

PLANNING COMMISSION

Agenda Item No.: G.1
Date: April 12, 2011

CASE NUMBER: PHG 09-0017

APPLICANT: Verizon

LOCATION: On the east side of East Valley Parkway, south of Old Guejito Road, addressed as 3009 E. Valley Parkway (APN 231-140-29).

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A Conditional Use Permit to install a wireless communication facility consisting of an approximately 37-foot-high structure designed to resemble a pine tree. The proposed facility consists of 12 panel antennas and a microwave dish mounted onto the faux tree. The project also consists of a 240 SF equipment building and 30 kW back-up generator that would be located within a secured compound area surrounded by a solid masonry wall ranging from six to eight feet in height.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: Suburban; East Grove Neighborhood- Tier 2A

ZONING: RE-20 (Family Estate, 20,000 SF min. lot size)

BACKGROUND/SUMMARY OF ISSUES:

Verizon Wireless is proposing a wireless communication facility which would place up to twelve panel antennas on a new, approximately 37-foot-high simulated pine tree. The facility would be located on a large estate lot (9.52 acres) that contains an existing older T-Mobile wireless facility and two residential structures and various agricultural type outbuildings. The supporting electrical equipment and cabinets would be secured within a compound area surrounded by a new, eight-foot-high solid masonry wall. Some of the equipment would be placed within a new equipment building located within the secured compound area. The facility also includes a 30kW standby generator. Landscaping and large specimen-size pine trees would be installed to provide the appropriate context for the faux tree and to screen the enclosure area. Access to the new facility would be provided from Old Guejito Road. A new paved and gravel driveway would be provided to the facility from the Old Guejito Road. The project applicant indicated the new facility is requested to provide coverage for the area and to support the new 4G network.

LEGAL REQUIREMENTS: In 1996, the U.S. Congress added a section to the Communications Act of 1934 to promote the expansion of personal wireless communications service, adding section 332(c)(7). This section preserves local zoning authority over the "placement, construction, and modification" of wireless facilities, while imposing certain federal requirements. Specifically, Section 332(c)(7) requires that state or local government decisions regarding wireless service facilities must not: 1) unreasonably discriminate between one cellular provider and another; or 2) prohibit or have the effect of prohibiting the provision of personal wireless services; or 3) be founded on "the environmental effects of radio frequency (RF) emissions *to the extent that such facilities comply* with the FCC's regulations" (emphasis added).

In summary, once the Commission is satisfied the project's RF emissions are within the federal thresholds, then the review must be based on otherwise applicable local zoning criteria. A denial of a proposed facility must not run afoul of the federal restrictions set forth as 1), 2) and 3) above.

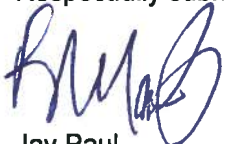
Staff feels the issues are as follows:

