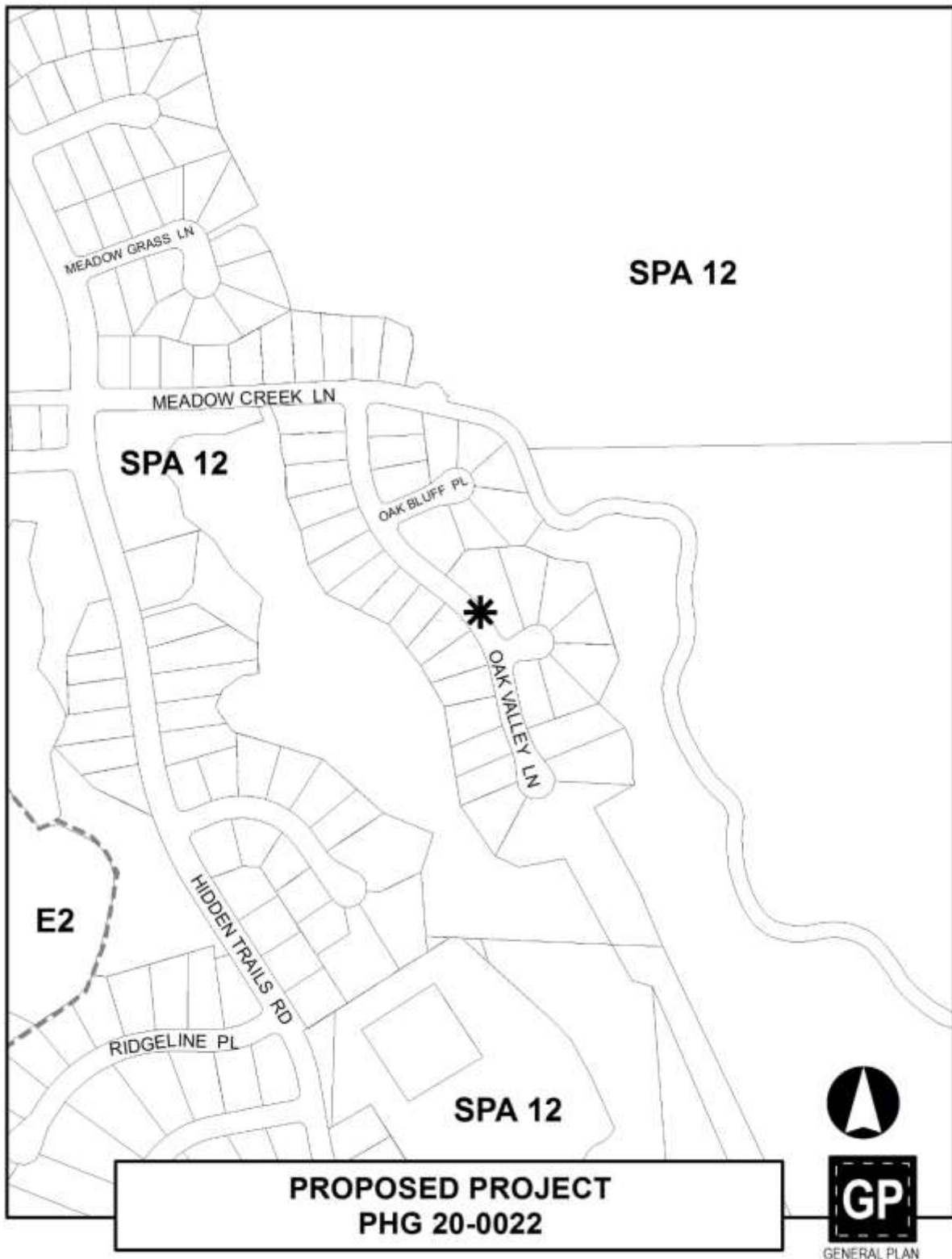
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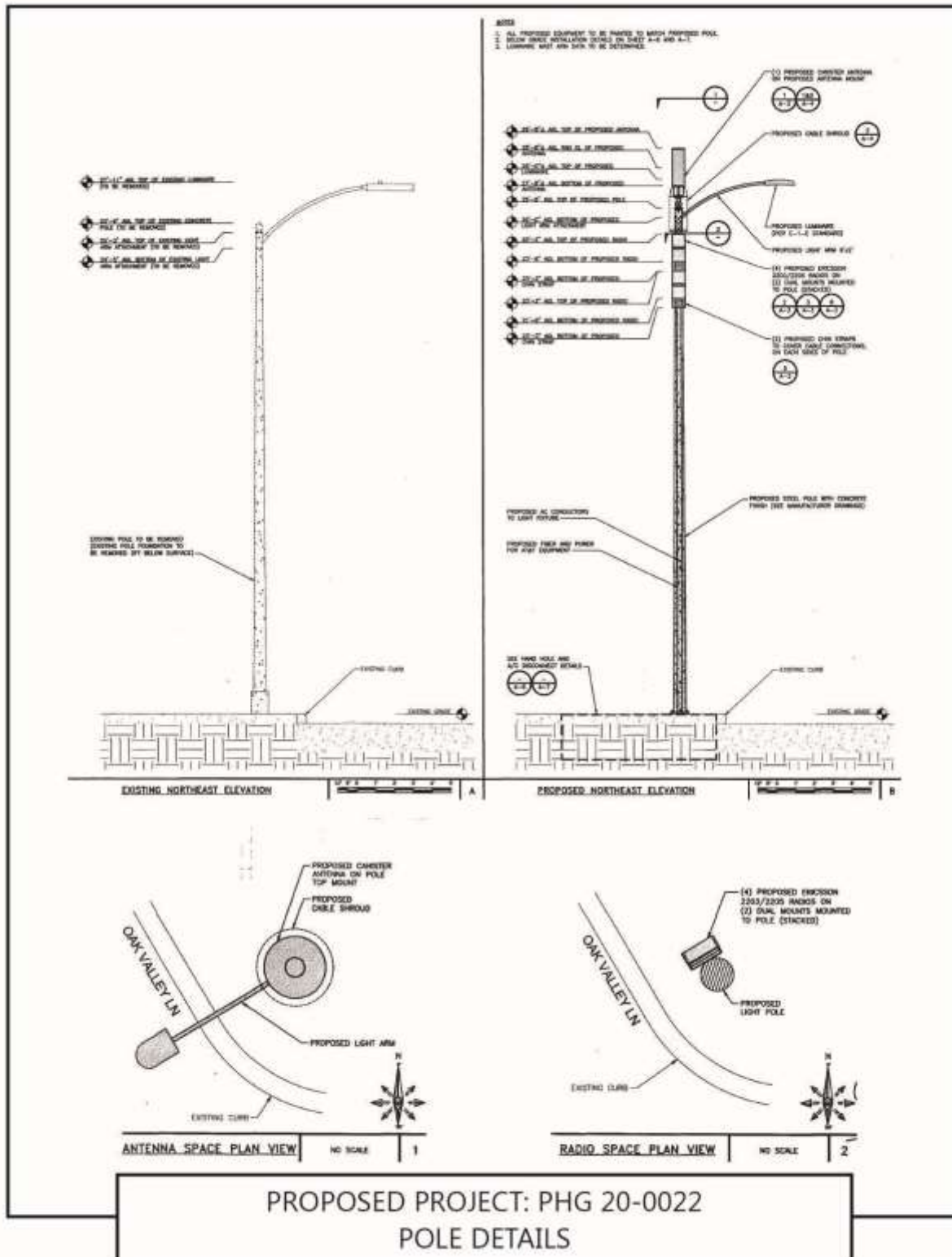






PHG 20-0017, PHG 20-0022 &amp; PHG 20-0024







PROPOSED LUMINAIRE

(1) PROPOSED CANISTER  
ANTENNA TOTAL HEIGHT  
29'-8" +/-

(4) PROPOSED RADIOS ON (2)  
DUAL MOUNTS MOUNTED TO  
POLE (STACKED)



PROPOSED PROJECT: PHG 20-0022  
PHOTO SIMULATION





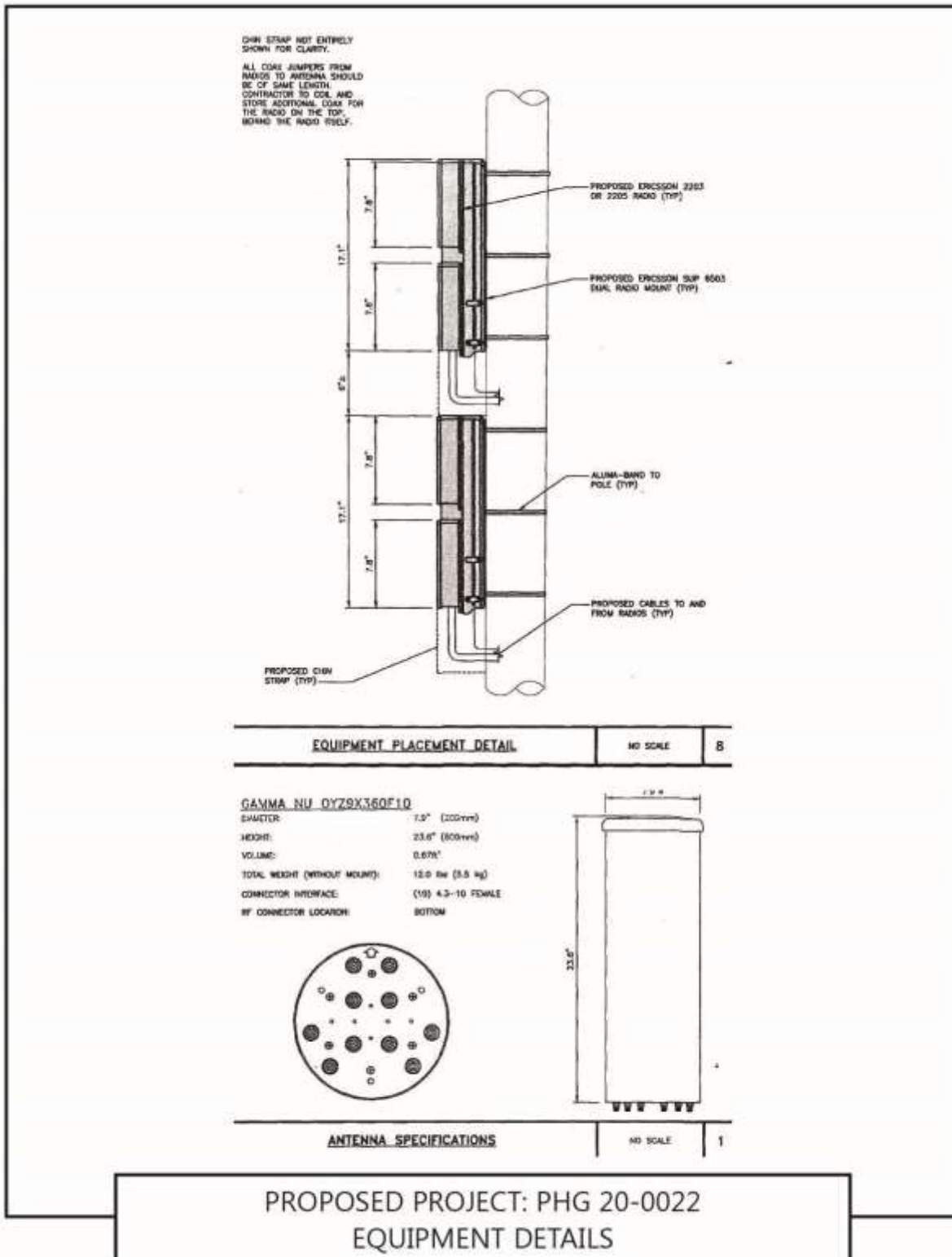
(1) PROPOSED CANISTER  
ANTENNA TOTAL HEIGHT  
29'-8" +/-

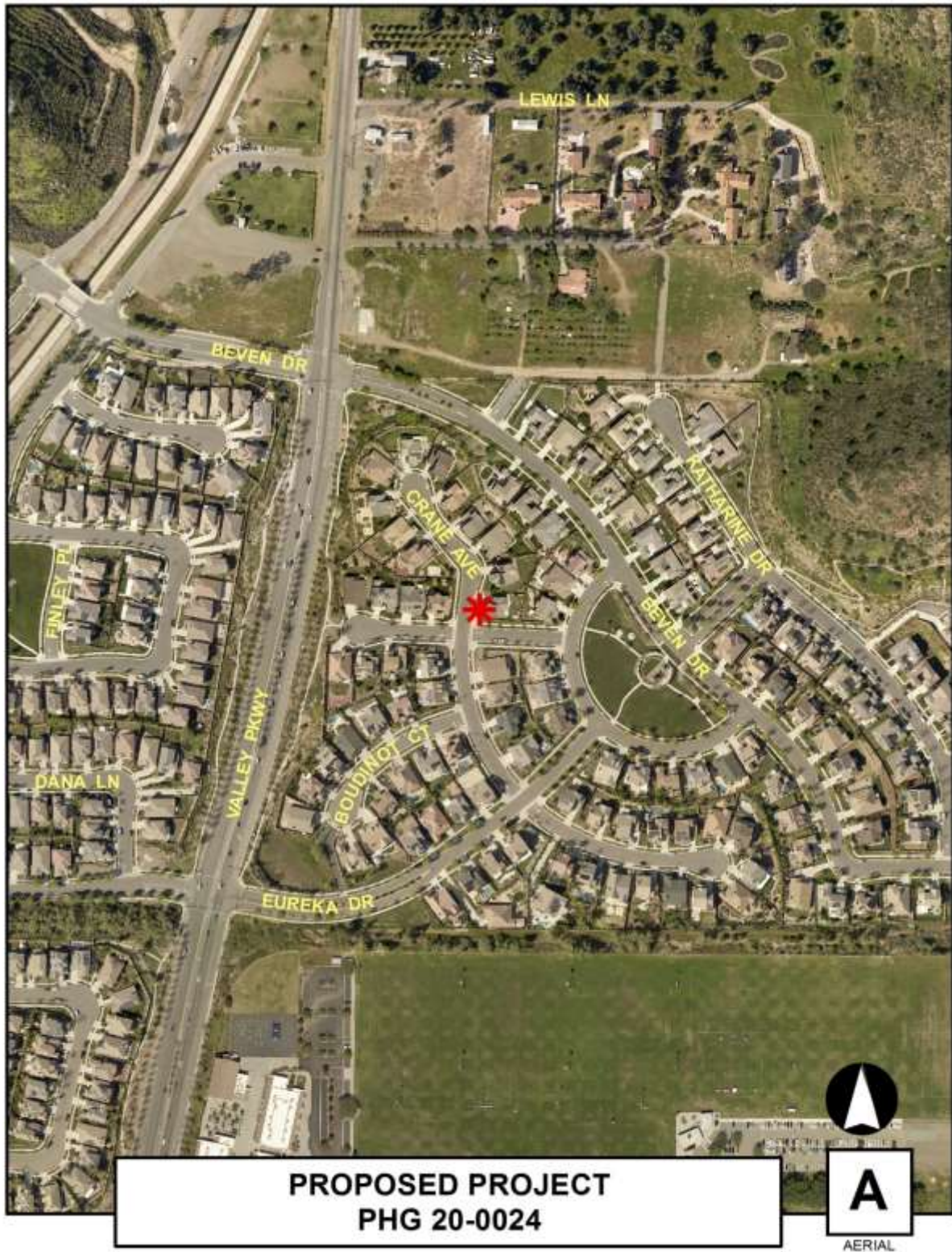
PROPOSED LUMINAIRE

(4) PROPOSED RADIOS ON (2)  
DUAL MOUNTS MOUNTED TO  
POLE (STACKED)