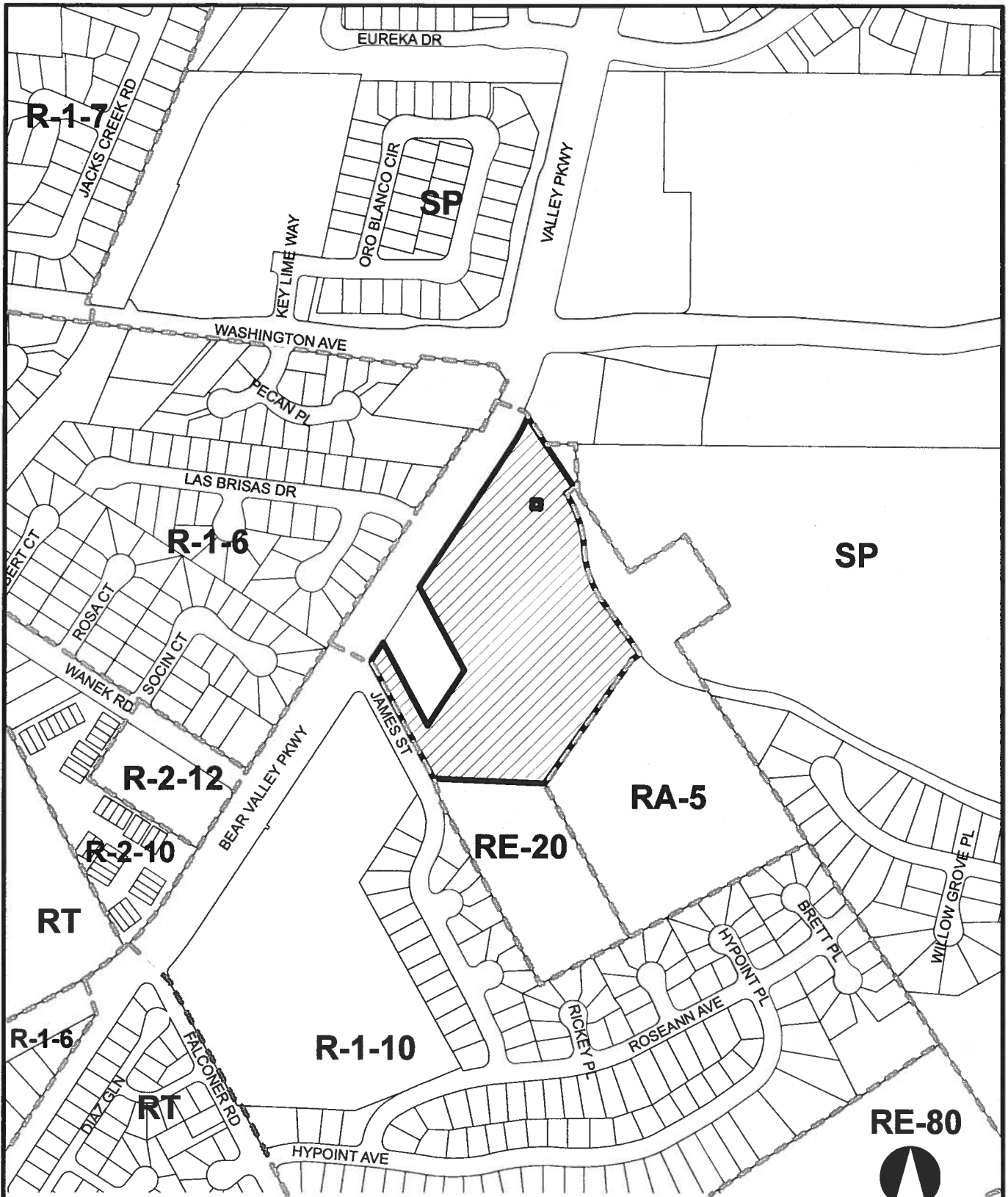
1. Whether the design and location of the proposed facility is appropriate for the site and consistent with the Wireless Facility Guidelines.

REASONS FOR STAFF RECOMMENDATION:

1. The proposed project (as conditioned) would be consistent with the Communication Antennas Ordinance since the facility would introduce an appropriate stealthy design to the visually prominent area that has previously been developed with a older non-stealthy wireless facility. The proposed equipment cabinets would be placed within a new enclosure designed to be compatible with similar structures on the site, and the area landscaped to screen views. The height and setbacks would be consistent with a wireless facility located on a residential property developed with a residential use, and would not result in any adverse impacts to adjacent properties. The facility would be in conformance with FCC emission standards.
2. Staff feels the proposed facility would not result in a potential health hazards to nearby residents since the Radio Frequency (RF) study prepared for the proposed project indicates the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) radio frequency emission standards.