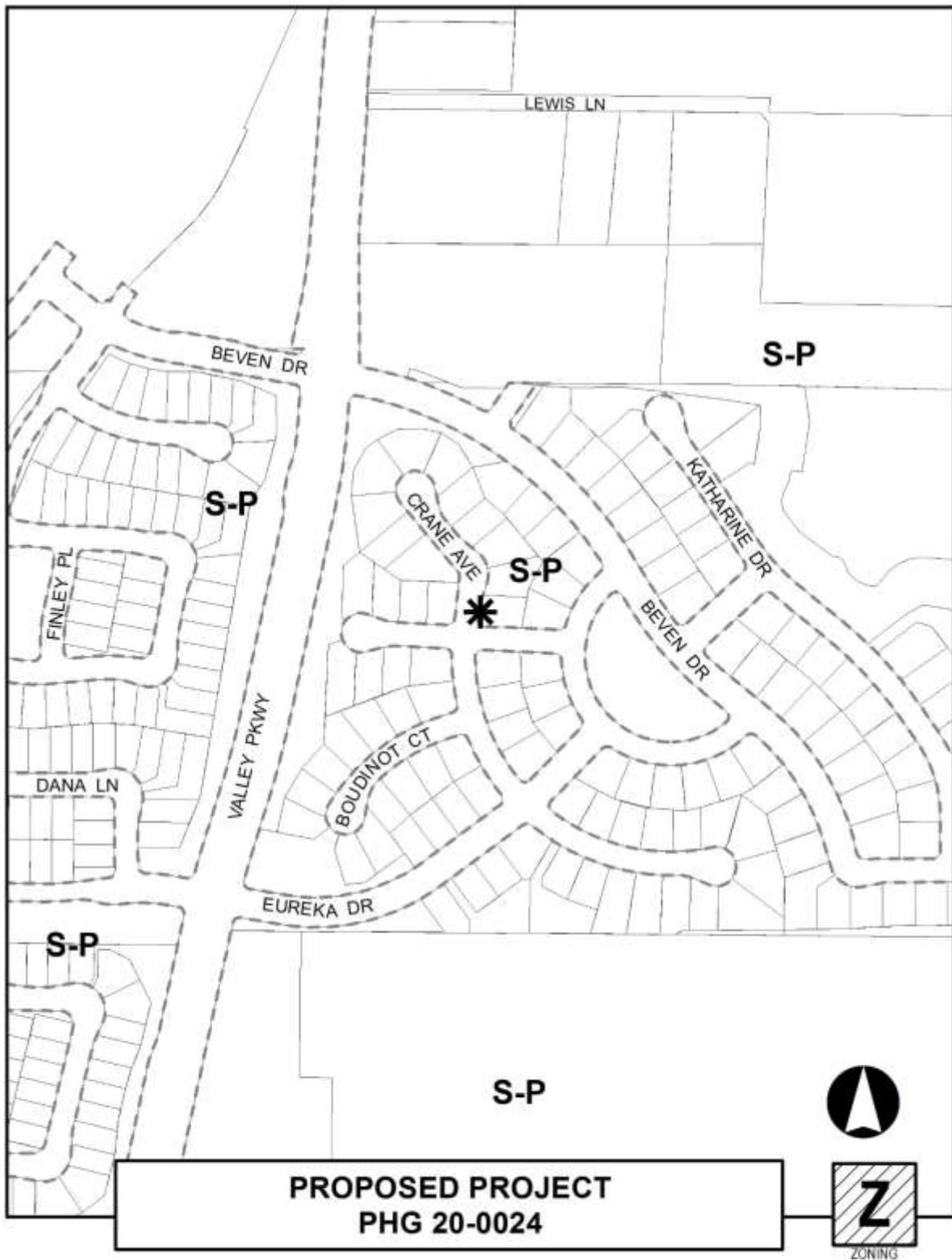


PROPOSED PROJECT: PHG 20-0022  
PHOTO SIMULATION

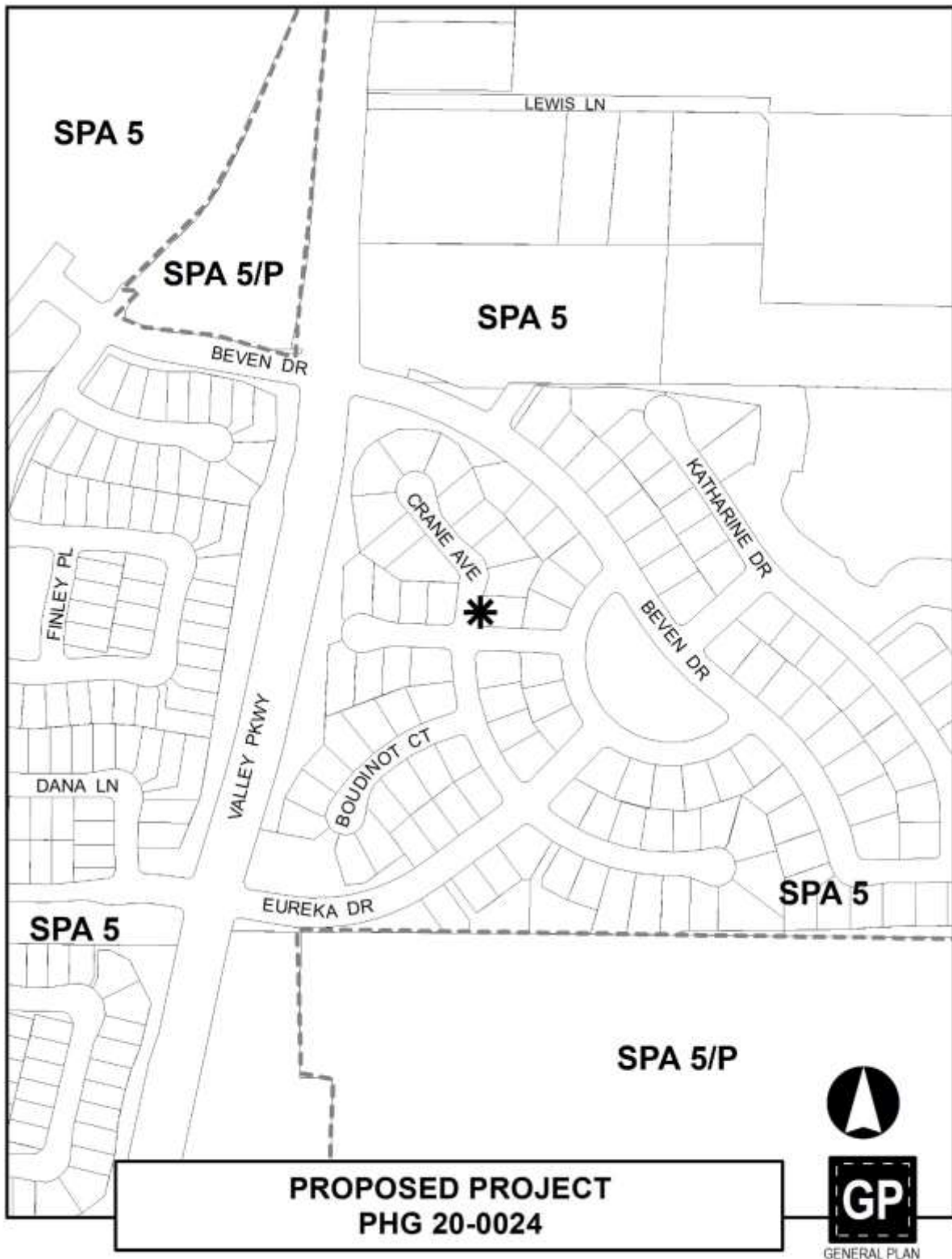




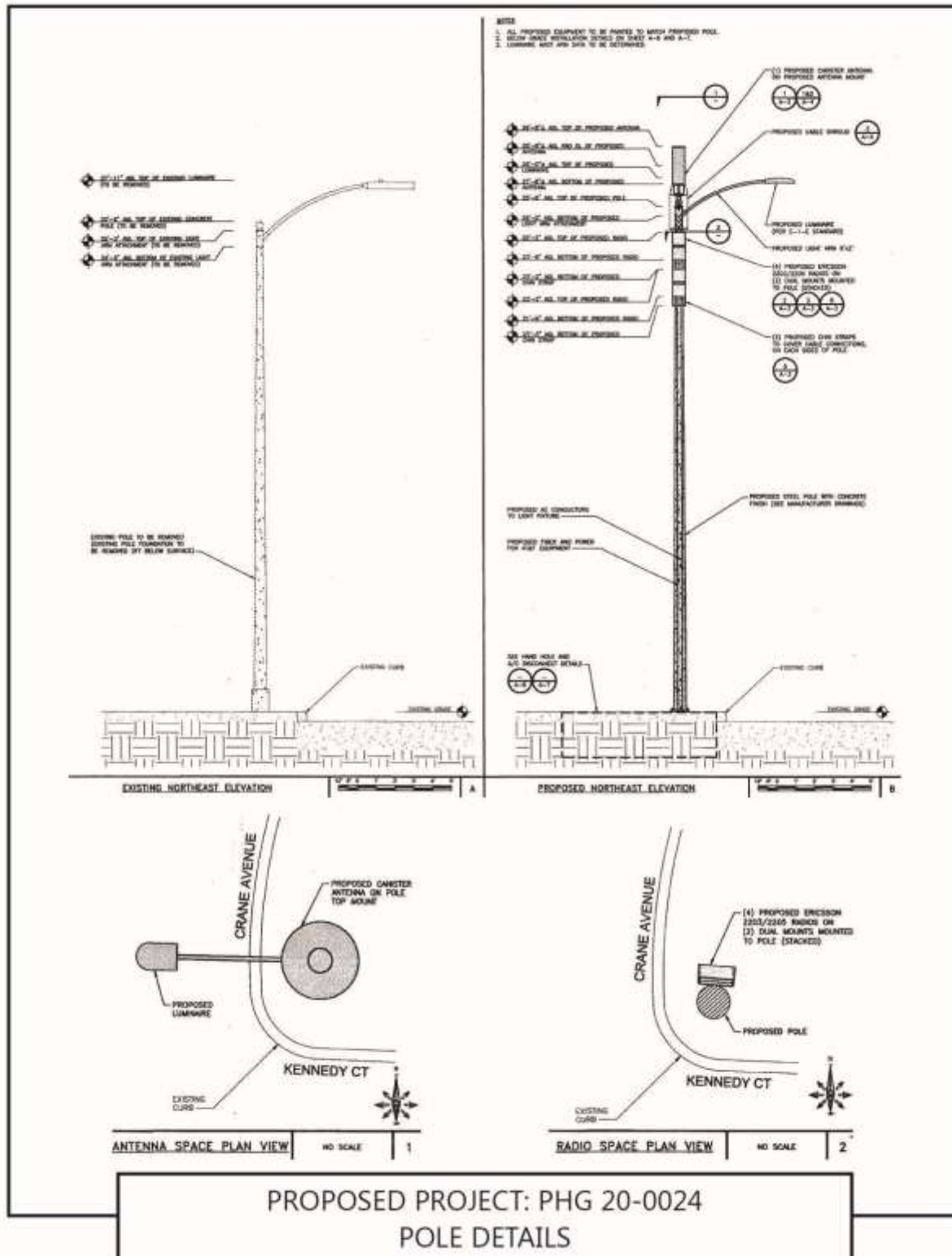


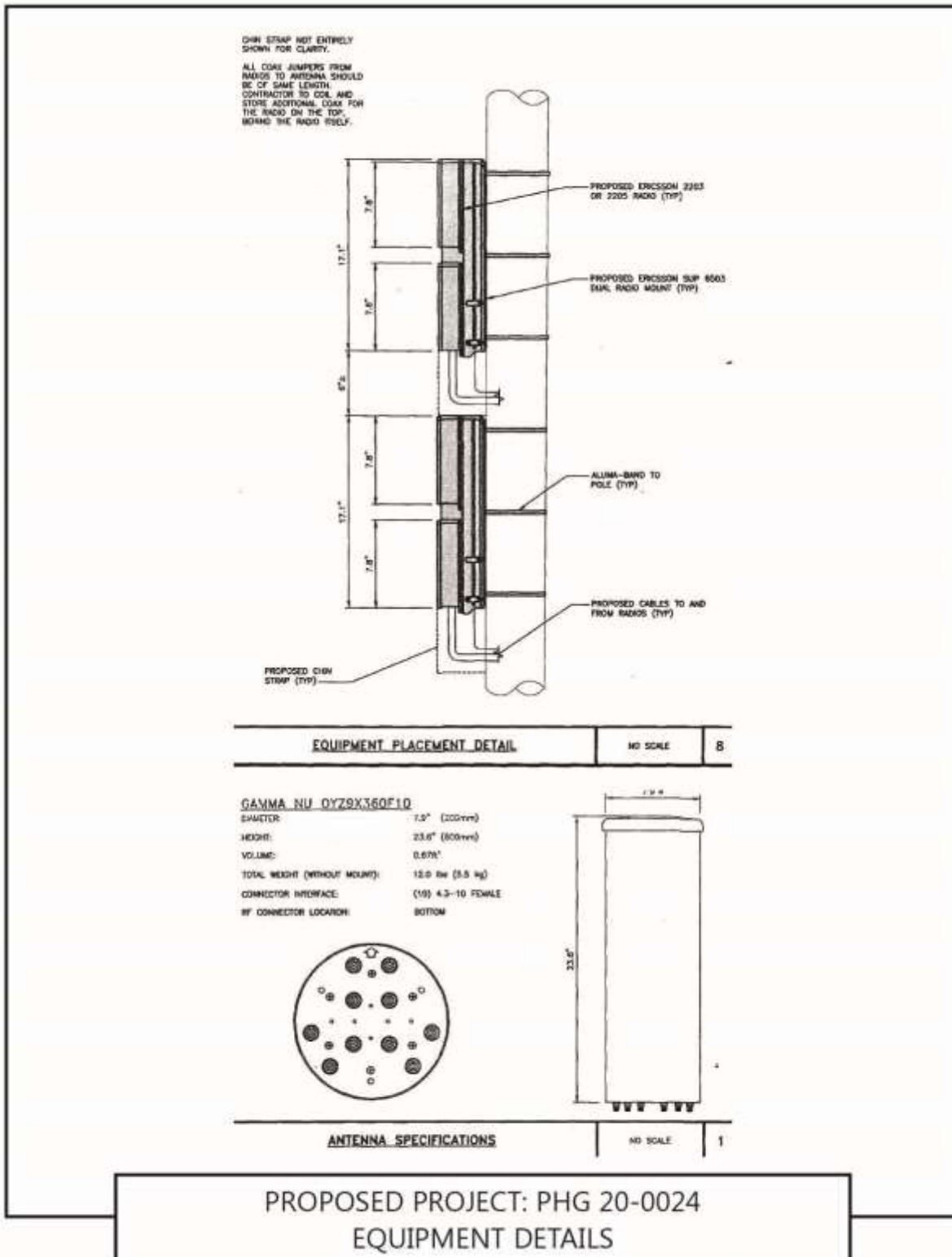




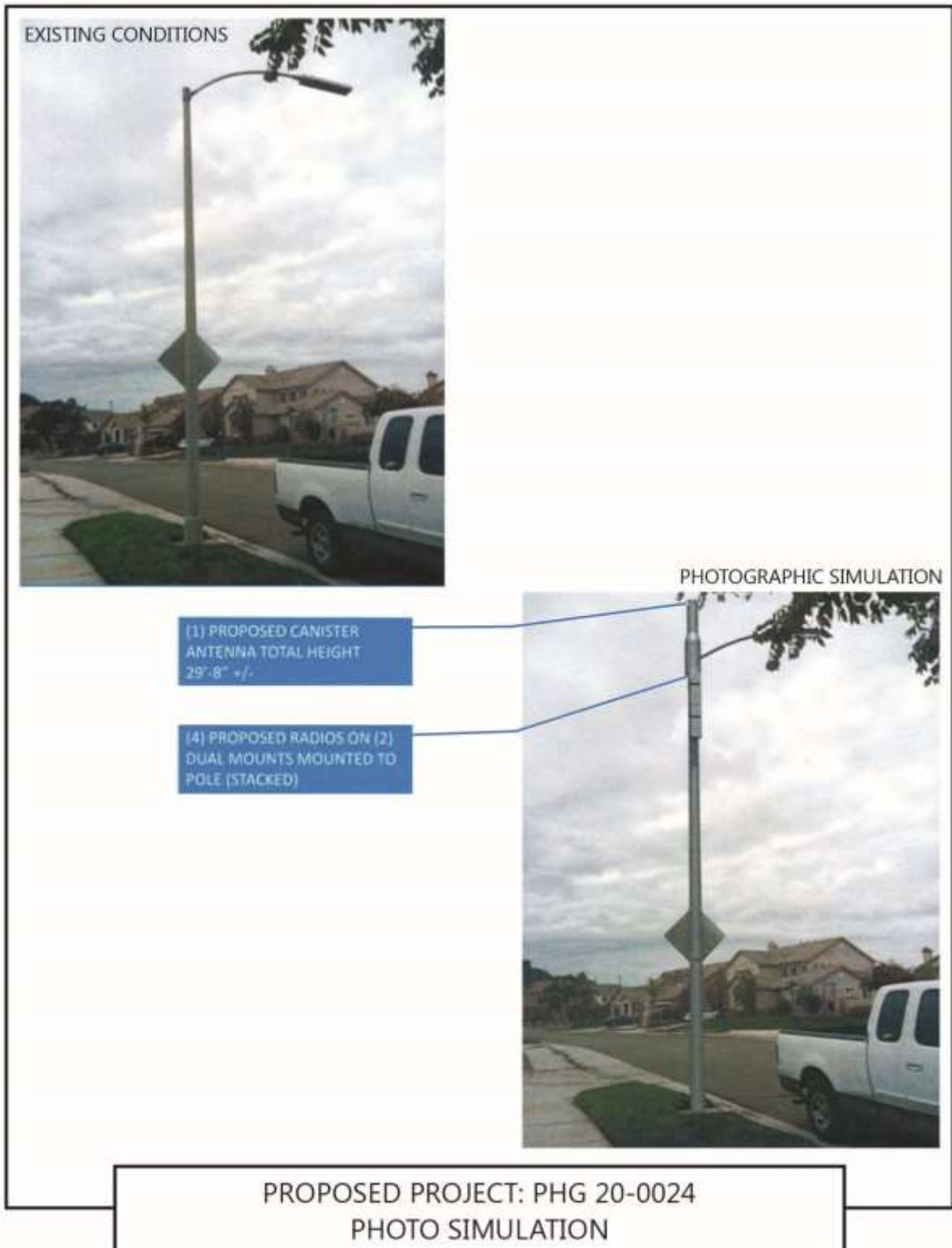


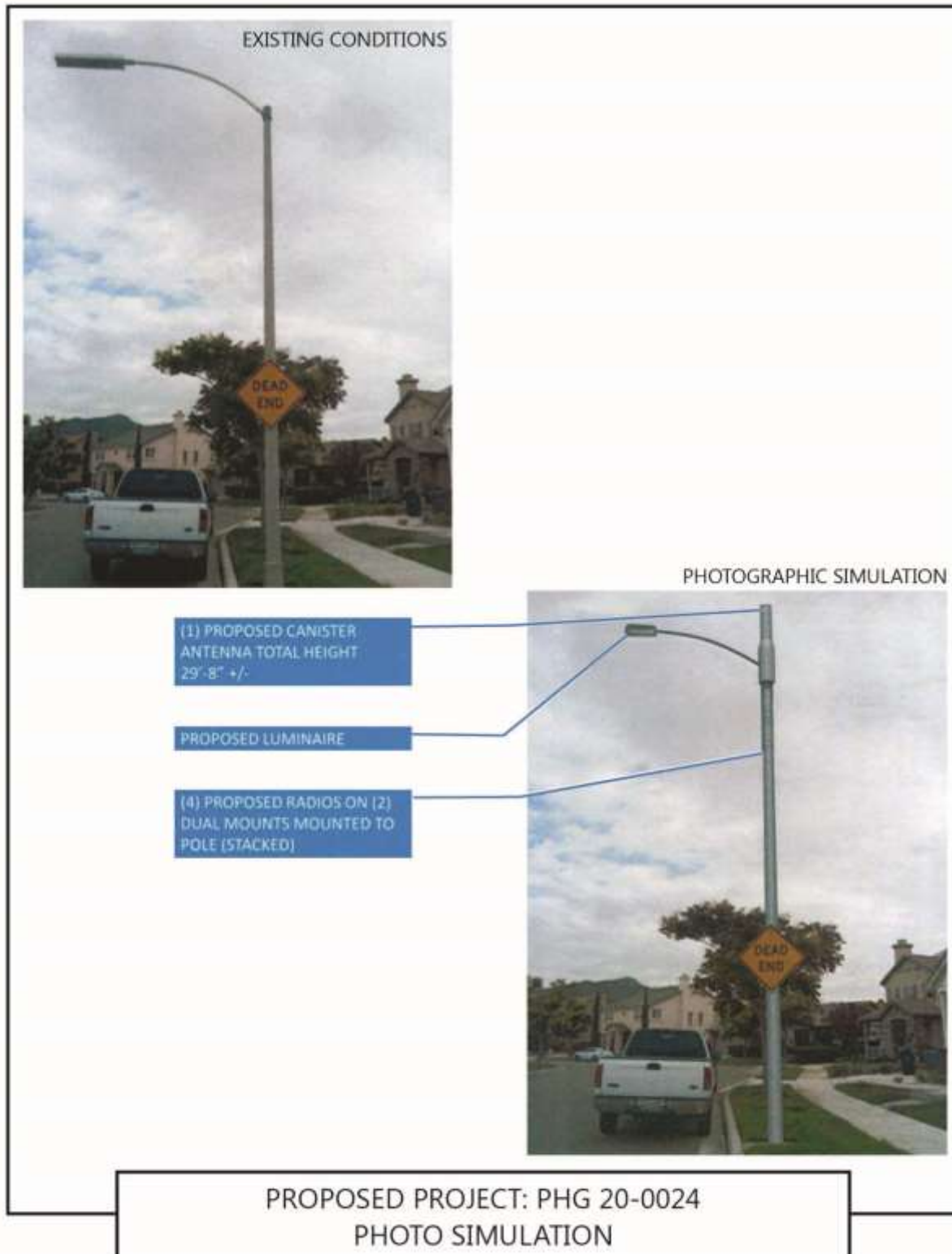












## **EXHIBIT “A”**

### **FINDINGS OF FACT**

#### **PHG 20-0003, PHG 20-0005, PHG 20-0008, PHG 20-0015, PHG 20-0017, PHG 20-0022 & PHG 20-0024**

##### **Environmental Determination:**

1. The proposed project is categorically exempt from environmental review in conformance with CEQA Section 15303, “New Construction of Small Structures.”

##### **Conditional Use Permit:**

1. All decisions granting or denying Conditional Use Permits shall be made in accordance with Section 33-1203 of the Escondido Zoning Code (Findings for Conditional Use Permits). The construction of seven (7) small wireless facilities has been reviewed and the Zoning Administrator concludes and finds, based on the analysis of the project described therein the May 26, 2020 Zoning Administrator’s Staff Report, that:
  - a. Granting the proposed Minor Conditional Use Permit to allow the construction of seven (7) small wireless facilities within the public right-of-way would be based upon sound principles of land use and in response to services required by the community because the placement of the seven (7) small wireless antenna structures (nodes) would enhance wireless service where there currently is a need for additional services coverage or capacity. In addition, each facility is relatively small and would not result in a substantial alteration of the present land use. Design features and Conditions of Approval have been incorporated to minimize any potential land-use compatibility.
  - b. Granting the proposed Minor Conditional Use Permit for the construction of seven (7) small wireless facilities within the public right-of-way would not cause deterioration of bordering land uses or create special problems for the area in which it is located because the facilities would be appropriately integrated into replacement street light poles that would continue to function as a city street light. Additionally, RF emission generated from each site would be below the FCC accepted guidelines/standards. Pursuant to federal law and local government agency may regulate the placement and modification of a wireless communication facility on the basis of the environmental or health effects of radio frequency emissions to the extent that such facilities comply with federal law concerning emissions.
  - c. The proposed Minor Conditional Use Permit for seven (7) small wireless facilities would be compatible with the surrounding neighborhoods because the facilities have been designed to be appropriately incorporated into/mounted onto a street light, and would be located in an area where existing street lights, or similar type infrastructure currently exist. Associated

support equipment would be placed in small new underground concrete vaults (handhole). Conditions have been applied to reduce potential impacts to the immediate areas.

- d. The applicant, AT&T has analyzed and demonstrated that the site is necessary to close a significant gap in service to the community. Although the signal propagated from a small cell wireless node antenna spans over a shorter range than a conventional macro tower system, small wireless facilities/nodes can be an effective way too to close service coverage gaps and/or address capacity issues.
- e. The proposed location for seven (7) small wireless facilities conforms to the requirements of Article 34, "Communication Antennas", Section 33-704 (k), because a Minor Conditional Use Permit is required if a small wireless facility is located within forty-feet of a residential unit. All seven (7) sites are located closer than forty-feet from a residential unit.
- f. That the design of the seven (7) small wireless facilities conforms to the requirements of Article 34, "Communication Antennas", Section 33-704 (k), and any adopted guidelines to the maximum extent possible, as detailed in the Zoning Administrator staff report dated May 26, 2020.
- g. The applicant, AT&T, has demonstrated in good-faith effort to identify and evaluate more preferred locations and that alternative locations are not feasible, practical or potentially available. AT&T considered sites on other poles in the area but none of these sites is a desirable from construction, coverage or aesthetics perspectives. The proposed location was chosen based on design criteria for locating on city-owned street light poles and the coverage and capacity needs for the area.



## **EXHIBIT “B”**

### **CONDITIONS OF APPROVAL**

#### **AT&T Small Wireless Facilities (Nodes)**

**PHG 20-0003, PHG 20-0005, PHG 20-0008, PHG 20-0015,  
PHG 20-0017, PHG 20-0022 & PHG 20-0024**

#### **Planning Division Conditions**

All small wireless facilities approved as part of this application are subject to the conditions of approval below. For the purpose of these Conditions of Approval, the term “Applicant” shall also include the permittee, wireless carrier, or its successor (s) in interest in any small wireless facility, as may be applicable.

1. Should the applicant fail to protest these conditions and/or file a timely and valid appeal of this Small Wireless Facility Permit, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
  1. Acceptance of the permit by the applicant; and
  2. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this Small Wireless Facility Permit or other approval(s) applicable to said permit.
2. Compliance with all requirements contained in these Guidelines and Section 33-704(k) of the Escondido Zoning Code shall be strictly adhered to.
3. The applicant shall remove any Notice of Public Hearing signage within 24 hours following a public hearing for any small wireless facility.
4. All required permits and agreements must be in place prior to commencing installation of any facility.
5. It shall be the responsibility of the applicant to secure any permits, approvals, agreements and authorizations from other agencies. Failure on behalf of the City of Escondido to ensure that said permits, approvals, agreements and authorizations have been secured shall not alleviate the applicant from this responsibility.
6. All construction and operations shall comply with all applicable requirements of the Escondido Zoning Code, Escondido Municipal Code, and any other applicable policies and requirements of the City.

7. The applicant shall pay all additional fees and deposits required by the City at the time of application for an encroachment permit, including those fees required by any master license agreement.
8. All aspects of the facility shall strictly conform to the plans and other exhibits approved by the City and on-file with the Planning Division.
9. The radio units shall be flush mounted to the street light poles and noted on the building plans, to the extent feasible, unless otherwise shown on the plans.
10. The radio units, antennas, shrouds and extension poles/equipment shall be painted/textured to match the street light pole and noted on the plans to the satisfaction of the Planning Division.
11. As of the date of permit issuance, the applicant certifies that the facility utilizes the least intrusive design and that no less intrusive designs are available.
12. Final inspections by the Planning and Field Engineering Divisions shall be required before commencement of operations of any facility. Any facility not installed in strict compliance with the approved permit(s) and these Guidelines shall be brought into compliance and subsequent inspection(s) shall be requested by the applicant. Operations shall not commence prior to the facility passing final inspection(s).
13. Prior to commencement of operations, it shall be the applicant's responsibility to ensure that the facility has passed all inspections required by any other agencies with jurisdictional authority.
14. Post-Installation Certification. Within 90 calendar days after the applicant commences full, unattended operations of a small wireless facility, the permittee shall provide documentation demonstrating that the facility has been installed and constructed in compliance with the approved plans. Such documentation shall include without limitation as-built drawings, GIS data, and site photographs. Failure to provide such certification shall be cause for the City to rescind approval of the installation of the facility until such time as the certification has been provided.
15. Build-Out Period. The small wireless facility permit and associated encroachment permit will automatically expire twenty-four (24) months from the approval date unless construction has commenced. Construction shall be completed within six (6) months of commencement.
16. Within ninety (90) days following commencement of full, unattended operation of each facility, the applicant shall provide the City with a post-installation assessment report signed by a third party RF engineer certifying the wireless facility's compliance with applicable FCC rules and regulations.

17. Site Maintenance. The applicant shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean, and safe condition. Any such equipment, structures, etc., that, in the opinion of the Director, has become worn, weathered, or otherwise degraded, shall be repaired or replaced by the permittee at the permittee's sole expense. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 24 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
18. Applicant hereby agrees to investigate complaints related to possible interference with electronic equipment in the surrounding area, to determine the cause of the interference. If the facility is determined to be the cause of the electronic interference, applicant shall resolve the issue in a timely manner, to the satisfaction of the Director.
19. Any facility suspected of causing interference with Fire Department or public safety communications shall be immediately taken out of operation and said interference shall be investigated. Should the facility be found to be the cause of the interference, the issue must be resolved prior to recommencing operation of the facility, to the satisfaction of the City of Escondido.
20. The final location of any small wireless facility shall be verified in the field to not interfere with visibility of any traffic control device or signage, or reduce sight distance below City and ASSHTO requirements, to the satisfaction of the City of Escondido prior to commencing operation of the facility.
21. Small wireless facilities installed on or as part of a new or replacement street light shall not be placed in locations subject to future public road widening or in conflict with future planned utility or storm drain infrastructure.
22. No facility shall be expanded, relocated, or otherwise modified without approval of subsequent permits by the City of Escondido.
23. Any application for the modification of an existing facility shall require replacement of any portion of the facility for which a less intrusive design has become available.
24. Any trenching in excess of fifty (50) feet will require a separate encroachment permit including a construction drawings submittal to the Engineering Services Department, and the owner of the proposed underground facilities will be required to execute a one-time Right-of-Way and Maintenance Agreement with the City of Escondido or provide evidence of prior Franchise Agreement rights.
25. Any City infrastructure removed in order to install a small wireless facility shall be so removed in a manner, which does not damage said infrastructure, and said infrastructure shall be

delivered to the City of Escondido public works yard, as directed by Field Engineering and Public Works staff.

26. Installation of any facility shall be in full compliance with all applicable city, regional, and state design standards and standard drawings.
27. The foundation of any removed street light shall be removed to a depth of at least two feet below finished grade.
28. All street light conduit and wiring splicing shall be reconnected in accordance with the City's standard drawings, to the satisfaction of the city engineer.
29. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages, which have occurred because of construction activities for the facility, to the satisfaction of the city engineer. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with standard drawing G-6-E.
30. The applicant shall be responsible to repair and resurface all trenched roadways per City of Escondido Standard Drawing G-2-E, to the satisfaction of the City Engineer.
31. The applicant or contractor will be responsible to implement Best Management Practices (BMPs) to prevent storm water pollution in accordance with the approved Erosion Control Plan, CASQA Guidelines and City of Escondido Municipal Code during all phases of project construction to the satisfaction of the City Engineer.
32. Erosion and sediment controls, and other storm water pollution control measures, shall be provided to control sediment and silt from construction work areas. The applicant and contractor shall be responsible for maintaining all erosion and sediment controls throughout the construction work.
33. Compliance with Conditions and Laws. The applicant shall comply with all conditions specified. Failure to comply with any condition shall constitute grounds for revocation of the small wireless facility permit. The applicant shall also maintain compliance at all times with all federal, state and local regulations applicable to the permittee, the subject property, and the small wireless facility, which includes without limitation any laws applicable to human exposure to RF emissions. In the event that RF emissions for the site exceed FCC standards, the applicant will be required to immediately cease operation of the facility until such time that the violation is corrected to the satisfaction of the Director. The applicant 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.
34. No small wireless facility may encroach into, over, or across any adjacent property line.



35. No encroachment onto adjacent private property shall be allowed during the construction of any small wireless facility without express written consent of the adjacent property owner. This shall include private property owned by the City of Escondido.
36. Small wireless facilities shall be maintained by the permittee(s) and subsequent owners in a manner that implements requirements of the Zoning Code, these Guidelines, and all other applicable standards and permit conditions. Landscaping, painting, and other concealment treatment for any facility shall be maintained as such over time.
37. The applicant shall use all reasonable efforts to avoid any and all unreasonable, undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal or other activities on or about the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Escondido Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The Director may issue a stop work order for any activities that violate this condition in whole or in part.
38. Applicant's Contact Information. The applicant shall furnish the city engineer with accurate and up-to-date contact information for the person responsible for the small wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and promptly provide the city engineer with updated contact information if either the responsible person or such person's contact information changes.
39. Indemnification. The applicant, permittee, and any successor-in-interest thereof, shall defend, indemnify and hold harmless the City of Escondido, and its agent's officers or employees, from (1) any claim, action or proceeding against the City, its agents, officers or employees to attack, set aside, void or annul an approval of the City, arising out of or concerning (PHG20-0003, PHG20-0005, PHG20-0008, PHG20-0015, PHG20-0017, PHG20-0022 and PHG20-0024) the small wireless facility permit, and (2) other claims of any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the small wireless facility permit or the small wireless facility. In the event the City becomes aware of any claims, the City will use best efforts to promptly notify the permittee and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the permittee shall promptly reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. Within ten (10) calendar days of the service

of a claim, the permittee shall execute a letter of agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. The permittee expressly acknowledges and agrees that such indemnification obligations will survive the expiration, revocation or other termination of this small cell wireless facility permit.

40. Permit Revocation. Any permit granted under these Guidelines may be revoked by the Director if the facility is not operating in compliance with these conditions or any applicable federal, state, or local laws.
41. Abandoned Facilities. The small wireless facility authorized under this small wireless facility permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a small cell wireless facility is abandoned or deemed abandoned, the applicant or support structure owner (if not on a City-owned support structure) shall completely remove the small wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Escondido Municipal Code and Escondido Zoning Code. In the event that neither the applicant or support structure owner (if not on City-owned infrastructure) complies with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and support structure owner (if not on City-owned infrastructure) shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and restoration activities.
42. Landscaping. The applicant shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged, destroyed or displaced, the permittee shall hire and pay for a licensed arborist to select, plant and maintain replacement landscaping in the nearest appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be a minimum 24-inch box specimen tree or larger, as determined by the Director, and shall be the same species as the tree which was removed unless determined by the Director that a different species is appropriate for the location. The applicant shall, at all times, be responsible to maintain any replacement landscape features and maintain any new landscaping installed in conjunction with the small wireless facility.
43. Protected trees. Any protected trees damaged as a result of the installation of a small wireless facility shall be assessed by a licensed arborist. All recommendations of the licensed arborist intended to restore the tree shall be carried out by the applicant. Should any protected tree be destroyed or otherwise displaced as a result of the installation of any facility shall be replaced at a ratio recommended by the licensed arborist. This condition shall apply to any protected trees damaged, destroyed or otherwise displaced during construction,

operation and removal of any facility if the facility is determined to be the cause of said damage, destruction or displacement.

44. Cooperation with RF Compliance Evaluations. At all times relevant to this permit, the applicant and the property owner (if not on City-owned infrastructure) shall reasonably cooperate with efforts by the City to evaluate whether the facility complies with all applicable FCC rules and regulations for human exposure to RF emissions. Such cooperation shall be at no cost to the City and may include, but not be limited to: (1) furnishing the City with a post-installation assessment report signed by an RF engineer certifying the wireless facility's compliance with applicable FCC rules and regulations; (2) providing technical data such as the frequencies in use, power output levels and antenna specifications, reasonably necessary to evaluate compliance with maximum permissible exposure levels set by the FCC; and (3) promptly responding to all requests by the City or its designee for information and cooperation with respect to any of the foregoing.
45. Future Undergrounding Programs. If other public utilities or communications providers in the public rights-of-way underground their facilities in the segment of the public right-of-way where the applicant's small wireless facility is located, the applicant must underground its equipment except the antennas, any electric meter and any other equipment that must be placed above ground in order to function. Accessory equipment that requires an environmentally controlled underground vault to function are not exempt from this condition. Such undergrounding shall occur at the applicant's sole cost and expense.
46. Small wireless facilities, which have been installed on utility poles, which are removed as part of a utility undergrounding project, and any facilities that are strand-mounted between such poles, shall be removed by the permittee with no compensation provided by the City or other entity carrying out the undergrounding project. The existence of small wireless facilities shall not prevent the City or other entity from carrying out an undergrounding project. Replacement of the facility shall be subject to a new small wireless facility permit. This condition includes utility poles and lines, which are required to be placed underground as a condition of approval of a development project.
47. Small wireless facilities, which are required to be removed or relocated as a result of a public works project, shall be so removed or relocated at the sole expense of the permittee.
48. Any relocation of a small wireless facility required as a result of public works or utility undergrounding projects shall be processed in the same manner as a new small wireless facility.
49. Electric Meter Upgrades. If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground-mounted electric meter and enclosure. Prior to removing the electric meter, the permittee shall apply for any encroachment and other ministerial permit(s) required to

perform the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.

50. All conditions of approval shall be binding as to the applicant and all successors in interest to permittee.
51. Existing City-owned structures on which any small wireless facility is placed shall remain the property of the City. Any new or replacement structures in the right-of-way which are subject to a master license agreement shall become the property of the City of Escondido in the event that an applicant removes or abandons any small wireless facility installed on said structure(s).
52. No additional antennas or expansion of this facility shall be permitted without a modification of the Conditional Use Permit and a public hearing before the Zoning Administrator, or as allowed by the relevant State or Federal law. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development and the Building Division.
53. This project has been determined to be exempt from environmental review, pursuant to Section 15303(b) of State CEQA Guidelines. The City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption. Each facility approved as part of this application requires a separate Notice of Exemption and filing fee. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) seven (7) certified checks (one for each facility approved as part of this application) payable to the "San Diego County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

General Standard Conditions:

1. **Public Partnership Program.** All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
2. **Application Accuracy.** The information contained in the application and all attached materials are assumed to be correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process



this application. Any permits issued by the City may be rescinded if it is determined that the information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

3. **Signage.** All proposed signage associated with the Project shall comply with the FCC RF sign requirements and Article 66 (Sign Ordinance) of the Escondido Zoning Code. Appropriate signs providing notice, caution or warning, and other necessary markings shall be placed at the main access point(s) and other locations, as may be required, in order to alert the general public, maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. No signage other than that required for compliance with FCC regulations shall be provided.
4. **Noise.** All Project generated noise, including construction noise, shall conform to the City's Noise Ordinance (Ordinance 90-08).
5. **Staging Construction Areas.** All staging areas shall be located within the appropriate area identified on the approved traffic control plans, to the satisfaction of the field-engineering inspector.
6. **Parking and Loading/Unloading.** No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

Additional Planning Division Conditions:

1. The small wireless facilities shall be subject to the terms of the Telecommunication Network License and Encroachment Agreement with between the wireless carrier and the City of Escondido.
2. The Telecommunication Network License and Encroachment Agreement between the wireless carrier and the City of Escondido for these facilities shall be approved by the City Attorney and entered into by said parties prior to approval and construction of the facilities.
3. The applicant, or any subsequent operator/lease holder of the facilities, shall not oppose co-location on the facilities by other wireless carriers (subject to City of Escondido approval) if it can be demonstrated that there would be no adverse effect on the operations and functions of the existing facilities, and the new facilities can be appropriately integrated into the design of the existing facility.
4. Operation of the facilities shall not commence until all requirements of the Planning and Building Divisions, and Engineering Services Department have been completed.

### **Engineering Division Conditions**

1. A wireless facility agreement, where applicable, shall be approved by the City Attorney prior to approval and construction of any wireless facility.
2. Where applicable, an encroachment permit shall be obtained from CALTRANS and from the San Diego County Water Authority for work within their right-of-way and/or easement. Clearance from Rincon, Vallecitos, and/or Valley Center Water District shall be obtained for any conduit work within their service area and waterline facilities. It will be the applicant's responsibility to notify and/or make all arrangements with other agencies or Water Districts as may be necessary for approval.
3. All existing and new street light poles on which the wireless facility is attached to shall be retrofitted or include a new LED lamp fixture in accordance with the City of Escondido Design Standards and Standard Drawing E-1-E.
4. All existing City street light poles to be removed shall be carefully salvaged to the Public Works Yard. The pole foundation shall be removed to a minimum depth of two (2) feet below finish grade.
5. All street light conduit and wiring splicing shall be reconnected in accordance with the City's Standard Drawings and to the satisfaction of the Public Works Director.
6. Street light poles installed by the applicant shall have a separate SDG&E power source directly connecting to the small wireless facilities, unless prior agreements have been made otherwise. The applicant shall be responsible for all maintenance and repair cost of the poles and light fixtures as per the executed agreement.
7. **Conduit Trenching**
  - a. All trenching/conduit installations greater than fifty feet shall be by separate permit and approval.
  - b. All trench conduit installations shall conform with City of Escondido Standard Drawing M-3-E Fiber Optics Conduit Zone, and backfilled per Standard Drawing G-2-E.
  - c. All jack and directional bore conduit installations shall be three (3) feet below any existing and/or future utility and storm drain conduits in accordance with Standard Drawing No. M-3-E.
  - d. Any work performed in a public street moratorium area, including trench and bore pits, shall be required to resurface the roadway in accordance with the City's Municipal Code. A note to this requirement shall be included on all plan sets. All other surface treatment shall be per Standard Drawing G-2-E.

- e. All new connector pull boxes shall be installed at the ultimate right-of-way and typically behind back of sidewalk, and to the satisfaction of the City Engineer.
- f. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities for this subject project. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with Standard Drawing G-6-E.
- g. The applicant and/or contractor will be responsible to implement Best Management Practices (BMPs) to prevent storm water pollution in accordance with the approved Erosion Control Plan, CASQA guidelines and City of Escondido Municipal Code during all phases of project construction to the satisfaction of the City Engineer.
- h. Erosion and sediment controls, or other storm water pollution control measures, shall be provided to control sediment and silt from construction work areas. The applicant and contractor shall be responsible for maintaining all erosion and sediment controls throughout the construction work.

#### **8. Encroachment Permit**

- a. An encroachment permit shall be obtained for all work within the public right-of-way, City utility easements, and/or on City property.
- b. Provide door hangers for notification to all businesses and residences within 300' radius of the project site. Include type of work being done, ownership and contact information, in both English and Spanish, for review and approval.
- c. Traffic Control Plans.
  - 1. A detailed detour and traffic control plan, for all construction within the right-of-way, shall be approved prior to the issuance of an Encroachment Permit for construction within the public right-of-way.
  - 2. Traffic Control Plans shall be stamped and signed by the licensed Engineer.
  - 3. Indicate contractors name, address and telephone number. Include name and telephone number of the 24-hour contact person representing the Contractor.
  - 4. The Contractor's liability insurance, Contractor's State Board License and City Business License shall be active/current and not expired.
  - 5. Indicate on the traffic control plans the duration of the construction work and subsequent traffic control.

#### **Additional Engineering Conditions**

1. All work to be done in accordance with the standard specifications for public works construction, 2015 edition, effective December 07, 2016 by resolution no. 2016-17 and the design standards and standard drawings of the city of Escondido effective April 02, 2014 by resolution 2014-08, along with any amendments thereto.
2. All contractors working in the public right of way shall obtain a separate encroachment permit from the director of engineering services; inspection of all work is required. Contact the engineering field office at (760) 839-4664 to arrange for encroachment permits and inspection. Twenty-four-hour advance notice is required for inspection. No work shall be performed in the public right of way on Saturdays, Sundays or legal holidays without the express permission of the city engineer.
3. It shall be the responsibility of the contractor to locate all substructures, whether shown hereon or not, and protect them from damage. The expense of repair or replacement of said substructures shall be borne by the contractor.
4. Location and elevation of all existing improvements within the area of work shall be confirmed by field measurement prior to construction of new work. Contractor will make exploratory excavations and locate existing underground facilities sufficiently ahead of construction to permit revisions to plans if revisions are necessary because of actual location of existing facilities.

#### **SMALL CELL WIRELESS FACILITIES**

1. All structural calculations shall be provided on plans and stamped by a California registered civil engineer for all facilities mounted to city street light poles and other public infrastructure, front and side elevations sections and attachment details, and detailed site plan showing all existing and proposed facilities.
2. All existing city street light poles to be removed shall be "carefully" salvaged to the Public Works Yard. The pole foundation shall be removed to a minimum depth of two (2) feet below finish grade.
3. All existing and new street light poles shall be retrofitted or constructed in accordance with the City of Escondido Design Standards and Standard Drawing E-1-E. This includes the retrofitting of existing street light poles with a new L.E.D. luminaire.
4. All street light conduit and wiring splicing shall be reconnected in accordance with the City's Standard Drawings E-1-E and to the satisfaction of the Public Works Director.
5. Street light poles installed by the applicant shall have a separate SDG&E power source directly connecting to the small cell facilities, unless prior agreements have been made otherwise. Wireless company shall be responsible for all maintenance and repair cost of the poles, and light fixtures as per the executed agreement.

#### **DIRECTIONAL BORE AND TRENCHING UTILITY NOTES**

1. All temporary paving placed by any contractor, subcontractor or utility company shall remain in the public right of way for not more than 30 calendar days on residential streets and 72 hours on arterials, major roads, collectors and local collectors, prior to



placement of permanent pavement. All temporary paving placed in the public right of way shall be maintained continuously in accordance with City of Escondido Standard Drawing No. G-3-E.

2. All underground utilities to be installed before construction of curbs, gutters, sidewalks or surfacing of streets.
3. Contractor shall notify utility companies prior to starting work near company facilities and coordinate his work with company representatives. It shall be the responsibility of the developer to contact the utility companies, advise them of the proposed improvements and bear the cost of relocations, if needed.
4. The city may not be able to mark-out all sewer laterals and water services. If any sewer laterals or water services are broken as part of the construction, they will be repaired immediately at the contractor's expense.
5. When a future conflict exists with the fiber optic conduit and cables, they shall be relocated upon the city's request, at the owner's expense.
6. All fiber optic conduit shall be provided with a 6-inch wide strip of polyethylene nonmetallic detection tape one foot over the pipe. In addition, a #12 tracer copper wire shall be installed over all nonmetallic or undetectable conduits to aid in the detection/tracing of underground utility lines.
7. At all points where the proposed conduit trench intersects a pre-existing water main trench, the pre-existing water main trench shall be backfilled with a 1-sack slurry backfill mix up to the top of the existing water main. All trench conduit installations shall conform with City of Escondido Standard Drawing G-2-E Narrow Trench Backfill. Maintain a minimum horizontal clearance of five (five) feet from outside of conduit to outside of sewer, water, and storm drain. Maintain a minimum vertical clearance of one (one) foot with all conflicts with City of Escondido utilities.
8. All jack and bore conduit installations and related work shall be constructed in accordance with Standard Drawing No. M-3-E. Maintain a minimum horizontal clearance of five (five) feet from outside of conduit to outside of sewer, water, and storm drain. Maintain a minimum vertical clearance of three (three) feet with all conflicts with City of Escondido utilities.
9. Where applicable, an encroachment permit shall be obtained from CALTRANS and from San Diego County Water Authority for work within their right-of-way and/or easement. Clearance from Rincon, Vallecitos, and/or Valley Center Water District shall be obtained for any work within their service area or waterline facilities. It will be the applicant's responsibility to notify and/or make all arrangements with other agencies or Water Districts as may be necessary for City approval.
10. Any work performed in a public street moratorium area, including trench and bore pits, shall be required to resurface the roadway in accordance with the City's Municipal Code. All other surface treatment shall be per Standard Drawing G-2-E.

11. All new connector handholes and pull boxes shall be installed at the ultimate right-of-way, back of sidewalk, and to the satisfaction of the City Engineer.
12. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities for this subject project. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with San Diego Area Regional Standard Drawings.

#### **STORM WATER POLLUTION PREVENTION NOTES**

1. Best management practices (BMPS) shall be implemented during all phases of construction in conformance with the City of Escondido's Municipal code. All BMP's shall be installed in accordance with the most recent version of the CASQAS Handbook.
2. Inspection, modification and maintenance of the BMP's shall be implemented as necessary. In the event of failure or refusal to properly maintain the BMP's, the City may issue emergency maintenance work to be completed to protect adjacent private and public property. The cost (including an initial mobilization amount" and any fines assessed to the City shall be charged to the owner of the project.
3. Necessary materials to implement the required BMPs' shall be available on site to facilitate rapid deployment or to repair any BMP failures.
4. City Staff shall be alerted by the contractor, permittee or owner, as needed for emergency work during rainstorms.
5. Run-on flow onto the site shall be properly managed and planned for to prevent failure of BMP's and /or illegal discharges from the project site into the storm drain.
6. Storm drain inlet protection shall be installed at storm drain inlet to prevent sediment from entering the storm drain system.
7. Street sweeping vehicles with vacuums and water tanks shall be used to keep paved streets free of loose soil and/or construction debris.

## **ZONING ADMINISTRATOR**

- CASE NUMBER:** PHG 19-0061, PHG 19-0062, and PHG 19-0063
- APPLICANT:** Crown Castle (T-Mobile carrier)
- PROJECT LOCATION:** Three (3) locations within the public right-of-way, generally located along N. Hickory Street and Oak Hill Drive
- REQUEST:** A Minor Conditional Use Permit to install and operate three (3) Crown Castle (T-Mobile carrier) small wireless facilities (referred to as nodes) in the public right-of-way. The proposed nodes involve mounting two (2) integrated radio/antennas within a concealment shroud (approximately 6 inches in depth x 10.22 inches wide x 24 inches tall) onto the side of an existing 27-foot high concrete street light pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handhole). The light fixture would be upgraded to an LED fixture. Trenching or boring is required to extend power and telecommunication lines underground to the new facility. The proposal also includes the adoption of the environmental determination prepared for the project.
- STAFF RECOMMENDATION:** Approval of Planning Case Nos. PHG 19-0061, PHG 19-0062, and PHG 19-0063, subject to conditions.
- GENERAL PLAN DESIGNATION:** N/A, Public Right-of Way
- ZONING:** Varies per adjacent site (street right-of-way)
- BACKGROUND/PROJECT DESCRIPTION:** Crown Castle proposes to install three (3) small wireless facilities (nodes) in the public right-of-way. All of the wireless facilities would be located adjacent to single-family or multi-family residential zones. The proposed nodes involve mounting two (2) integrated radio/antennas within a concealment shroud (approximately 6 inches in depth x 10.22 inches wide x 24 inches tall) onto the side of an existing 27-foot high concrete street light pole. Additional associated equipment is proposed to be placed in new underground concrete vaults (handhole). The light fixture would be upgraded to an LED fixture. Trenching or boring is required to extend power and telecommunication lines underground to the new facility. The proposal also includes the adoption of the environmental determination prepared for the project.

A Minor Conditional Use Permit and public notice is required to permit the proposed three (3) small wireless facilities in the City's right-of-way, in accordance with Zoning Code Article 34, "Communication Antennas", Section 33-704(k), because the proposed nodes are within forty-feet (40) of a residential unit. The antenna node associated with Planning Case No. PHG 19-0061 is approximately six (6) feet away from the adjacent residential unit. The antenna node associated with Planning Case No. PHG 19-0062 is approximately twenty-three (23) feet from the adjacent residential unit. The antenna node associated with Planning Case No. PHG 19-0063 is approximately twelve (12) feet from the adjacent residential unit.

The proposed small wireless antennas would provide Crown Castle (T-Mobile) wireless voice and data coverage to the surrounding area where there is currently a need for additional service coverage. The proposed wireless node(s) also would provide coverage to areas of Escondido that are otherwise very difficult or impractical to cover using traditional larger macro wireless telecommunications facilities. Conditions of approval have been added to this project to minimize the visual impacts to the public and adjacent residences. The Zoning Administrator is the authorized decision-maker for reviewing and granting discretionary approvals related to Minor Conditional Use Permits. It is important to note that this staff report has grouped together the three (3) applications for sake of exposition. Exhibits attached hereto are to be incorporated by reference to each case file and appended to each record of action to establish site improvement specifications and conditions and other requirements for the new small cell wireless facility installations.

In consideration of the full record to date, it is recommended the Zoning Administrator approve the three (3) Crown Castle proposed small wireless facility locations associated with Planning Case Nos. PHG 19-0061 through PHG 19-0063.

#### **REASON FOR STAFF RECOMMENDATION:**

1. PHG 19-0061 through PHG 19-0063. The proposed small wireless facilities would be located within the city's right-of-way, which permits wireless facilities subject to approval of a Minor Conditional Use Permit. The proposed facilities would enhance communication services throughout the City in areas where there currently is a need for additional service coverage or capacity. The proposed facilities would not be out of character with the area because the facilities would still resemble and function as a street light pole. The proposed wireless equipment have been integrated into the design of the light pole such that the average, untrained observer generally cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Associated support equipment is proposed to be placed in a small new underground concrete vaults (handhole).
2. Staff believes that each of the small wireless facilities would not be hazardous to the health of nearby residents based on the results of the Radio Frequency Electromagnetic Fields Exposure Report prepared by Dtech Communications for each of the proposed facilities. The

Zoning Administrator  
May 26, 2020  
PHG 19-0061, PHG 19-0062 and PHG 19-0063

study indicates that each facility would be within the maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) guidelines.