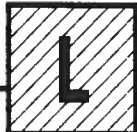
Respectfully submitted,


for Jay Paul
Associate Planner

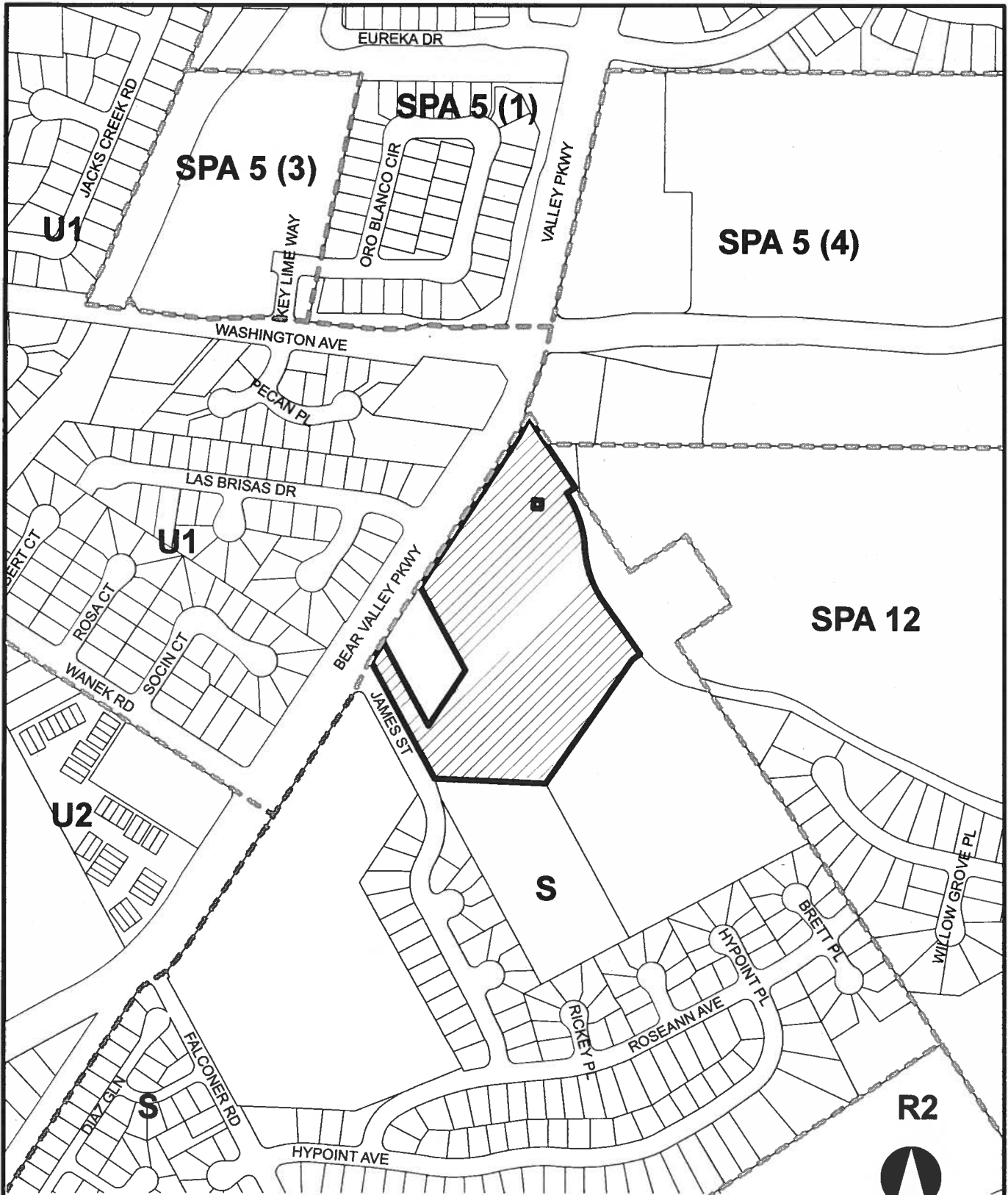


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**PROPOSED PROJECT
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LOCATION/ZONING