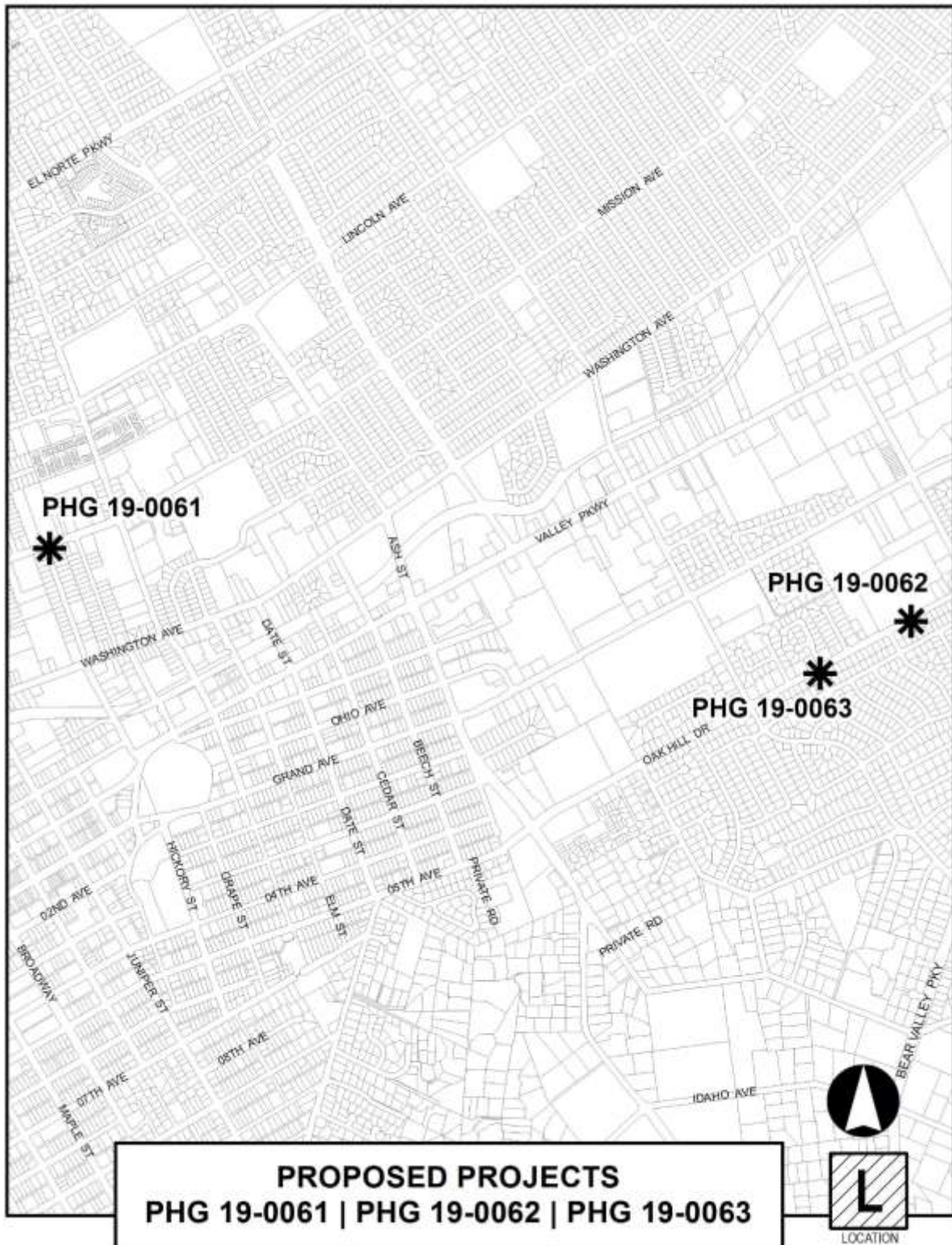
Respectfully submitted,

A handwritten signature in black ink, appearing to read "J Paul", written in a cursive style.

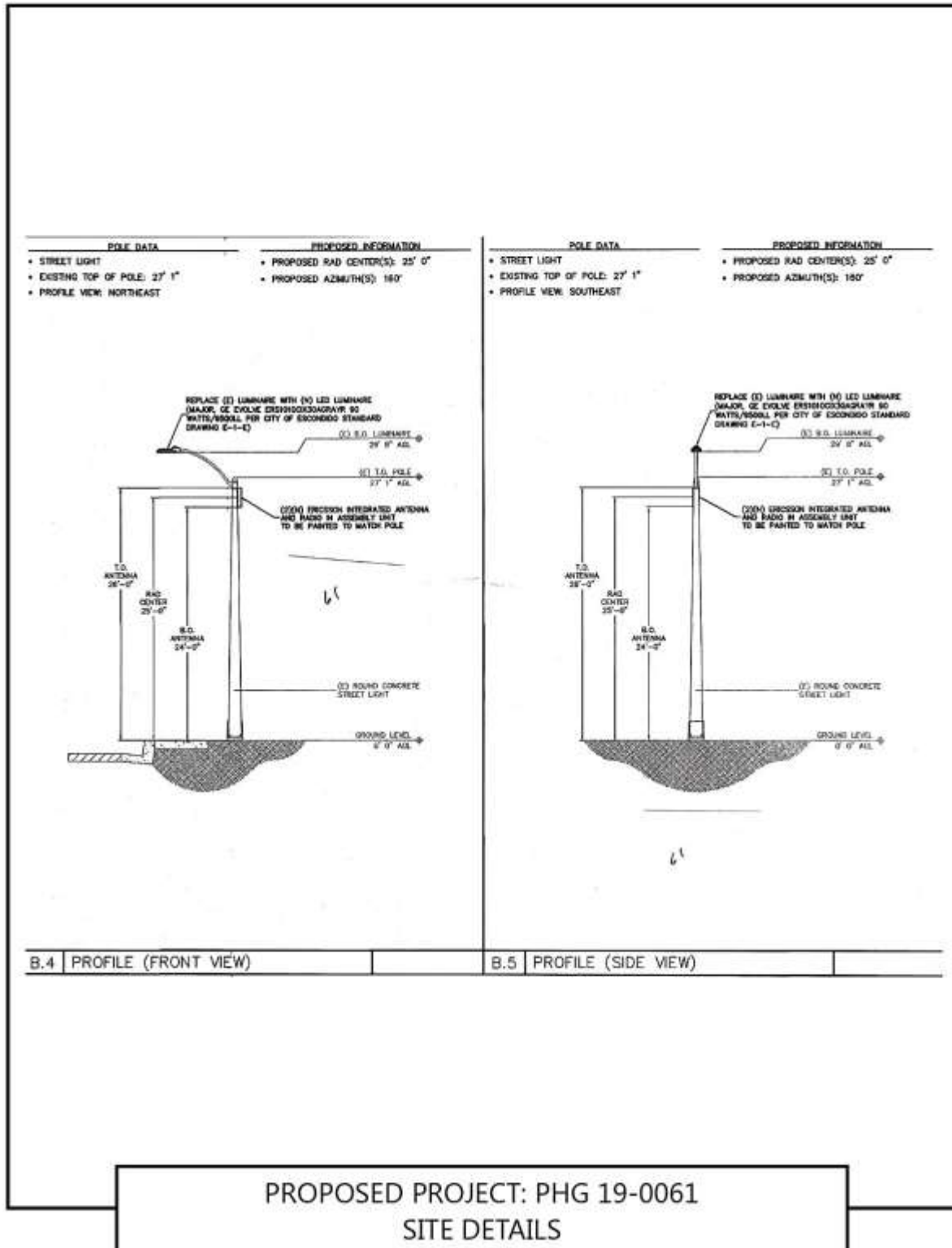
Jay Paul  
Senior Planner

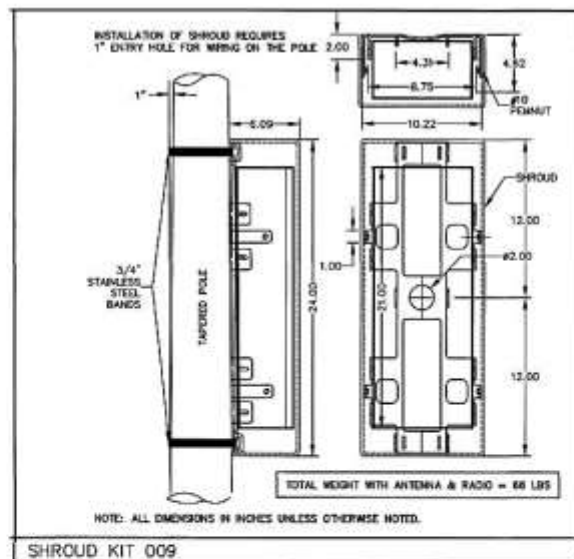
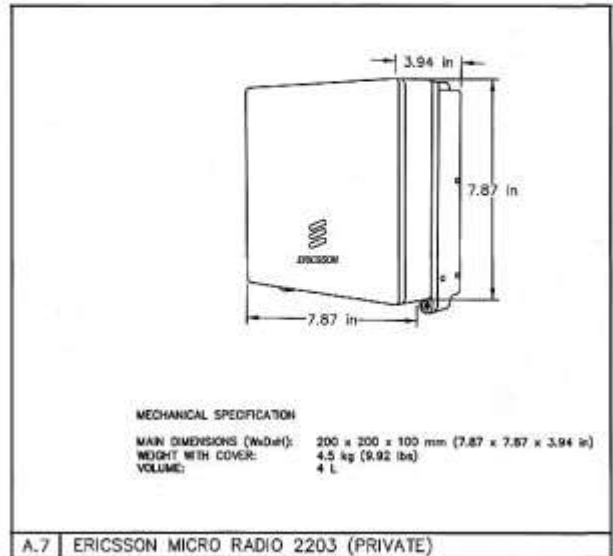
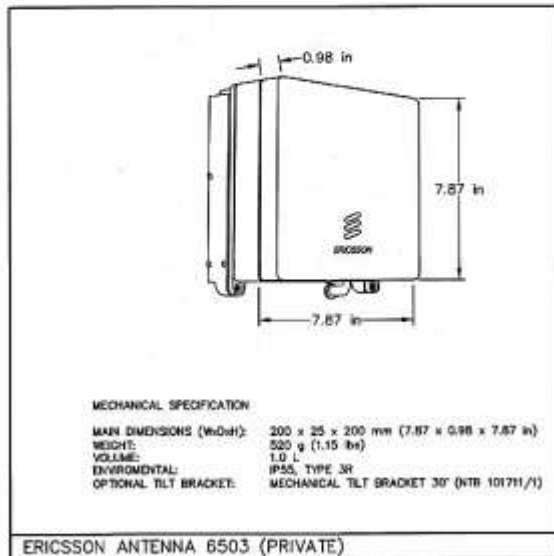


### Project (Node) Locations



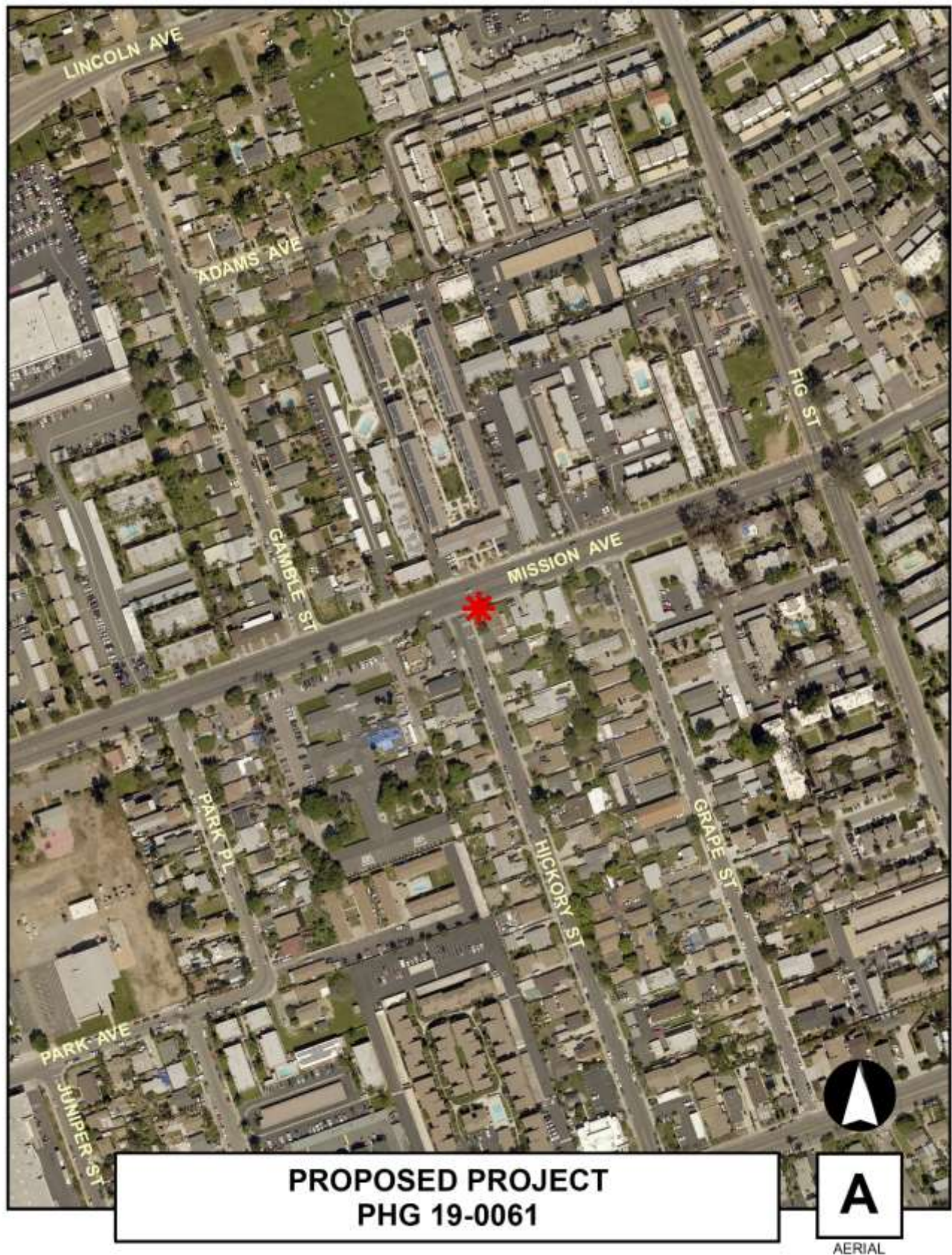
**Note: All pole/antennae details include the same design/equipment for each node location and the detail is shown for reference purposes. The position of the antenna may vary in azimuth/direction for each individual installation and attached traffic-related signs may vary.**





**PROPOSED PROJECT: PHG 19-0061  
 EQUIPMENT SPECIFICATIONS**



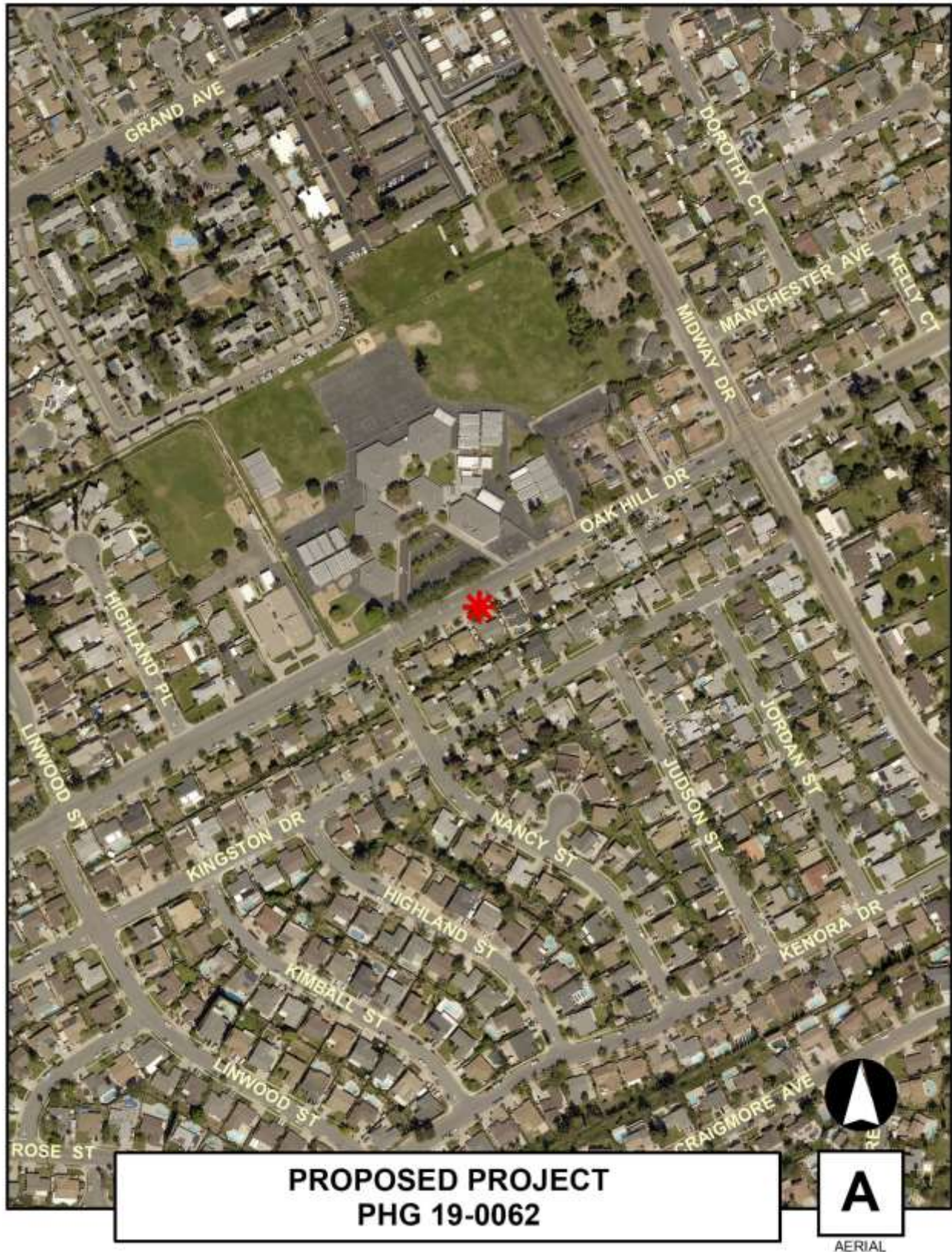




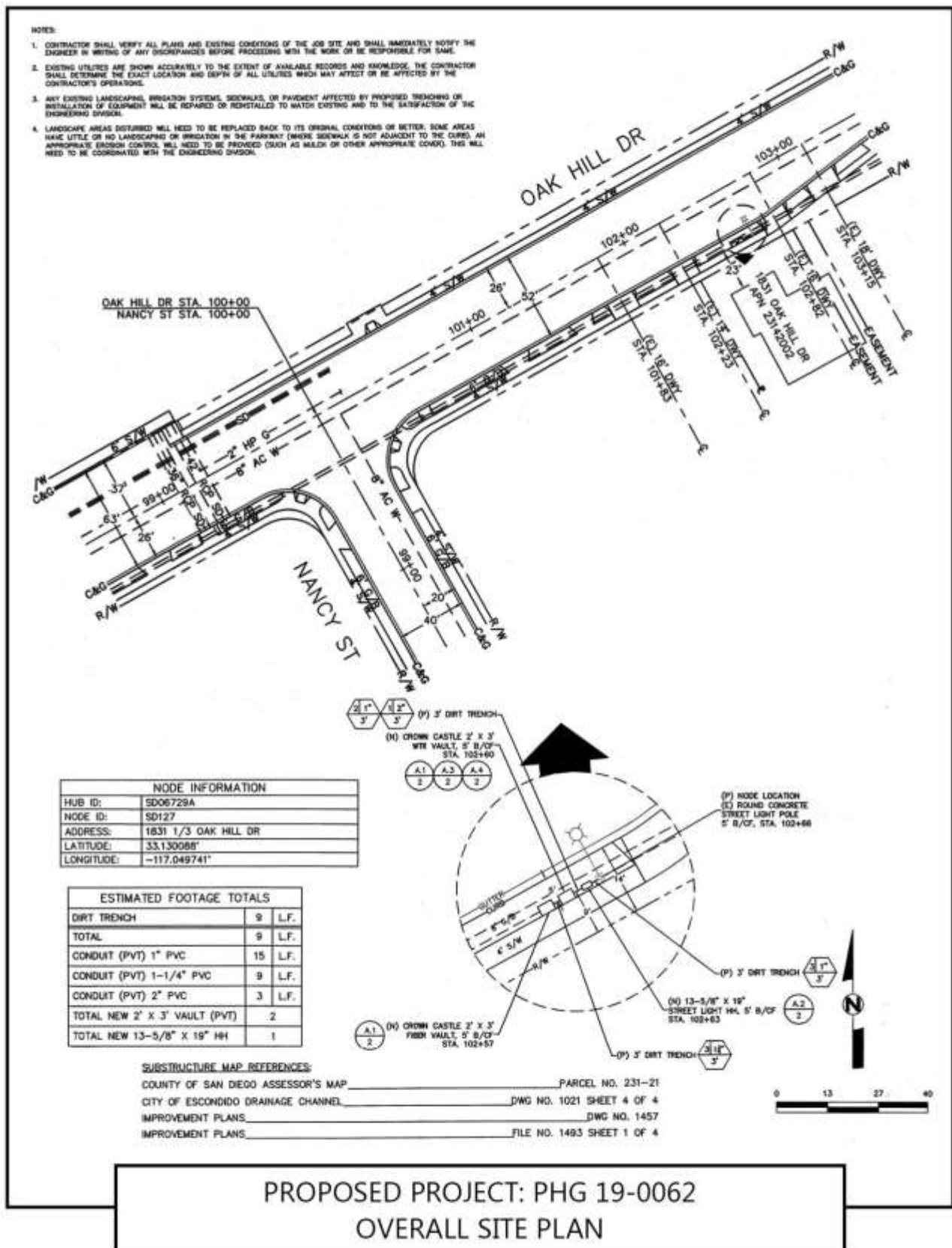




PROPOSED PROJECT: PHG 19-0061  
PHOTO SIMULATION



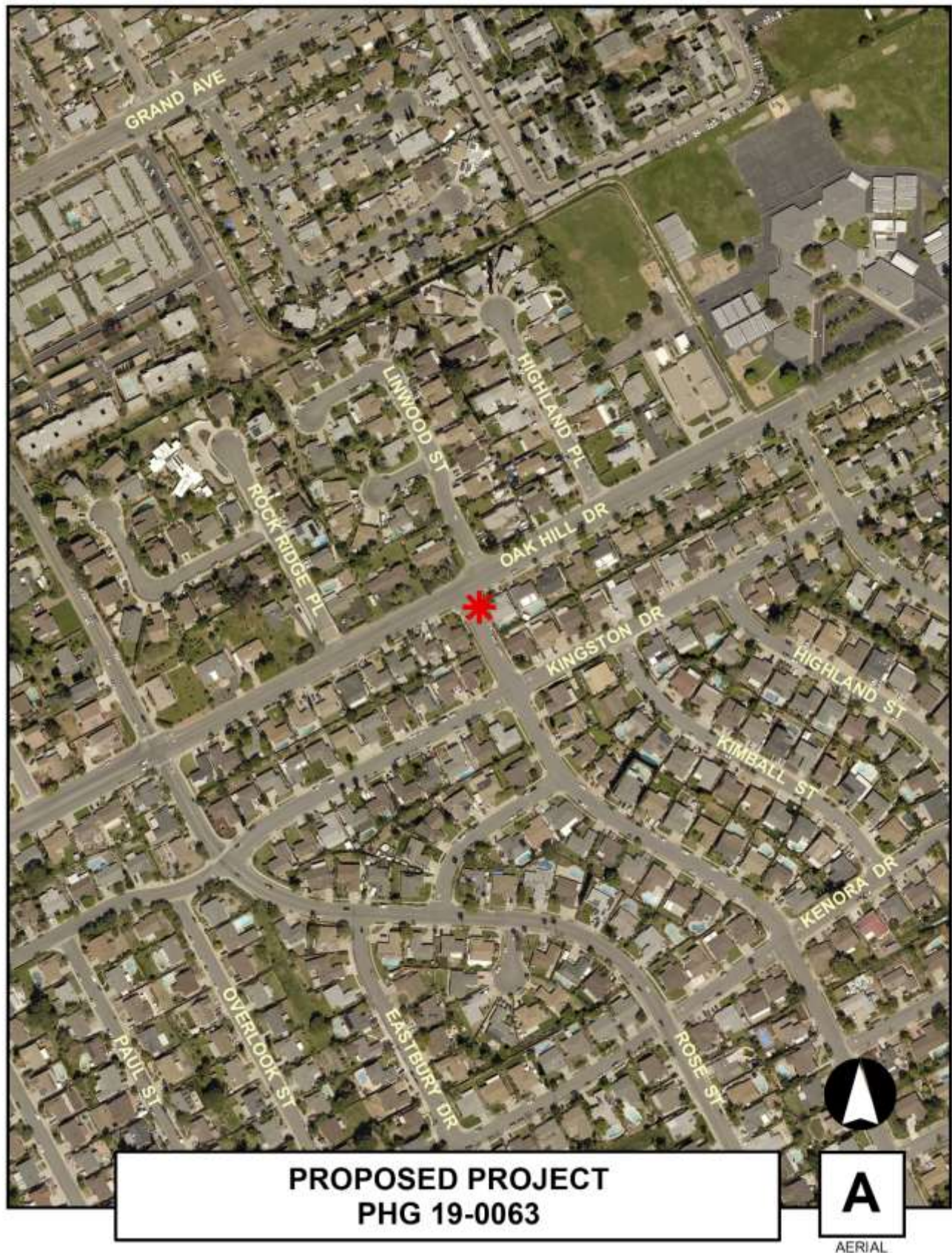




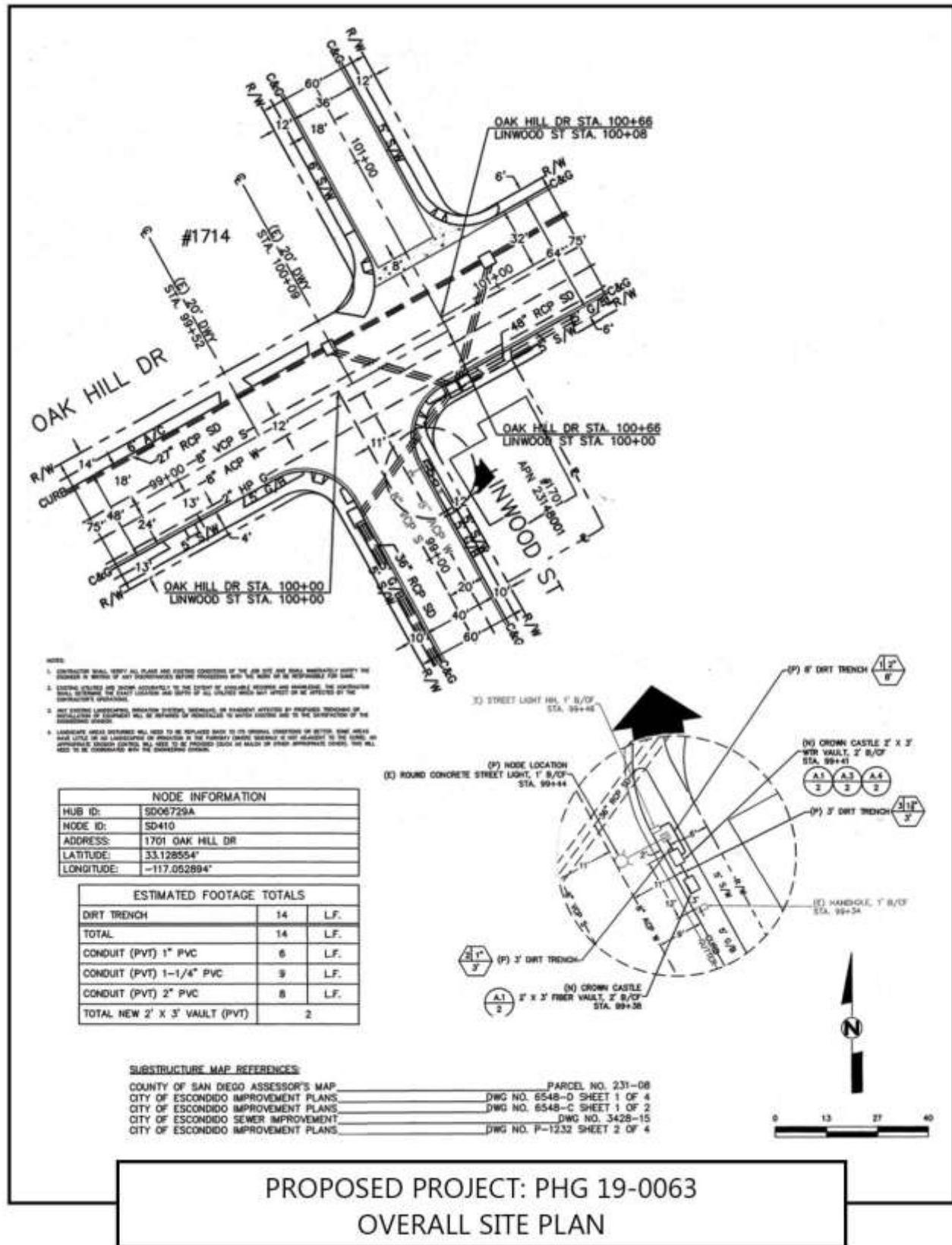


PROPOSED PROJECT: PHG 19-0062  
PHOTO SIMULATION











PROPOSED PROJECT: PHG 19-0063  
PHOTO SIMULATION

**EXHIBIT “A”  
FINDINGS OF FACT  
PHG 19-0061, PHG 19-0062, and PHG 19-0063**

**Environmental Determination:**

1. The proposed project is categorically exempt from environmental review in conformance with CEQA Section 15303, “New Construction of Small Structures.”

**Conditional Use Permit:**

1. All decisions granting or denying Conditional Use Permits shall be made in accordance with Section 33-1203 of the Escondido Zoning Code (Findings for Conditional Use Permits). The new construction of three (3) small cell wireless facilities has been reviewed and the Zoning Administrator concludes and finds, based on the analysis of the project described therein the May 26, 2020 Zoning Administrator Staff Report, that:
  - a. Granting the proposed Minor Conditional Use Permit to allow the construction of three (3) small cell wireless facilities would be based upon sound principles of land use and in response to services required by the community because the placement of the three (3) small wireless antenna structures (nodes) would enhance wireless service where there currently is a need for additional services coverage or capacity. In addition, each facility is relatively small and would not result in a substantial alteration of the present land use. Conditions of Approval have been incorporated to minimize any potential land-use compatibility.
  - b. Granting the proposed Minor Conditional Use Permit for the construction of three (3) small wireless sites would not cause deterioration of bordering land uses or create special problems for the area in which it is located because the facilities would be appropriately integrated into a replacement pole that would continue to function as a city street light or a utility pole. Additionally, RF emission generated from each site would be below the FCC accepted guidelines/standards. Pursuant to federal law and local government agency may regulate the placement and modification of a wireless communication facility on the basis of the environmental or health effects of radio frequency emissions to the extent that such facilities comply with federal law concerning emissions.
  - c. The proposed Minor Conditional Use Permit for three (3) small wireless facilities would be compatible with the surrounding neighborhoods because the facilities have been designed to be appropriately incorporated into/mounted onto a streetlight or utility pole, and would be located in an area where existing street lights, utility poles or similar type infrastructure currently exist. Associated support equipment would be placed in small new

underground concrete vaults (handhole). Conditions have been applied to reduce potential impacts to the immediate areas.

- d. The applicant, Crown Castle has analyzed and demonstrated that the site is necessary to close a significant gap in service to the community. Although the signal propagated from a small cell wireless node antenna spans over a shorter range than a conventional macro tower system, small cell nodes can be an effective way too to close service coverage gaps and/or address capacity issues.
- e. The proposed location for three (3) small wireless facilities conforms to the requirements of Article 34, "Communication Antennas", Section 33-704 (k), because a Minor Conditional Use Permit is required if a small wireless facility is located within forty-feet of a residential unit. All three (3) sites are located closer than forty-feet from a residential unit.
- f. That the design of the three (3) small wireless facilities conforms to the requirements of Article 34, "Communication Antennas", Section 33-704 (k), and any adopted guidelines to the maximum extent possible, as detailed in the Zoning Administrator staff report dated May 26, 2020.
- g. The applicant, Crown Castle, has demonstrated in good-faith effort to identify and evaluate more preferred locations and that alternative locations are not feasible, practical or potentially available. Crown Castle considered sites on other poles in the area but none of these sites is a desirable from construction, coverage or aesthetics perspectives. The proposed location was chosen based on design criteria for locating on city-owned light poles and the coverage and capacity needs for the area.



**EXHIBIT “B”**  
**CONDITIONS OF APPROVAL**  
**Crown Castle Small Wireless Facilities (Nodes)**  
**PHG 19-0061, PHG 19-0062 and PHG 19-0063**

**Planning Division Conditions**

All small wireless facilities which are subject to these Guidelines, whether approved by the City of Escondido or deemed approved by law, shall be automatically subject to all standard conditions of approval set forth below, in addition to any specific conditions applied to the specific facility. For the purpose of these Conditions of Approval, the term “Applicant” shall also include the permittee, wireless carrier, or its successor(s) in interest in any small wireless facility, as may be applicable.

1. Should the applicant fail to protest these conditions and/or file a timely and valid appeal of this Small Wireless Facility Permit, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
  - a. Acceptance of the permit by the applicant; and
  - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this Small Wireless Facility Permit or other approval(s) applicable to said permit.
2. Compliance with all requirements contained in these Guidelines and Section 33-704(k) of the Escondido Zoning Code shall be strictly adhered to.
3. The applicant shall remove any Notice of Public Hearing signage within 24 hours following a public hearing for any small wireless facility.
4. All required permits and agreements must be in place prior to commencing installation of any facility.
5. It shall be the responsibility of the applicant to secure any permits, approvals, agreements and authorizations from other agencies. Failure on behalf of the City of Escondido to ensure that said permits, approvals, agreements and authorizations have been secured shall not alleviate the applicant from this responsibility.

6. All construction and operations shall comply with all applicable requirements of the Escondido Zoning Code, Escondido Municipal Code, and any other applicable policies and requirements of the City.
7. The applicant shall pay all additional fees and deposits required by the City at the time of application for an encroachment permit, including those fees required by any master license agreement.
8. All aspects of the facility shall strictly conform to the plans and other exhibits approved by the City and on-file with the Planning Division.
9. The radio units shall be flush mounted to the street light and noted on the building plans, to the extent feasible, unless otherwise shown on the plans.
10. The radio units, antennas, shrouds and extension poles/equipment shall be painted/textured to match the street light pole or utility pole and noted on the plans to the satisfaction of the Planning Division.
11. As of the date of permit issuance, the applicant certifies that the facility utilizes the least intrusive design and that no less intrusive designs are available.
12. Final inspections by the Planning and Field Engineering Divisions shall be required before commencement of operations of any facility. Any facility not installed in strict compliance with the approved permit(s) and these Guidelines shall be brought into compliance and subsequent inspection(s) shall be requested by the applicant. Operations shall not commence prior to the facility passing final inspection(s).
13. Prior to commencement of operations, it shall be the applicant's responsibility to ensure that the facility has passed all inspections required by any other agencies with jurisdictional authority.
14. Post-Installation Certification. Within 90 calendar days after the applicant commences full, unattended operations of a small wireless facility, the permittee shall provide documentation demonstrating that the facility has been installed and constructed in compliance with the approved plans. Such documentation shall include without limitation as-built drawings, GIS data, and site photographs. Failure to provide such certification shall be cause for the City to rescind approval of the installation of the facility until such time as the certification has been provided.
15. Build-Out Period. The small wireless facility permit and associated encroachment permit will automatically expire twenty-four (24) months from the approval date unless construction has commenced. Construction shall be completed within six (6) months of commencement.

16. Within ninety (90) days following commencement of full, unattended operation of each facility, the applicant shall provide the City with a post-installation assessment report signed by a third-party RF engineer certifying the wireless facility's compliance with applicable FCC rules and regulations.
17. Site Maintenance. The applicant shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean, and safe condition. Any such equipment, structures, etc., that, in the opinion of the Director, has become worn, weathered, or otherwise degraded, shall be repaired or replaced by the permittee at the permittee's sole expense. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 24 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
18. Applicant hereby agrees to investigate complaints related to possible interference with electronic equipment in the surrounding area, to determine the cause of the interference. If the facility is determined to be the cause of the electronic interference, applicant shall resolve the issue in a timely manner, to the satisfaction of the Director.
19. Any facility suspected of causing interference with Fire Department or public safety communications shall be immediately taken out of operation and said interference shall be investigated. Should the facility be found to be the cause of the interference, the issue must be resolved prior to recommencing operation of the facility, to the satisfaction of the City of Escondido.
20. The final location of any small wireless facility shall be verified in the field to not interfere with visibility of any traffic control device or signage, or reduce sight distance below City and ASSHTO requirements, to the satisfaction of the City of Escondido prior to commencing operation of the facility.
21. Small wireless facilities installed on or as part of a new or replacement street light shall not be placed in locations subject to future public road widening or in conflict with future planned utility or storm drain infrastructure.
22. No facility shall be expanded, relocated, or otherwise modified without approval of subsequent permits by the City of Escondido.
23. Any application for the modification of an existing facility shall require replacement of any portion of the facility for which a less intrusive design has become available.
24. Any trenching in excess of fifty (50) feet will require a separate encroachment permit including a construction drawings submittal to the Engineering Services Department, and the owner of the proposed underground facilities will be required to execute a one-time Right-of-Way and Maintenance Agreement with the City of Escondido or provide evidence of prior Franchise Agreement rights.

25. Any City infrastructure removed in order to install a small wireless facility shall be so removed in a manner which does not damage said infrastructure, and said infrastructure shall be delivered to the City of Escondido public works yard, as directed by Field Engineering and Public Works staff.
26. Installation of any facility shall be in full compliance with all applicable city, regional, and state design standards and standard drawings.
27. The foundation of any removed street light shall be removed to a depth of at least two feet below finished grade.
28. All street light conduit and wiring splicing shall be reconnected in accordance with the City's standard drawings, to the satisfaction of the city engineer.
29. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages which have occurred as a result of construction activities for the facility, to the satisfaction of the city engineer. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with standard drawing G-6-E.
30. The applicant shall be responsible to repair and resurface all trenched roadways per City of Escondido Standard Drawing G-2-E, to the satisfaction of the City Engineer.
31. The applicant or contractor will be responsible to implement Best Management Practices (BMPs) to prevent storm water pollution in accordance with the approved Erosion Control Plan, CASQA Guidelines and City of Escondido Municipal Code during all phases of project construction to the satisfaction of the City Engineer.
32. Erosion and sediment controls, and other storm water pollution control measures, shall be provided to control sediment and silt from construction work areas. The applicant and contractor shall be responsible for maintaining all erosion and sediment controls throughout the construction work.
33. Compliance with Conditions and Laws. The applicant shall comply with all conditions specified. Failure to comply with any condition shall constitute grounds for revocation of the small wireless facility permit. The applicant shall also maintain compliance at all times with all federal, state and local regulations applicable to the permittee, the subject property, and the small wireless facility, which includes without limitation any laws applicable to human exposure to RF emissions. In the event that RF emissions for the site exceed FCC standards, the applicant will be required to immediately cease operation of the facility until such time that the violation is corrected to the satisfaction of the Director. The applicant 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.



34. No small wireless facility may encroach into, over, or across any adjacent property line.
35. No encroachment onto adjacent private property shall be allowed during the construction of any small wireless facility without express written consent of the adjacent property owner. This shall include private property owned by the City of Escondido.
36. Small wireless facilities shall be maintained by the permittee(s) and subsequent owners in a manner that implements requirements of the Zoning Code, these Guidelines, and all other applicable standards and permit conditions. Landscaping, painting, and other concealment treatment for any facility shall be maintained as such over time.
37. The applicant shall use all reasonable efforts to avoid any and all unreasonable, undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal or other activities on or about the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Escondido Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The Director may issue a stop work order for any activities that violate this condition in whole or in part.
38. Applicant's Contact Information. The applicant shall furnish the city engineer with accurate and up-to-date contact information for the person responsible for the small wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. The permittee shall keep such contact information up-to-date at all times and promptly provide the city engineer with updated contact information if either the responsible person or such person's contact information changes.
39. Indemnification. The applicant, permittee, and any successor-in-interest thereof, shall defend, indemnify and hold harmless the City of Escondido, and its agent's officers or employees, from (1) any claim, action or proceeding against the City, its agents, officers or employees to attack, set aside, void or annul an approval of the City, arising out of or concerning (PHG 19-0061, PHG 19-0062, and PHG 19-0063) the small wireless facility permit, and (2) other claims of any kind or form, whether for personal injury, death or property damage, that arise from or in connection with the small cell wireless facility permit or the small cell wireless facility. In the event the City becomes aware of any claims, the City will use best efforts to promptly notify the permittee and shall reasonably cooperate in the defense. The permittee expressly acknowledges and agrees that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the permittee shall promptly reimburse City for any costs and expenses directly and necessarily

incurred by the City in the course of the defense. Within ten calendar days of the service of a claim, the permittee shall execute a letter of agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. The permittee expressly acknowledges and agrees that such indemnification obligations will survive the expiration, revocation or other termination of this small cell wireless facility permit.

40. Permit Revocation. Any permit granted under these Guidelines may be revoked by the Director if the facility is not operating in compliance with these conditions or any applicable federal, state, or local laws.
41. Abandoned Facilities. The small wireless facility authorized under this small wireless facility permit shall be deemed abandoned if not operated for any continuous six-month period. Within 90 days after a small cell wireless facility is abandoned or deemed abandoned, the applicant or support structure owner (if not on a City-owned support structure) shall completely remove the small wireless facility and all related improvements and shall restore all affected areas to a condition compliant with all applicable laws, which includes without limitation the Escondido Municipal Code and Escondido Zoning Code. In the event that neither the applicant or support structure owner (if not on City-owned infrastructure) complies with the removal and restoration obligations under this condition within said 90-day period, the City shall have the right (but not the obligation) to perform such removal and restoration with or without notice, and the permittee and support structure owner (if not on City-owned infrastructure) shall be jointly and severally liable for all costs and expenses incurred by the City in connection with such removal and restoration activities.
42. Landscaping. The applicant shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by the permittee or at the permittee's direction on or about the site. If any trees are damaged, destroyed or displaced, the permittee shall hire and pay for a licensed arborist to select, plant and maintain replacement landscaping in the nearest appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be a minimum 24-inch box specimen tree or larger, as determined by the Director, and shall be the same species as the tree which was removed unless determined by the Director that a different species is appropriate for the location. The applicant shall, at all times, be responsible to maintain any replacement landscape features and maintain any new landscaping installed in conjunction with the small wireless facility.
43. Protected trees. Any protected trees damaged as a result of the installation of a small wireless facility shall be assessed by a licensed arborist. All recommendations of the licensed arborist intended to restore the tree shall be carried out by the applicant. Should any protected tree be destroyed or otherwise displaced as a result of the installation of any facility shall be replaced at a ratio recommended by the licensed arborist. This condition shall apply to any protected trees damaged, destroyed or otherwise displaced during construction, operation

and removal of any facility if the facility is determined to be the cause of said damage, destruction or displacement.

44. Cooperation with RF Compliance Evaluations. At all times relevant to this permit, the applicant and the property owner (if not on City-owned infrastructure) shall reasonably cooperate with efforts by the City to evaluate whether the facility complies with all applicable FCC rules and regulations for human exposure to RF emissions. Such cooperation shall be at no cost to the City and may include, but not be limited to: (1) furnishing the City with a post-installation assessment report signed by an RF engineer certifying the wireless facility's compliance with applicable FCC rules and regulations; (2) providing technical data such as the frequencies in use, power output levels and antenna specifications, reasonably necessary to evaluate compliance with maximum permissible exposure levels set by the FCC; and (3) promptly responding to all requests by the City or its designee for information and cooperation with respect to any of the foregoing.
45. Future Undergrounding Programs. If other public utilities or communications providers in the public rights-of-way underground their facilities in the segment of the public right-of-way where the applicant's small wireless facility is located, the applicant must underground its equipment except the antennas, any electric meter and any other equipment that must be placed above ground in order to function. Accessory equipment that requires an environmentally controlled underground vault to function are not exempt from this condition. Such undergrounding shall occur at the applicant's sole cost and expense.
46. Small wireless facilities, which have been installed on utility poles, which are removed as part of a utility undergrounding project, and any facilities that are strand-mounted between such poles, shall be removed by the permittee with no compensation provided by the City or other entity carrying out the undergrounding project. The existence of small wireless facilities shall not prevent the City or other entity from carrying out an undergrounding project. Replacement of the facility shall be subject to a new small wireless facility permit. This condition includes utility poles and lines which are required to be placed underground as a condition of approval of a development project.
47. Small wireless facilities which are required to be removed or relocated as a result of a public works project shall be so removed or relocated at the sole expense of the permittee.
48. Any relocation of a small wireless facility required as a result of public works or utility undergrounding projects shall be processed in the same manner as a new small wireless facility.
49. Electric Meter Upgrades. If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground-mounted electric meter and enclosure. Prior to removing the electric meter, the permittee shall apply for any encroachment and other ministerial permit(s) required to perform

the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.

50. All conditions of approval shall be binding as to the applicant and all successors in interest to permittee.
51. Existing City-owned structures on which any small wireless facility is placed shall remain the property of the City. Any new or replacement structures in the right-of-way which are subject to a master license agreement shall become the property of the City of Escondido in the event that an applicant removes or abandons any small wireless facility installed on said structure(s).
52. No additional antennas or expansion of this facility shall be permitted without a modification of the Conditional Use Permit and a public hearing before the Zoning Administrator, or as allowed by the relevant State or Federal law. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development and the Building Division.
53. This project has been determined to be exempt from environmental review, pursuant to Section 15303(b) of State CEQA Guidelines. The City of Escondido hereby notifies the Applicant that the County Clerk's Office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption. Each facility approved as part of this application requires a separate Notice of Exemption and filing fee. In order to file the Notice of Exemption with the County Clerk, in conformance with California Environmental Quality Act (CEQA) Section 15062, the Applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the Project (the final approval being the date of this letter) three (3) certified checks (one for each facility approved as part of this application) payable to the "San Diego County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the Project is exempt from CEQA. Failure to submit the required fee within the specified time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

**General Standard Conditions:**

1. **Public Partnership Program.** All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to any building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
2. **Application Accuracy.** The information contained in the application and all attached materials are assumed correct, true, and complete. The City of Escondido is relying on the accuracy of this information and Project-related representations in order to process this application. Any permits issued by the City may be rescinded if it is determined that the

information and materials submitted are not true and correct. The Applicant may be liable for any costs associated with rescission of such permits.