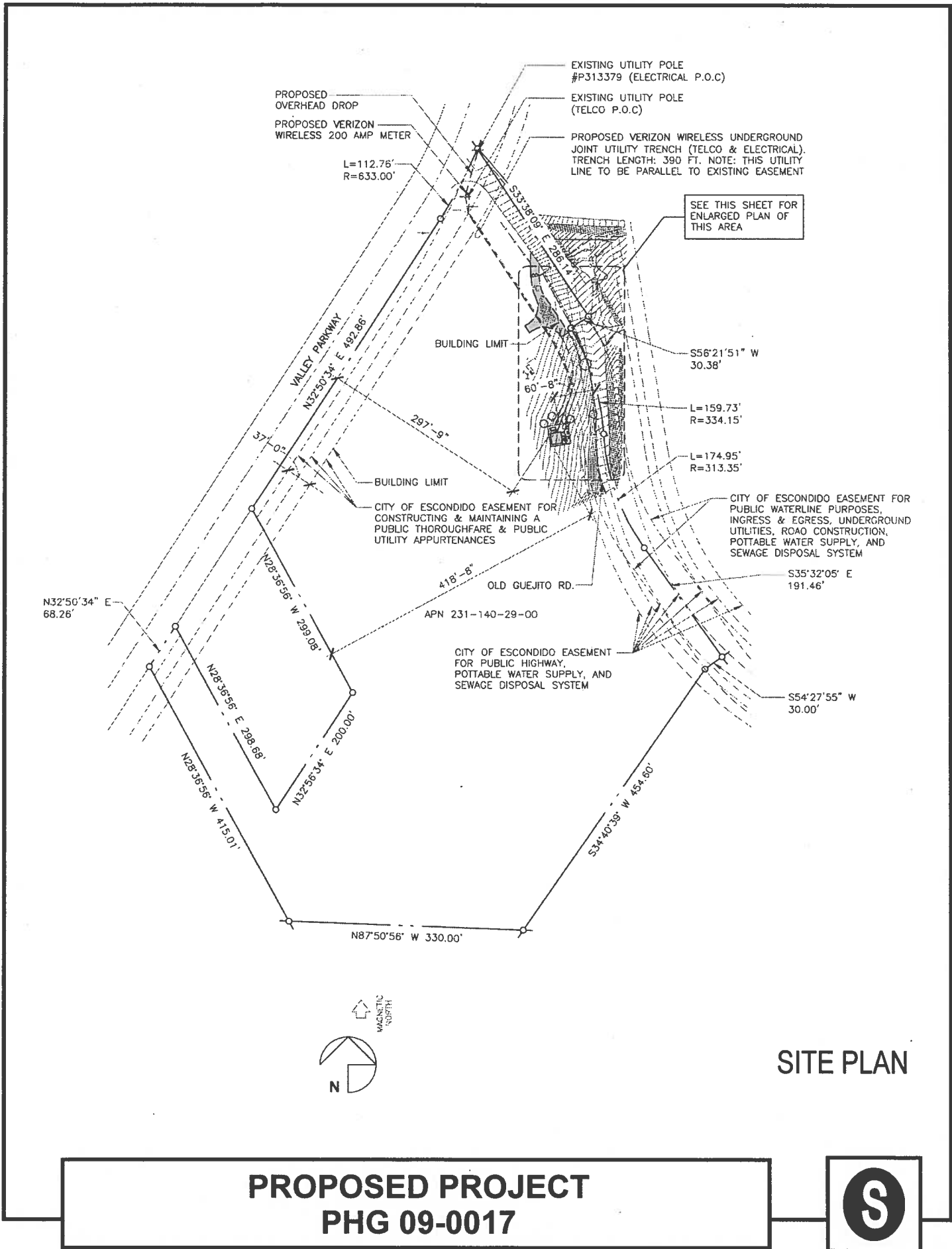


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**PROPOSED PROJECT
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GENERAL PLAN