3. **Signage.** All proposed signage associated with the Project shall comply with the FCC RF sign requirements and Article 66 (Sign Ordinance) of the Escondido Zoning Code. Appropriate signs providing notice, caution or warning, and other necessary markings shall be placed at the main access point(s) and other locations, as may be required, in order to alert the general public, maintenance or other workers approaching the antennas to the presence of RF transmissions and to take precautions to avoid exposures in excess of FCC limits. No signage other than that required for compliance with FCC regulations shall be provided.
4. **Noise.** All Project generated noise, including construction noise, shall conform to the City's Noise Ordinance (Ordinance 90-08).
5. **Staging Construction Areas.** All staging areas shall be located within the appropriate area identified on the approved traffic control plans, to the satisfaction of the field-engineering inspector.
6. **Parking and Loading/Unloading.** No contractor or employee may store, or permit to be stored, a commercial or construction vehicle/truck; or personal vehicle, truck, or other personal property on public-right-of-way or other public property without permission of the City Engineer.

**Additional Planning Division Conditions:**

1. The small wireless facilities shall be subject to the terms of the Telecommunication Network License and Encroachment Agreement with between the wireless carrier and the City of Escondido.
2. The Telecommunication Network License and Encroachment Agreement between the wireless carrier and the City of Escondido for these facilities shall be approved by the City Attorney and entered into by said parties prior to approval and construction of the facilities.
3. The applicant, or any subsequent operator/lease holder of the facilities, shall not oppose co-location on the facilities by other wireless carriers (subject to City of Escondido approval) if it can be demonstrated that there would be no adverse effect on the operations and functions of the existing facilities, and the new facilities can be appropriately integrated into the design of the existing facility.
4. Operation of the facilities shall not commence until all requirements of the Planning and Building Divisions, and Engineering Services Department have been completed.



## **Engineering Division Conditions**

### **GENERAL NOTES**

1. All work to be done in accordance with the standard specifications for public works construction, 2015 edition, effective December 07, 2016 by resolution no. 2016-17 and the design standards and standard drawings of the city of Escondido effective April 02, 2014 by resolution 2014-08, along with any amendments thereto.
2. All contractors working in the public right of way shall obtain a separate encroachment permit from the director of engineering services, inspection of all work is required. Contact the engineering field office at (760) 839-4664 to arrange for encroachment permits and inspection. Twenty-four-hour advance notice is required for inspection. No work shall be performed in the public right of way on Saturdays, Sundays or legal holidays without the express permission of the city engineer.
3. It shall be the responsibility of the contractor to locate all substructures, whether shown or not, and protect them from damage. The expense of repair or replacement of said substructures shall be borne by the contractor.
4. Location and elevation of all existing improvements within the area of work shall be confirmed by field measurement prior to construction of new work. Contractor will make exploratory excavations and locate existing underground facilities sufficiently ahead of construction to permit revisions to plans if revisions are necessary because of actual location of existing facilities.

### **SMALL WIRELESS FACILITIES**

1. All structural calculations shall be provided on plans and stamped by a California registered civil engineer for all facilities mounted to city street light poles and other public infrastructure, front and side elevations sections and attachment details, and detailed site plan showing all existing and proposed facilities.
2. All existing city street light poles to be removed shall be "carefully" salvaged to the Public Works Yard. The pole foundation shall be removed to a minimum depth of 2 (two) feet below finish grade.
3. All existing and new street light poles shall be retrofitted or constructed in accordance with the City of Escondido Design Standards and Standard Drawing E-1-E. This includes the retrofitting of existing street light poles with a new L.E.D. luminaire.
4. All street light conduit and wiring splicing shall be reconnected in accordance with the City's Standard Drawings E-1-E and to the satisfaction of the Public Works Director.

5. Street light poles installed by the applicant shall have a separate SDG&E power source directly connecting to the small cell facilities, unless prior agreements have been made otherwise. Wireless company shall be responsible for all maintenance and repair cost of the poles, and light fixtures as per the executed agreement.

#### **DIRECTIONAL BORE AND TRENCHING UTILITY NOTES**

1. All temporary paving placed by any contractor, subcontractor or utility company shall remain in the public right of way for not more than 30 calendar days on residential streets and 72 hours on arterials, major roads, collectors and local collectors, prior to placement of permanent pavement. All temporary paving placed in the public right of way shall be maintained continuously in accordance with City of Escondido Standard Drawing No. G-3-E.
2. All underground utilities to be installed before construction of curbs, gutters, sidewalks or surfacing of streets.
3. Contractor shall notify utility companies prior to starting work near company facilities and coordinate his work with company representatives. It shall be the responsibility of the developer to contact the utility companies, advise them of the proposed improvements and bear the cost of relocations, if needed.
4. The city may not be able to mark-out all sewer laterals and water services. If any sewer laterals or water services are broken as part of the construction, they will be repaired immediately at the contractor's expense.
5. When a future conflict exists with the fiber optic conduit and cables, they shall be relocated upon the city's request, at the owner's expense.
6. All fiber optic conduit shall be provided with a 6-inch wide strip of polyethylene nonmetallic detection tape one foot over the pipe. In addition, a #12 tracer copper wire shall be installed over all nonmetallic or undetectable conduits to aid in the detection/tracing of underground utility lines.
7. At all points where the proposed conduit trench intersects a pre-existing water main trench, the pre-existing water main trench shall be backfilled with a 1-sack slurry backfill mix up to the top of the existing water main. All trench conduit installations shall conform with City of Escondido Standard Drawing G-2-E Narrow Trench Backfill. Maintain a minimum horizontal clearance of 5 (five) feet from outside of conduit to outside of sewer, water, and storm drain. Maintain a minimum vertical clearance of 1 (one) foot with all conflicts with City of Escondido utilities.
8. All jack and bore conduit installations and related work shall be constructed in accordance with Standard Drawing No. M-3-E. Maintain a minimum horizontal clearance of 5 (five) feet from outside of conduit to outside of sewer, water, and storm drain. Maintain a minimum vertical clearance of 3 (three) feet with all conflicts with City of Escondido utilities.

9. Where applicable, an encroachment permit shall be obtained from CALTRANS and from San Diego County Water Authority for work within their right-of-way and/or easement. Clearance from Rincon, Vallecitos, and/or Valley Center Water District shall be obtained for any work within their service area or waterline facilities. It will be the applicant's responsibility to notify and/or make all arrangements with other agencies or Water Districts as may be necessary for City approval.
10. Any work performed in a public street moratorium area, including trench and bore pits, shall be required to resurface the roadway in accordance with the City's Municipal Code. All other surface treatment shall be per Standard Drawing G-2-E.
11. All new connector handholes and pull boxes shall be installed at the ultimate right-of-way, back of sidewalk, and to the satisfaction of the City Engineer.
12. The applicant shall be responsible to repair or replace any driveway approach, curb and gutter, sidewalk, or other damages as a result of construction activities for this subject project. All curb, gutter, sidewalk and driveway repairs and replacements shall be in accordance with San Diego Area Regional Standard Drawings.

#### **STORM WATER POLLUTION PREVENTION NOTES**

1. Best management practices (BMPS) shall be implemented during all phases of construction in conformance with the City of Escondido's Municipal code. All BMP's shall be installed in accordance with the most recent version of the CASQAS Handbook.
2. Inspection, modification and maintenance of the BMP's shall be implemented as necessary. In the event of failure or refusal to properly maintain the BMP's, the City may issue emergency maintenance work to be completed to protect adjacent private and public property. The cost (including an initial mobilization amount" and any fines assessed to the City shall be charged to the owner of the project.
3. Necessary materials to implement the required BMPs' shall be available on site to facilitate rapid deployment or to repair any BMP failures.
4. City Staff shall be alerted by the contractor, permittee or owner, as needed for emergency work during rainstorms.
5. Run-on flow onto the site shall be properly managed and planned for to prevent failure of BMP's and /or illegal discharges from the project site into the storm drain.
6. Storm drain inlet protection shall be installed at storm drain inlet to prevent sediment from entering the storm drain system.
7. Street sweeping vehicles with vacuums and water tanks shall be used to keep paved streets free of loose soil and/or construction debris.

## **ZONING ADMINISTRATOR**

**CASE NUMBER:** PHG 19-0046

**APPLICANT:** Yvonne Holdings, LLC

**PROJECT LOCATION:** On the southeast corner of East Valley Parkway and South Elm Street, addressed as 805 E. Valley Parkway (APN 230-111-07-00)

**REQUEST:** A Minor Conditional Use Permit to install a drive-thru window at an existing 1,181 square foot restaurant. The project would include a 75 square foot addition to the building, along with necessary modifications to the exiting parking lot to accommodate a drive-thru lane, menu boards, a trash enclosure and landscaping. Additionally, the Minor Conditional Use Permit would allow a 20 percent reduction in the amount of required parking.

**STAFF RECOMMENDATION:** Conditional Approval

**GENERAL PLAN DESIGNATION:** GC (General Commercial)

**ZONING:** CG (General Commercial)

### **BACKGROUND/PROJECT DESCRIPTION:**

The applicant has submitted a request for a Minor Conditional Use Permit to install a drive-thru window at an existing 1,181 square foot restaurant. The facility was originally constructed as a drive-thru restaurant in the 1970's, however the drive-through lane and window were removed when the facility converted to a full-service sit-down restaurant. A 75 square foot addition to the southeastern corner of the building would be constructed to accommodate the new drive-thru window as a result of proposed site modifications. Said modifications are necessary to accommodate the new drive-thru lane, and include a revised parking lot configuration, the closure of an existing driveway along N. Elm Street, and the installation of menu boards and a trash enclosure. Dense landscaping and a three-foot wall would be installed to help screen the drive-thru facility and minimize adverse impacts from vehicle headlights and noise on surrounding properties. Additionally, the Minor Conditional Use Permit would allow a 20% reduction in the number of required parking spaces, reducing it from 20 spaces down to 16 spaces.

## **ENVIRONMENTAL STATUS:**

The project is exempt from CEQA, in conformance with Section 15301 "Existing Facilities."

## **REASONS FOR STAFF RECOMMENDATION:**

### Installation of the drive-thru lane:

The installation of the drive-thru lane is not anticipated to have any adverse impacts on the surrounding properties since it has been designed to allow sufficient queuing and stacking of vehicles on the subject site without impacting adjacent roadways. Additionally, the removal of the existing driveway on N. Elm Street, which is necessary to accommodate the proposed drive-thru lane, is appropriate for a site of this size. The reconfiguration of the site and the small addition to the building will also assist with improving the safe entry and exit of vehicles from E. Valley Parkway and E. Pennsylvania Avenue. Conditions of approval have been included with the draft resolution to address potential impacts on the surrounding neighborhood.

### Reduction in required parking:

The subject property has a reciprocal ingress, egress and parking easement with the adjacent property immediately to the east. Said adjacent property contains a 2,094 square foot building occupied by a bakery.

Per Article 39 (Off-Street Parking) of the Escondido Zoning Code, drive-thru restaurants up to 4,000 square feet in size are required to have 20 parking spaces. This restaurant with its proposed expansion would be 1,256 square feet in size. The adjacent bakery is considered a "product specialty" and requires one parking space per 150 square feet of gross floor area, for a total of 13 spaces. Between the two uses, the total number of parking spaces required is 33.

The subject property has 9 spaces and the adjacent property 9 spaces for their respective exclusive use, with an additional 11 shared spaces provided in the reciprocal easement, or a total of 29 spaces. If each property was allocated half of the shared spaces, sufficient parking would be available for the bakery (13 spaces required; 14.5 spaces provided), while the subject property would have a parking deficiency of 4.5 spaces (20 spaces required, 14.5 spaced provided), resulting in the need for a 27.5 percent reduction in the number of required spaces. If the 13 spaces in the easement are allocated based on what is required by each use, the bakery would have its parking requirement met and the drive-thru would be deficient by 4 spaces, or 20%.

The proposed drive-thru use is anticipated to experience peak-period demand during the lunch and dinner hours, with a majority of that demand being served at the drive-thru window. As such, minimal parking would be needed for dine-in customers. Additionally, the bakery in the adjacent building would be anticipated to experience peak-period demand during a different time (likely during the morning/breakfast hours), which would leave more of the shared parking spaces available during the subject property's peak period, if needed. As such, staff believes that



adequate parking is available to serve the subject property, and will not have adverse impacts on the adjacent property to the east or on the surrounding public streets. Conditions of Approval have also been provide to address possible future externalities resulting from the parking reduction.

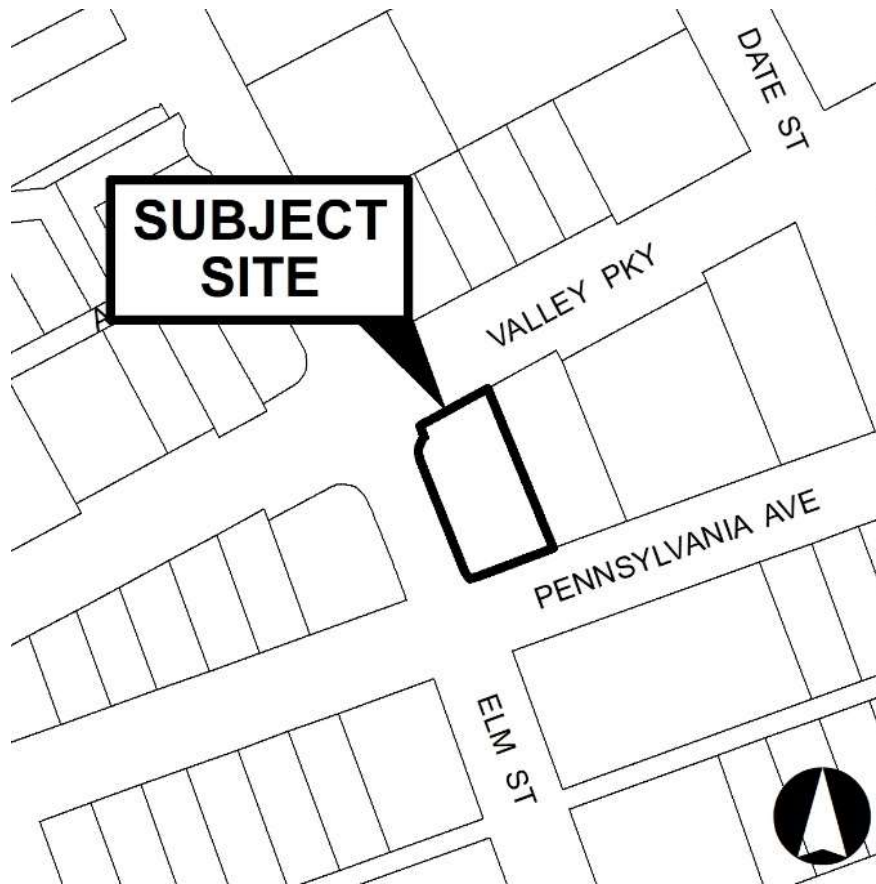
Respectfully submitted,

*Paul K. Bingham*

Paul K. Bingham  
Assistant Planner II

Exhibits:

- A. Legal Description
- B. Findings of Fact
- C. Conditions of Approval
- D. Project Plans



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**PHG 19-0049**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

PARCEL A, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN AT PAGE 1674, OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 27, 1973.

TOGETHER WITH THAT PORTION OF ELM STREET ADJACENT TO THE ABOVE DESCRIBED PROPERTY, AS VACATED BY THAT CERTAIN RESOLUTION NO. 2012-152 OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, APPROVED SEPTEMBER 12, 2012, A CERTIFIED COPY OF WHICH RECORDED AUGUST 20, 2014, AS INSTRUMENT NO. 2014-0357629, OF OFFICIAL RECORDS OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AND AS MORE FULLY DESCRIBED AS FOLLOWS:

BEING A STRIP OF LAND OVER A PORTION OF ELM STREET FOR STREET VACATION PURPOSES, LOCATED IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF PARCEL 'A' AS SHOWN ON PARCEL MAP NO. 1674, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, ON JUNE 22, 1973 UNDER FILE NO. 73-177058 OF OFFICIAL RECORDS;

THENCE SOUTH 69° 37' 50" WEST FOR 9.55 FEET ALONG THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID PARCEL 'A' TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT CONCAVE EASTERLY HAVING A RADIUS OF 20.00 FEET FROM WHICH THE RADIUS POINT BEARS NORTH 39° 37' 50" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 40' 50" FOR AN ARC LENGTH OF 10.01 FEET; THENCE ONTO A LINE PARALLEL WITH THE WESTERLY LINE OF SAID PARCEL 'A' NORTH 21° 41' 20" WEST FOR 113.80 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET FROM WHICH THE RADIUS POINT BEARS NORTH 68° 18'40" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66° 25' 19" FOR AN ARC LENGTH OF 23.19 FEET TO A POINT WHICH INTERSECTS SAID EASTERLY RIGHT OF WAY LINE OF ELM STREET (80 FEET WIDE); THENCE SOUTHEASTERLY ALONG THE ELM STREET EASTERLY RIGHT OF WAY LINE SOUTH 21° 41' 20" EAST FOR 141.95 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS AND PARKING PURPOSES OVER THAT PORTION OF THE EASTERLY HALF OF LOT 2 OF BLOCK 24 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.

APN: 230-111-07-00

**EXHIBIT “B”**  
**FINDINGS OF FACT**  
**PHG 19-0046**

**Conditional Use Permit**

1. The Conditional Use Permit would provide a service desirable for the community.
2. The proposed use would not cause a deterioration of bordering land uses or create special problems in the area. The site has been developed with the existing two commercial businesses since 1970 and no additional buildings or significant expansions are proposed for the property. The drive-thru operation will be conducted entirely within the .31 acre subject site. While the restaurant has limited indoor seating, it is anticipated that the majority of sales will occur at the drive-thru window, once established. There is adequate parking available on this and the neighboring bakery site with which the restaurant shares and access and parking easement.
3. The project is exempt from environmental review in conformance with CEQA Guidelines, Section 15301 “Existing Facilities.” The request does not have the potential for causing significant effect on the environment.
4. The proposed Conditional Use Permit has been considered in relationship to its effect on the neighborhood and it has been determined to be compatible with the surrounding properties and General Plan policies.

**EXHIBIT “C”**  
**CONDITIONS OF APPROVAL**  
**PHG 19-0046**

**PLANNING DIVISION CONDITIONS OF APPROVAL**

**GENERAL**

1. This Conditional Use Permit shall become null and void if not utilized within twelve months of the effective date of approval.
2. The architectural elevations (design, color, materials, etc.) for the project shall be as shown on the color elevations on-file in the Planning Division, except as modified by these conditions of approval. Any changes to the approved architecture shall require review further design review by City staff.
3. All mechanical equipment (ground level, wall-mounted, and/or roof mounted) shall be screened in conformance with Section 33-1085 of the Escondido Zoning Code.
4. All new exterior lighting shall be arranged so as not to reflect upon adjoining property or streets. Exterior lighting shall conform to Article 35 of the Zoning Code. Photometric plans and lamp/light fixture specifications shall be included with the building plans.
5. This project shall conform to the Public Art Partnership Program, Article 37 of the Escondido Zoning Code.
6. No outside storage is approved for this site.
7. The project must comply with all applicable construction Storm Water Best Management Practices (BMPs).
8. The trash enclosure shall include a solid cover, shall be designed to comply with the City's trash enclosure guidelines and shall compliment the building in terms of color and finish material.
9. Building plans, prepared by a licensed design professional, must be submitted for this project and must comply with the building and fire codes in effect at the time of building plan submittal.
10. A valid City of Escondido Business License shall be maintained at all times.



11. Appropriate fire access and ADA compliant paths of travel shall be maintained, as may be required by the Fire Department and Building Division.
12. Callouts E9 on sheet A2.1 and E5 on sheet A5.1 shall be revised to reflect the removal of the pass-through window and replacement with a permanent/fixed window.
13. No signage is approved as part of this permit. All proposed signage shall conform to the Escondido Sign Ordinance (Ord. 92-47). Separate sign permits will be required for exterior project signage.
14. All project-generated noise shall comply with the City's Noise Ordinance (Ord. 90-08), to the satisfaction of the Planning Division.
15. There shall be no grading or permanent structures within any public utility easements.
16. The holder of the Conditional Use Permit shall make the premises available for inspection by City staff during normal operating hours, and shall provide such business records, licenses, and other materials necessary to evidence compliance with these conditions of approval.
17. The legal description attached to this report as Exhibit "A" has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

#### **DRIVE-THRU**

1. The drive-through lane shall accommodate a minimum of six (6) vehicles behind the menu/order board. The drive-thru vehicle stacking lane shall not spill out onto public streets.
2. A no-entry sign shall be provided at the north end of the drive-through aisle.
3. This conditional approval is for a "grab and go"/fast food restaurant with peak period operations during the lunch and dinner time hours. A queuing analysis for the facility will be required if the facility is occupied by a business restaurant with different peak period operations.
4. The applicant or project proponent shall ensure the sale of products or provision of services to occupants in vehicles is operationally efficient, via the following actions:
  - a. The applicant or project proponent shall observe and, if needed, study the queues in terms of waiting-time length, average waiting time, and other factors to help understand and enhance the service system, maintenance activities, and/or shop-floor control activities.

- b. If requested by the Director of the Engineering Services Department, the applicant or project proponent shall document efforts to reduce peak-period wait-length; and otherwise ensure that the number of vehicles in line for service does not increase beyond the stated stacking capacity of the drive-through.

### **PARKING**

1. Parking lot circulation and fire lanes shall remain clear and unobstructed at all times.
2. One Van Accessible space must be provided and an Accessible Path of Travel maintained from the parking space to the main entrance.
3. The van accessible aisle must be 8 feet in width for the full length of the aisle.
4. Ten on-site parking spaces are provided with this project. In addition, 11 parking spaces are available in the shared easement with the neighboring business. One of these is spaces in the easement is also a Van Accessible space.
5. All standard parking spaces are to conform to the standards in Article 39 and to be 18' in length and 8.5' in width and double striped.

### **LANDSCAPING**

1. A Landscape Documentation Package shall be prepared for the project by, or under the supervision of, a licensed design professional and shall conform to Article 62 of the Escondido Zoning Code, and to the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO). The plans shall indicate any existing trees or landscaping that is to remain as well as new landscape areas.
2. All existing and proposed landscaping shall be permanently maintained in a flourishing manner. Any landscaping that is removed shall be replaced and noted on the site plan to the satisfaction of the Planning Division.
3. All areas in this proposed development, which are not used for structures, parking, driveways, approved storage, or walkways, shall be landscaped.
4. The landscape plan shall be reflect the required revisions to the site plan. It shall also show all locations of fire hydrants, transformers, utility boxes, driveways, utility easements and other easements of record.
5. Trees located within six-feet of pavement shall be provided with root barriers.
6. Additional street trees will be required along each project frontage and shall be shown on the landscape plan. The minimum tree size shall be 15-gallon, six feet tall planted, and have a tree trunk caliper of at least two inches. The precise location and species of trees shall be consistent with City's current street tree list and spacing requirements. Existing trees may be counted as street trees if their variety, location, and size meet minimum requirements and

they are identified on the landscape plan. Street trees should be located behind the ultimate right-of-way line.

7. Any trees removed from the project site or adjacent right-of-way as a result of the project shall be replaced at a one-to-one ratio. These trees shall be in addition to the required street trees noted above.
8. Required front, side, and rear yard setbacks shall be landscaped with trees, shrubs, and groundcover, and shown on the final landscape plans to the satisfaction of the Planning Department. Plant selection shall be low-water, drought tolerant species.
9. Additional landscaping shall be added to soften the N. Elm Street and E. Valley Parkway frontages and vines shall be grown onto walls and fences to soften their appearance to the satisfaction of the Planning Division.
10. The revised site plan and/or landscape plan shall incorporate measures to the satisfaction of the Planning Division, which screen peripheral views of the drive-thru aisle and parking areas from adjacent streets and alleys. Possible screening measures may include a combination of screen walls, fencing, tiered landscaping.
11. All required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner prior to occupancy. The required landscape areas shall be free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All permanent irrigation shall be maintained in fully operational condition.
12. The installation of the landscaping and irrigation shall be inspected by the project design professional upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
13. No trees or deep rooted bushes are allowed within fifteen feet of the sewer main.

#### **OTHER**

1. This item may be referred back to the Zoning Administrator for review and possible revocation or modification at a noticed public hearing upon receipt of nuisance complaints and/or non-compliance with the conditions of approval.
2. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of

the Planning Commission or City Council, if applicable), a check payable to the "San Diego County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180-day statute of limitations will apply.

3. Three (3) revised copies of the project plans reflecting the Conditions of Approval shall be submitted for review by the Planning Division. Said plans must be certified by the Planning Division prior to submittal of other plans (building, grading, landscape, etc.) for the project.

## **ENGINEERING CONDITIONS OF APPROVAL**

### **GENERAL**

1. The Developer shall provide the City Engineer with a Preliminary Title Report covering subject property.
2. The location of all existing on-site and adjacent utilities and storm drain facilities shall be determined by the Developer's engineer. If a conflict occurs with the proposed project or improvements, arrangements for relocation of the conflicting utilities/facilities shall be made with the owner of the utility/facility prior to approval of the site drainage plans. This utility/facility relocation work shall be completed prior to issuance of Building Permits.
3. Improvement plans prepared by a Civil Engineer are required for all public street and utility improvements and a Private Improvement plan prepared by Civil Engineer is required for all site grading, drainage and private onsite improvement design. Landscaping Plans shall be prepared by a Landscape Architect.
4. The Developer shall post securities in accordance with the City prepared Bond and Fee Letter based on a final Engineer's Estimate of Grading and Improvements Cost prepared by the project engineer. The Developer is required to provide a Cash Clean Up security deposit for all grading, landscaping, private Improvements and onsite drainage improvements prior to approval of private improvement plans and issuance of any Permit. This Cash Cleanup Deposit amount shall be 10% (\$5,000 minimum) of the total cost of the project private improvements, drainage and landscaping. The Developer is required to provide all security deposits prior to approval of the Improvement Plans and issuance of Building Permits. All improvements shall be completed prior to issuance of a Certificate of Occupancy.
5. If site conditions change adjacent to the proposed development prior to completion of the project, the Developer will be responsible to modify his/her improvements to accommodate

these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

6. All onsite and offsite improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

## **IMPROVEMENTS**

1. The project's access drive on East Valley Parkway and Pennsylvania Avenue shall be re-constructed as an alley-type driveway apron in accordance with Escondido Standard Drawing G-5-E with a minimum throat width of 24-feet.
2. All unused driveways shall be removed and replaced with full height curb, gutter and sidewalk in accordance with City standards.
3. Pedestrian access routes conforming to the American Disabilities Act shall be provided into the project from the public sidewalk, to the satisfaction of the Director of Engineering Services.
4. Existing corner pedestrian ramps at Valley Parkway/Elm Street and Pennsylvania Avenue/Elm Street shall be replaced to comply with current ADA pedestrian ramps standards per the San Diego Area Regional Standards Drawing G-27.
5. The developer shall remove and replace all damaged sidewalk, curb and gutter along all project frontages to the satisfaction of the City Engineer prior to issuance of a Certificate of Occupancy.
6. All private structures within the public right-of-way shall be removed, including but not limited to the following: screen walls, patio facilities, hard scape, etc.to the satisfaction of the Director of Engineering Services.
7. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the City's Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
8. The developer shall be responsible for the recycling all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other locations approved by the Director of Engineering Services.

## **SITE DRAINAGE**

1. A drainage plan together with erosion control details prepared by a Registered Civil Engineer is required for all onsite improvements and shall be submitted separately to the Engineering



Department. Drainage plans are subject to approval by the Planning, Fire and Engineering Departments.

2. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 7" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
3. The drive-thru aisle shall be paved with a minimum 7" PCC over 6" AB.
4. Erosion control, including riprap, interim sloping planting, gravelbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.
5. All on-site private improvements shall be designed in accordance with the City's Design Standards and shall be subject to review and approval by the Fire, Engineering, and Planning Departments.
6. The on-site trash enclosure areas shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the Director of Engineering Services.

## **UTILITIES**

1. A private 6-inch minimum (PVC) sewer lateral with a standard clean-out within 18-inches of the Public right-of-way shall be constructed for the project and shown on the Improvement and Grading plans. All sewer lateral shall be installed at right angle to the main in conformance with the Design Standards.
2. No trees or deep-rooted plants shall be planted within 15' of sewer mains, sewer laterals or water meters.
3. Any new development whose wastewater discharge may contain pollutants not normally found or in concentrations in excess of those normally found in domestic wastewater shall require a wastewater discharge permit according to the Escondido Municipal Code, Chapter 22, Article 8. New users shall apply at least ninety (90) days prior to connecting to or contributing to the City's wastewater system and a permit must be obtained prior to commencement of any discharge to the system.
4. Grease traps if required for the restaurant component of the project shall be installed at an approved location to the satisfaction of the Director of Utilities.

5. All sewer lateral(s) and grease traps shall be considered a private sewer system. The Property Owner will be responsible for all maintenance of the sewer lateral(s) and system to the sewer main.

### **LANDSCAPE**

1. A site landscaping and irrigation plan shall be submitted to the Engineering Department with the first submittal of the grading plan for review and approval by Engineering and Planning Departments. The initial submittal of the landscape plans shall include the required plan check fees.
2. Permanent landscaping shall be installed along the project and all areas disturbed by the project (including offsite areas). The landscaping, including storm water treatment BMPs, shall be maintained by the property owner.

### **DEDICATIONS**

1. All existing and proposed easements, both private and public, affecting subject property shall be shown and labeled on the site drainage plans and improvement plans if required.

### **CASH SECURITY AND FEES**

1. A cash security shall be posted to pay any costs incurred by the City to clean-up eroded soils and debris, repair damage to public/private property and improvements, install new BMP's, and stabilize and/or close-up a non-responsive of abandoned project. Any moneys used by the City for clean-up or damage will be drawn from this security. The remaining portion of this clean-up security shall be released upon final acceptance of the grading and improvements for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, retaining wall, landscaping, and best management practices item of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the Director of Engineering Services.
2. The developer will be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

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# 805 E VALLEY PARKWAY

**EXHIBIT "D"**  
**PROJECT PLANS**  
**PHG 19-0046**

805 E VALLEY PARKWAY  
ESCONDIDO, CA 92025

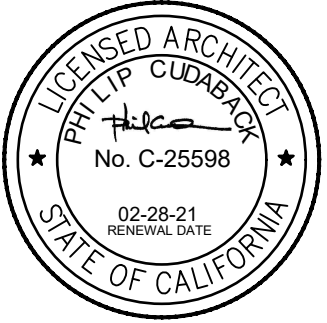
CONDITIONAL USE PERMIT  
APRIL 3, 2020

REVISION 



**3268 GOVERNOR #141**  
**San Diego, CA 92122**  
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CUP REV.1:	10-18-19
CUP REV.2:	1-23-20
CUP REV.3:	2-12-20
CUP REV.4:	4-3-20

**805 E VALLEY PARKWAY**  
**CONDITIONAL USE PERMIT**  
**805 EAST VALLEY PARKWAY**  
ESCONDIDO . CA . 92025

PROJECT NO:  
19-011

SHEET TITLE

**OVERALL  
SITE  
PLAN**

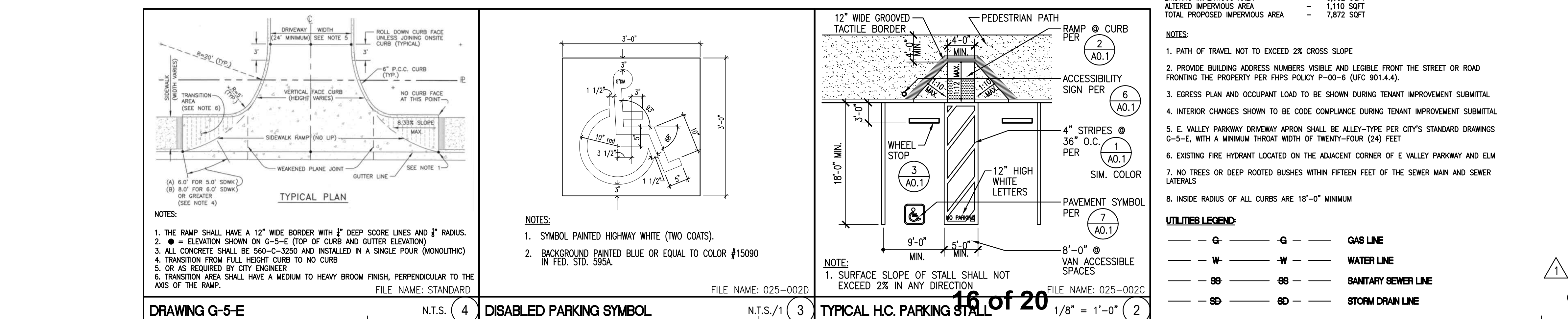
SHEET NO:

**A0.1**

**PROPOSED SITE PLAN**

1/8" = 1'-0"

**ELM STREET**



**KEY NOTES - SITE PLAN:**

- E1 EXISTING SIDEWALK
- E2 EXISTING DRIVEWAY & CURB-CUT, TO BE REPLACED WITH G-5-C DRIVEWAY
- E3 EXISTING PARKING
- E4 EXISTING EXTERIOR PATIO
- E5 EXISTING CMU BLOCK WALL
- E6 EXISTING PLANTER
- E7 EXISTING TREE AND TREE GRATE
- E8 EXISTING GRASS AND LANDSCAPING
- E9 EXISTING 2'-6" ROOF OVER HANG
- E10 EXISTING DRIVE-THRU ORDER & PICK-UP WINDOW
- E11 EXISTING PROPERTY LINE
- E12 EXISTING PARKING AND EGRESS EASEMENT, SEE SUPPLEMENTAL DOCUMENTATION TO SHOW BOUNDARIES OF EASEMENT
- 1 RE-ACTIVATION OF THE DRIVE-THRU LANE
- 2 NEW VAN ACCESSIBLE PARKING, SEE 2/A0.1 FOR PARKING DETAIL
- 3 NEW PARKING STALLS FOR TENANT IMPROVEMENT, PER SEC. 33-768
- 4 NEW ACCESSIBLE PATH OF TRAVEL TO TENANT IMPROVEMENT
- 5 NEW CMU BLOCK WALL WITHIN PROPERTY LINE, MATCH EXISTING
- 6 NEW ACCESSIBLE RAMP TO SIDEWALK, CONSTRUCTED PER SAN DIEGO REGIONAL STANDARD DRAWING G-27, IN COMPLIANCE WITH CURRENT ADA REQUIREMENTS
- 7 NEW PLANTERS AROUND DRIVE-THRU AISLE
- 8 NEW PCC CONCRETE IN DRIVE-THRU AISLE
- 9 NEW LANDSCAPING TO HIDE/BLOCK CMU WALLS THAT MATCH EXISTING BUILDING
- 10 NEW TRASH ENCLOSURE LOCATION
- 11 NEW "RIGHT TURN ONLY" SIGNAGE FOR CARS EXITING THE DRIVE-THRU, DRIVE-THRU CARS TO YIELD TO CARS ENTERING FROM E.V.P.
- 12 NEW MENU/ORDER BOARDS
- 13 NEW PICK-UP WINDOW
- 14 NEW 3'-0" HIGH WALL TO BLOCK HEADLIGHTS IN DRIVE-THRU, TO MATCH THE EXISTING BUILDING

**IMPERVIOUS & PERVIOUS AREA - TOTALS:**

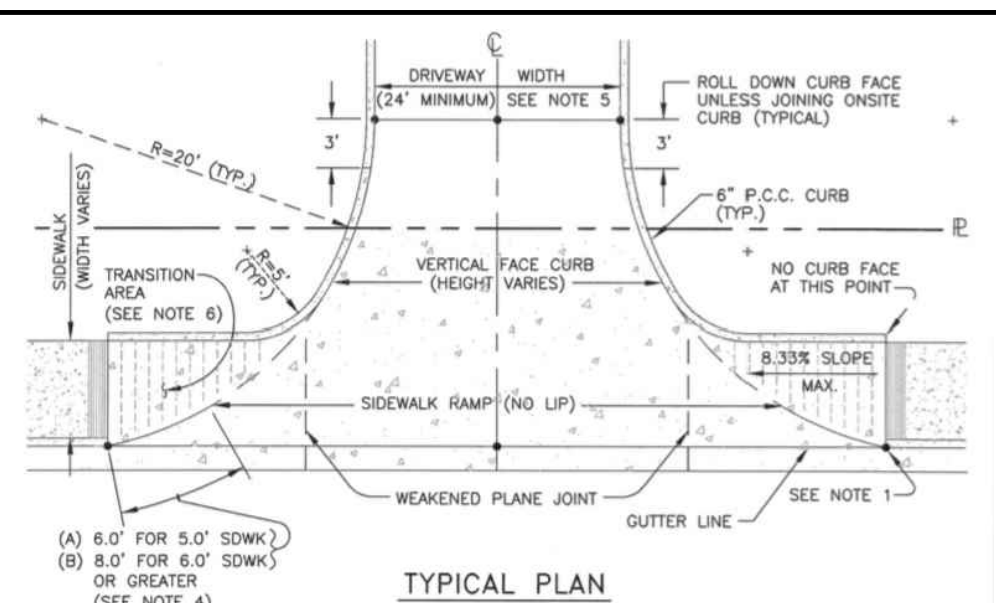
EXISTING IMPERVIOUS AREA	-	8,982 SQFT
ALTERED IMPERVIOUS AREA	-	1,110 SQFT
TOTAL PROPOSED IMPERVIOUS AREA	-	7,872 SQFT

**NOTES:**

- PATH OF TRAVEL NOT TO EXCEED 2% CROSS SLOPE
- PROVIDE BUILDING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PHPS POLICY P-00-6 (UPC 901.4.4).
- EGRESS PLAN AND OCCUPANT LOAD TO BE SHOWN DURING TENANT IMPROVEMENT SUBMITTAL
- INTERIOR CHANGES SHOWN TO BE CODE COMPLIANCE DURING TENANT IMPROVEMENT SUBMITTAL
- E. VALLEY PARKWAY DRIVEWAY APRON SHALL BE ALLEY-TYPE PER CITY'S STANDARD DRAWINGS G-5-E, WITH A MINIMUM THROAT WIDTH OF TWENTY-FOUR (24) FEET
- EXISTING FIRE HYDRANT LOCATED ON THE ADJACENT CORNER OF E VALLEY PARKWAY AND ELM
- NO TREES OR DEEP ROOTED BUSHES WITHIN FIFTEEN FEET OF THE SEWER MAIN AND SEWER LATERALS
- INSIDE RADIUS OF ALL CURBS ARE 18'-0" MINIMUM

**UTILITIES LEGEND:**

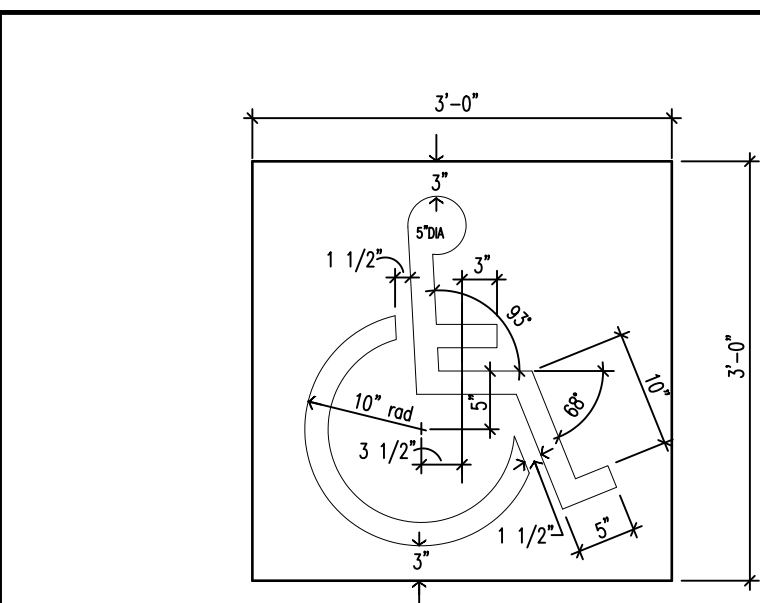
— G —	— G —	GAS LINE
— W —	— W —	WATER LINE
— SS —	— SS —	SANITARY SEWER LINE
— SD —	— SD —	STORM DRAIN LINE



- NOTES:**
- THE RAMP SHALL HAVE A 12" WIDE BORDER WITH 1" DEEP SCORE LINES AND 1/8" RADIUS.
  - = ELEVATION SHOWN ON G-5-E (TOP OF CURB AND GUTTER ELEVATION)
  - ALL CONCRETE SHALL BE 5000-PSI AND INSTALLED IN A SINGLE POUR (MONOLITHIC)
  - TRANSITION FROM FULL HEIGHT CURB TO NO CURB
  - OR AS REQUIRED BY CITY ENGINEER
  - TRANSITION AREA SHALL HAVE A MEDIUM TO HEAVY BROOM FINISH, PERPENDICULAR TO THE AXIS OF THE RAMP.
- FILE NAME: STANDARD

**DRAWING G-5-E**

N.T.S. 4

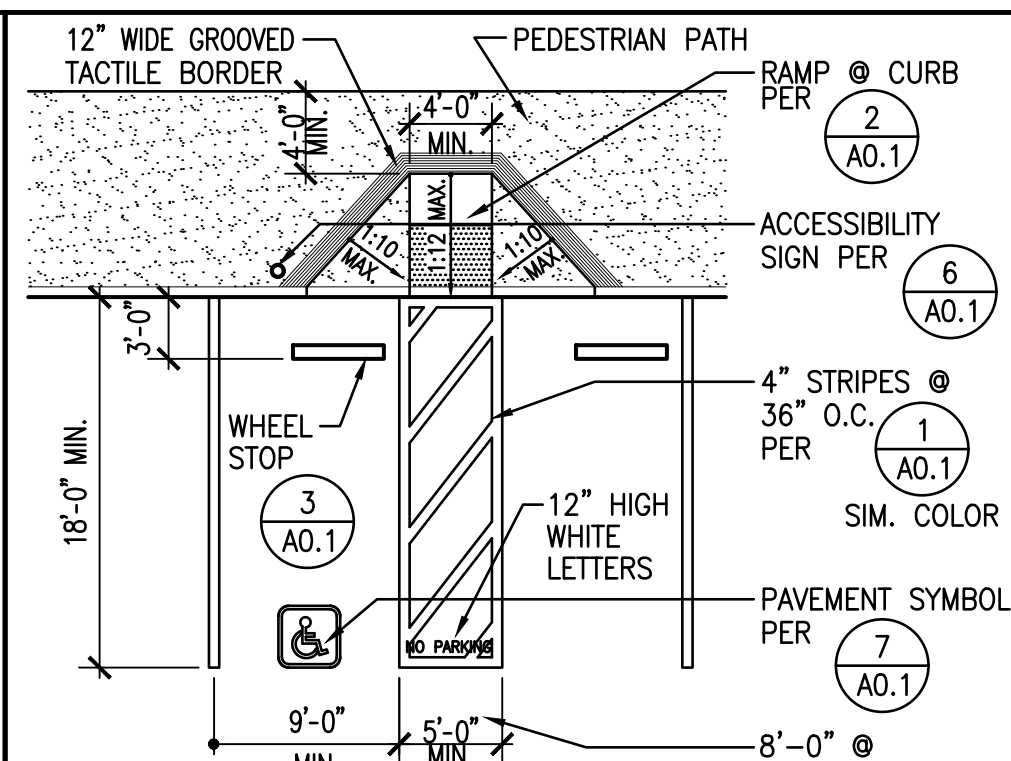


**NOTES:**

- SYMBOL PAINTED HIGHWAY WHITE (TWO COATS).
- BACKGROUND PAINTED BLUE OR EQUAL TO COLOR #15090 IN FED. STD. 595A.

**DISABLED PARKING SYMBOL**

N.T.S./1 3



**NOTE:**

- SURFACE SLOPE OF STALL SHALL NOT EXCEED 2% IN ANY DIRECTION

**TYPICAL H.C. PARKING STALL**

N.T.S. = 1'-0" 2



- |     |   |
|-----|---|
| E1  | EXISTING EXTERIOR WALL TO REMAIN, TYPICAL                             |
| E2  | EXISTING INTERIOR WALL TO REMAIN, TYPICAL                             |
| E3  | EXISTING PONY WALL TO REMAIN, TYPICAL                                 |
| E4  | EXISTING EXTERIOR DOOR TO REMAIN, TYPICAL                             |
| E5  | EXISTING INTERIOR DOOR TO REMAIN, TYPICAL                             |
| E6  | EXISTING WINDOW TO REMAIN, TYPICAL                                    |
| E7  | EXISTING CMU BLOCK WALL TO REMAIN                                     |
| E8  | EXISTING FOOD SERVICE EQUIPMENT TO REMAIN                             |
| E9  | EXISTING PASS THROUGH WINDOW TO REMAIN, TO USE FOR DRIVE-THRU PICK UP |
| E10 | EXISTING EXTERIOR PATIO TO REMAIN                                     |

- |   |  |
|---|--|
| 1 | HATCH INDICATES A NEW CMU BLOCK WALL - SEE WALL TYPE ON SHEET A7.1   |
| 2 | NEW EXTERIOR PCC CONCRETE IN DRIVE-THRU LANE   |
| 3 | EXISTING OVERHANG TO BE RESTYLED AND REFINISHED WITH NEW MATERIALS   |
| 4 | NEW ACCESSIBLE RAMP TO SIDEWALK, CONSTRUCTED PER SAN DIEGO REGIONAL STANDARD DRAWING G-27. IN COMPLIANCE WITH CURRENT ADA REQUIREMENTS |
| 5 | NEW WALKWAY TO EXTERIOR BACK OF HOUSE  |
| 6 | NEW PATIO DOORS ON CMU BLOCK WALL  |
| 7 | EXISTING CMU WALLS TO BE REMOVED   |
| 8 | NEW BUILDING ADDITION FOR DRIVE-THRU PICK UP, 76 SQFT TOTAL  |
| 9 | NEW PICK-UP WINDOW FOR DRIVE-THRU  |

**BUILDING OCCUPANCY:**

TOTAL OCCUPANT LOAD = 33 OCCUPANTS

**WALL LEGEND:**

1. ALL WALLS ARE 5/8" GYPSUM BOARD PER WALL TYPE ON A7.1 U.N.O.

-  NEW WALL: PER WALL TYPE ON A7.1  
 EXISTING WALL TO REMAIN  
 NEW PONY WALL, SEE HT

**DIMENSION NOTES:**

1. ALL DIMENSIONS ARE TO FACE OF FINISH OR CENTER LINE OF COLUMN/WALL U.N.O  
2. FLOOR LEVEL =  $\phi$  0'-0" UNLESS NOTED OTHERWISE

**DIMENSION LEGEND:**

- DIM** DENOTES A DIMENSION TO THE CENTERLINE OF AN OBJECT
- DIM** DENOTES A DIMENSION TO THE FACE OF AN OBJECT

**SYMBOL LEGEND:**

- (SCHEDULES ON SHEET A10.2)

- |     |                |
|-----|----------------|
| 100 | DOOR NUMBER    |
| A   | WINDOW NUMBER  |
| 1   | FIXTURE NUMBER |
| 100 | ROOM NUMBER    |

**DRAWING LEGEND:**

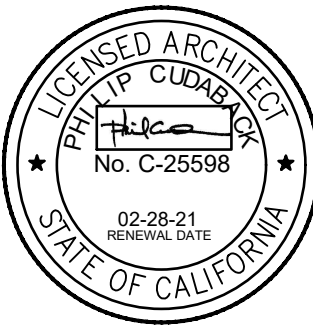
- EXISTING DOOR
- NEW DOOR, INSTALLED 4" FROM  
ADJACENT WALL UNLESS OTHERWISE NOTED
- NEW POCKET DOOR, INSTALLED 4" FROM  
ADJACENT WALL UNLESS OTHERWISE NOTED
- WINDOW

**NOTES:**

1. NO HAZARDOUS MATERIALS WILL BE STORED AND/OR USED WITHIN THE BUILDING WHICH WILL EXCEED THE QUANTITIES LISTED IN CBC TABLES 307.1 (1) AND 307.1 (2).
2. SOLID FUEL COOKING OPERATIONS SHALL HAVE SPARK ARRESTERS TO MINIMIZE THE PASSAGE OF AIRBORNE SPARKS AND EMBERS INTO PLENUMS AND DUCTS PER SECTION 517.1.6 CMC
3. TURBINE UPDRAFT EXHAUST FANS SHALL BE HINGED AND CHAINED FOR CLEANING OF VERTICAL DUCT.
4. LAVATORY FAUCETS IN RESTROOMS SHALL BE THE SELF CLOSING TYPE AND SHALL NOT EXCEED A WATER FLOW OF 0.20 GAL/USE.
5. EACH FAUCET SHALL NOT EXCEED A WATER FLOW OF 1.8 GPM.
6. CALIFORNIA MECHANICAL CODE 2016 (CMC 2016), CALIFORNIA PLUMBING CODE J2016 (CPC 2016) AND 2016 TITLE 24 ENERGY STANDARDS ARE THE CURRENT CODES/STANDARDS THAT ARE APPLICABLE TO THIS PROJECT.
7. ROOF ACCESS LADDER SHALL COMPLY WITH SECTION 304 CMC.
8. BUILDINGS UNDERGOING CONSTRUCTION, ALTERATION OR DEMOLITION SHALL BE IN ACCORDANCE WITH CFC CHAPTER 14 (SECTION 1401.1.)
9. AT LEAST ONE FIRE EXTINGUISHER WITH A MINIMUM RATING OF 2: A-10-B:C SHALL BE PROVIDED WITHIN 75 FEET MAXIMUM TRAVEL DISTANCE FOR EACH 11,250 SQ FT OR PORTION THEREOF ON EACH FLOOR. PORTABLE FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH CFC CHAPTER 9 (SECTION 906.1 AND TABLE 906.3(1)).

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CUP SUBMITTAL: 8-26-19

CUP REV.1: 10-18-19 1

CUP REV.2: 1-23-20 / 2

CUP REV.3: 2-12-20 / 3

CUP REV.4: 4-3-20 

**805 E VALLEY PARKWAY  
CONDITIONAL USE PERMIT  
805 EAST VALLEY PARKWAY  
ESCONDIDO - CA . 92025**

PROJECT NO:  
19-011

SHEET TITLE

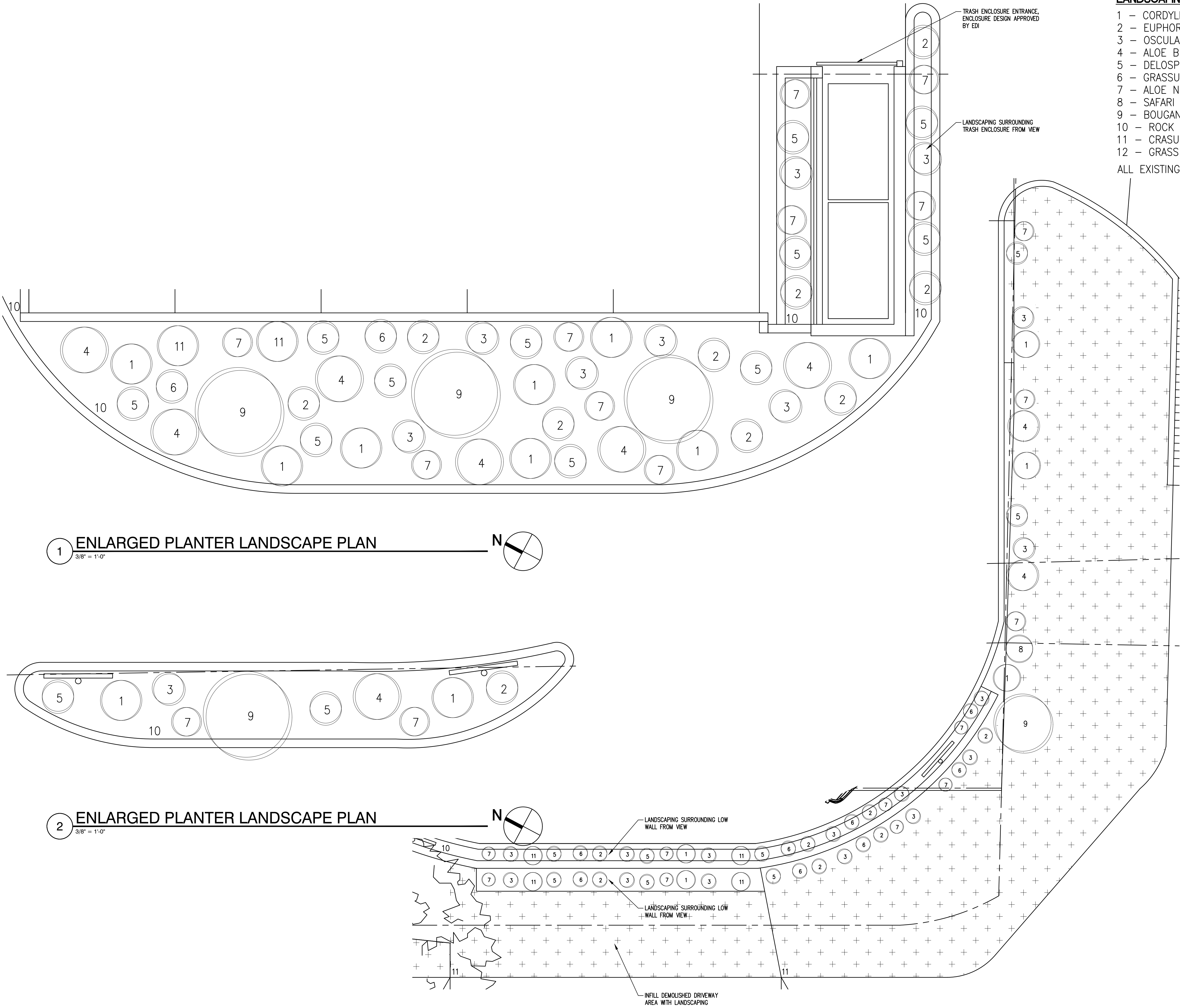
FIRST  
FLOOR  
PLAN

SHEET NO:

## A2.1



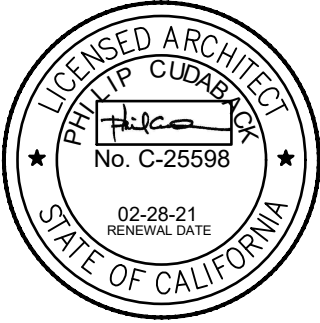
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805 E VALLEY PARKWAY  
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ESCONDIDO . CA . 92025

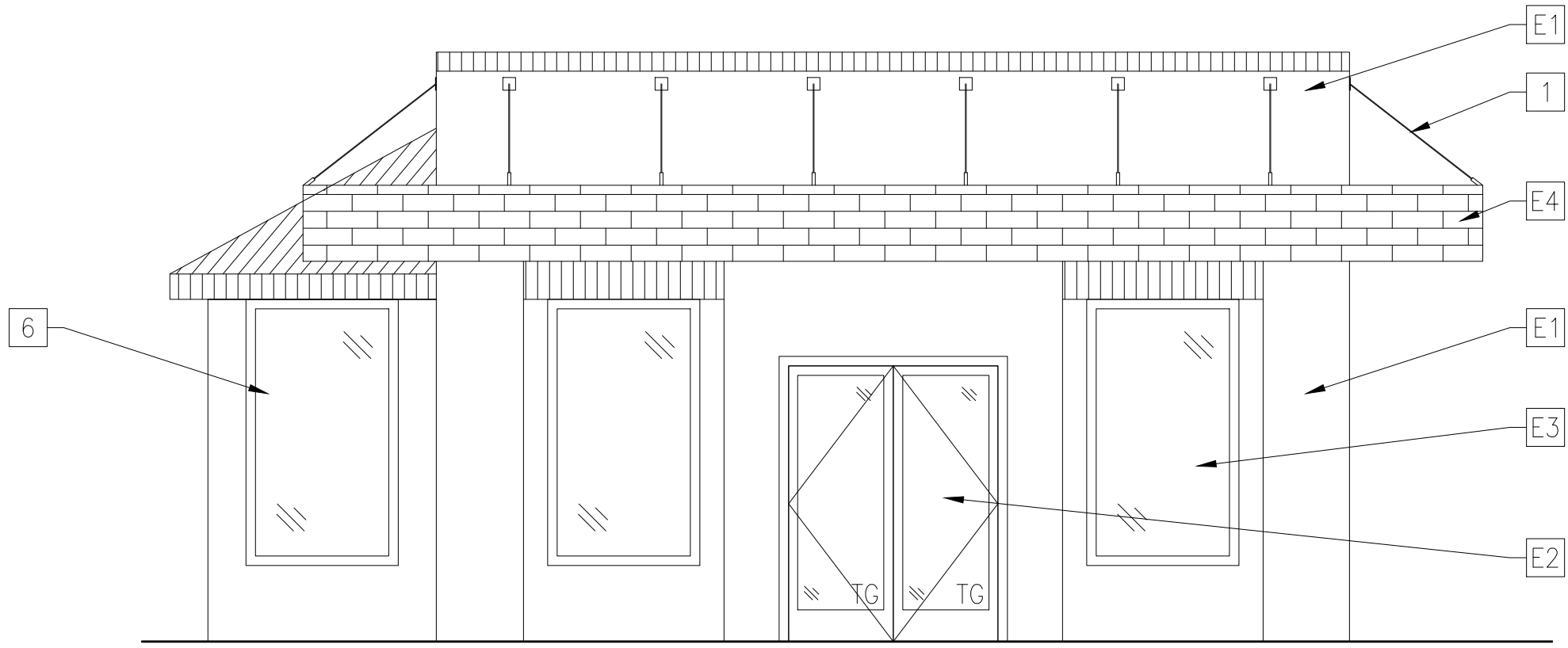
PROJECT NO:  
19-011

SHEET TITLE  
LANDSCAPE  
ENLARGED  
PLAN

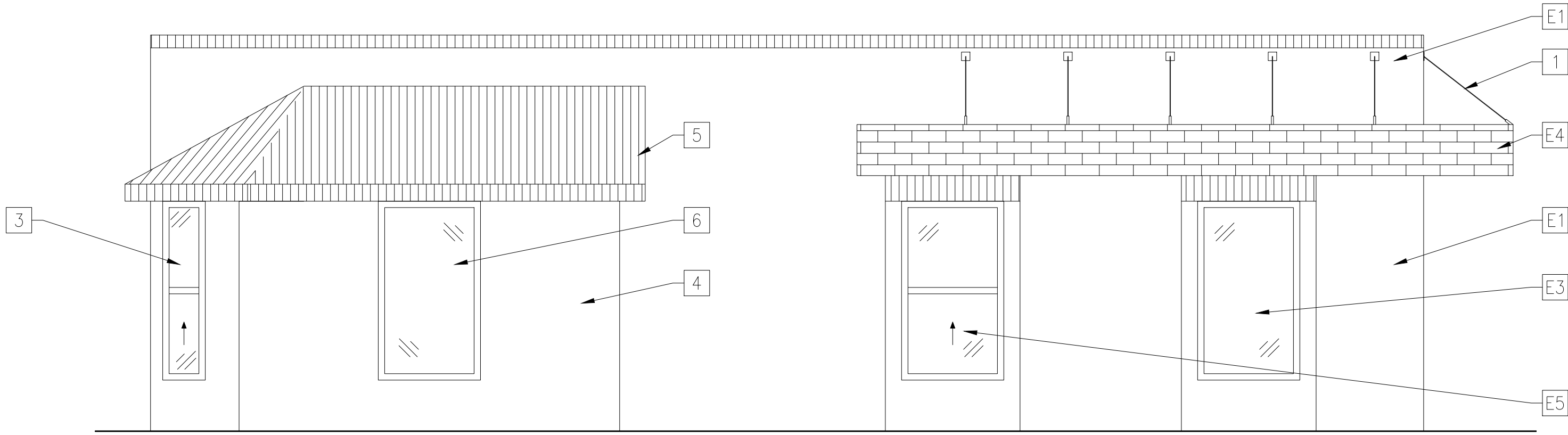
SHEET NO:

A2.2

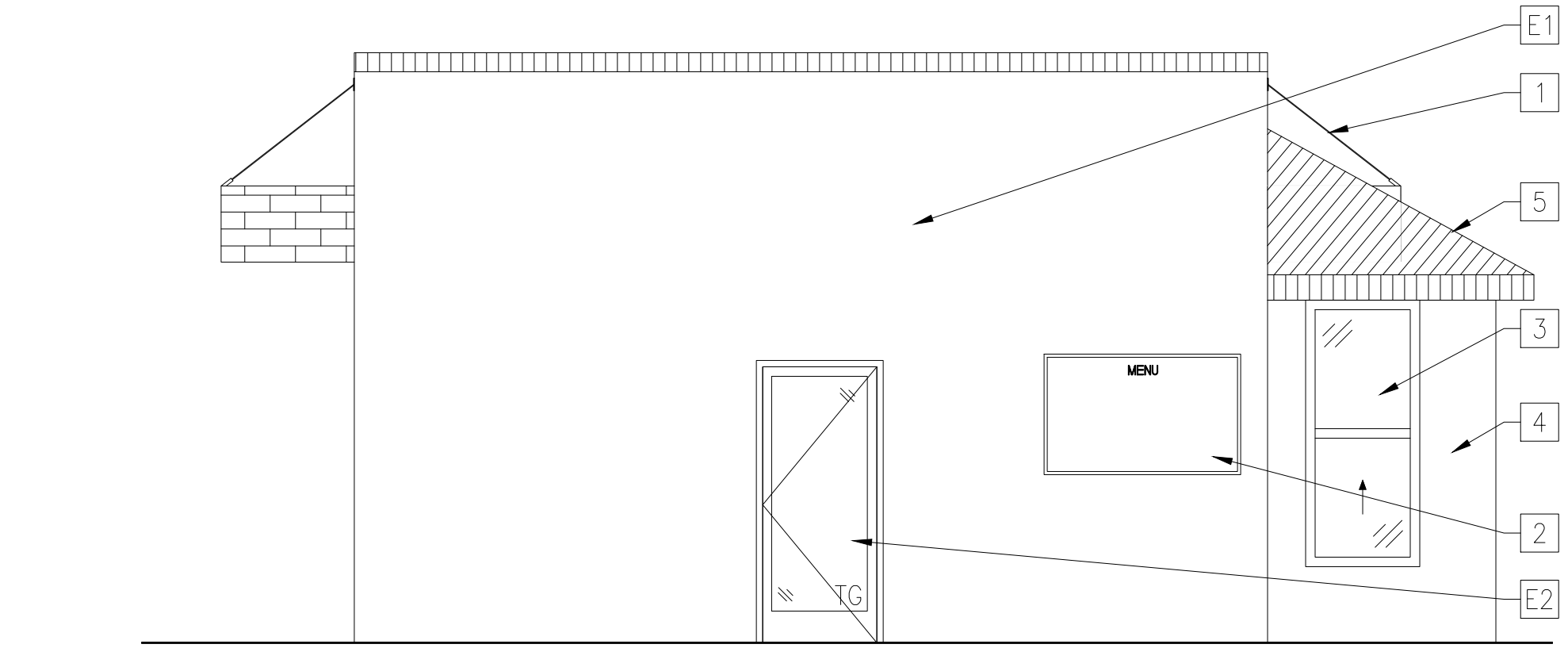
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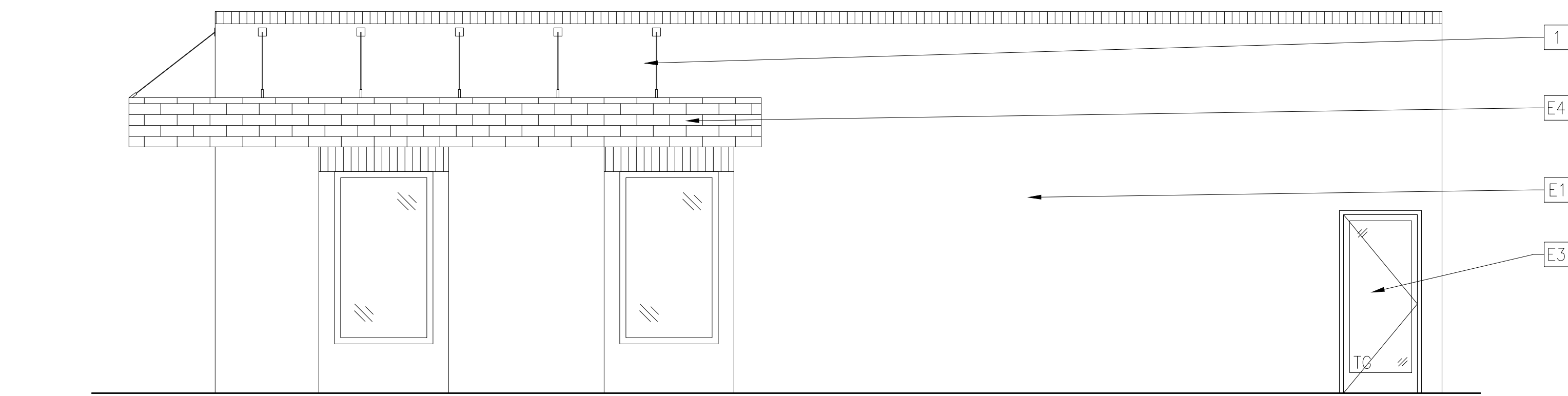
1 NORTH ELEVATION  
1/4" = 1'-0"  
0 1' 2' 4'  
SCALE: 1/4" = 1'-0"



2 EAST ELEVATION  
1/4" = 1'-0"  
0 1' 2' 4'  
SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION  
1/4" = 1'-0"  
0 1' 2' 4'  
SCALE: 1/4" = 1'-0"



4 WEST ELEVATION  
1/4" = 1'-0"  
0 1' 2' 4'  
SCALE: 1/4" = 1'-0"

KEY NOTES - EXTERIOR ELEVATIONS

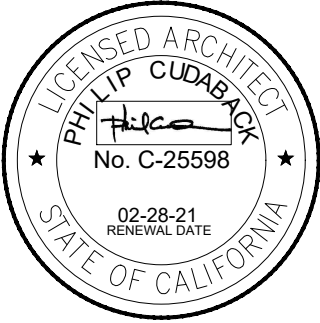
- E1 EXISTING STUCCO FINISH TO BE REPAINTED/REPAIRED AS NEEDED
- E2 EXISTING DOOR TO REMAIN
- E3 EXISTING WINDOW TO REMAIN, TYPICAL
- E4 EXISTING 3'-6" OVERHANG TO REMAIN, NEW FINISH TBD BY OWNER
- E5 EXISTING DRIVE-THRU PASS THROUGH WINDOW

- 1 NEW STRUCTURAL TIE BACKS TO BUILDING
- 2 NEW MARKETING FOOD IMAGES/MENU BOARD
- 3 NEW PICK UP WINDOW FOR DRIVE-THRU LAN
- 4 NEW BUILDING ADDITION
- 5 NEW SLOPED ROOF ABOVE ADDITION, MATERIAL TO MATCH EXISTING BUILDING
- 6 NEW WINDOW, TO MATCH EXISTING

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CONDITIONAL USE PERMIT  
805 EAST VALLEY PARKWAY  
ESCONDIDO . CA . 92025

PROJECT NO:  
19-011

SHEET TITLE  
EXTERIOR  
ELEVATIONS

SHEET NO:

A5.1



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- SIGNAGE TO BE UPDATED BY TENANT, UNDER SEPARATE PERMIT
- UPPER METAL FENCING TO BE REMOVED ALONG CMU BLOCK WALL
- CMU WALL TO BE DEMOLISHED AND REMOVED
- EXISTING RAMP TO BE DEMOLISHED. NEW ACCESSIBLE RAMP TO BE IN COMPLIANCE WITH ADA REQUIREMENTS

1 FRONT PATIO VIEW  
NTS



- CMU WALL TO BE DEMOLISHED AND REMOVED

3 OVERALL FRONT VIEW  
NTS



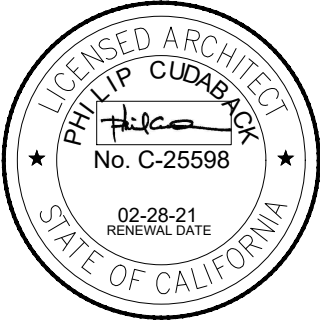
- LOCATION OF EXISTING ORDER/PICK-UP WINDOW AND MENU BOARD, TO BE RELOCATED TO CORNER OF BUILDING, SEE A0.1
- LOCATION OF NEW PICK-UP WINDOW, SEE A0.1

2 DRIVE-THRU VIEW  
NTS



- LOCATION OF EXISTING UTILITIES, TO REMAIN
- DEMOLISH OLD RAMP
- NEW RAMP ALONG BUILDING EDGE TO INCORPORATE THE UTILITY DOOR

4 BACK RAMP VIEW  
NTS



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CUP REV.4:	4-3-20

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805 EAST VALLEY PARKWAY  
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PROJECT NO:  
19-011  
SHEET TITLE  
EXTERIOR  
IMAGES

SHEET NO: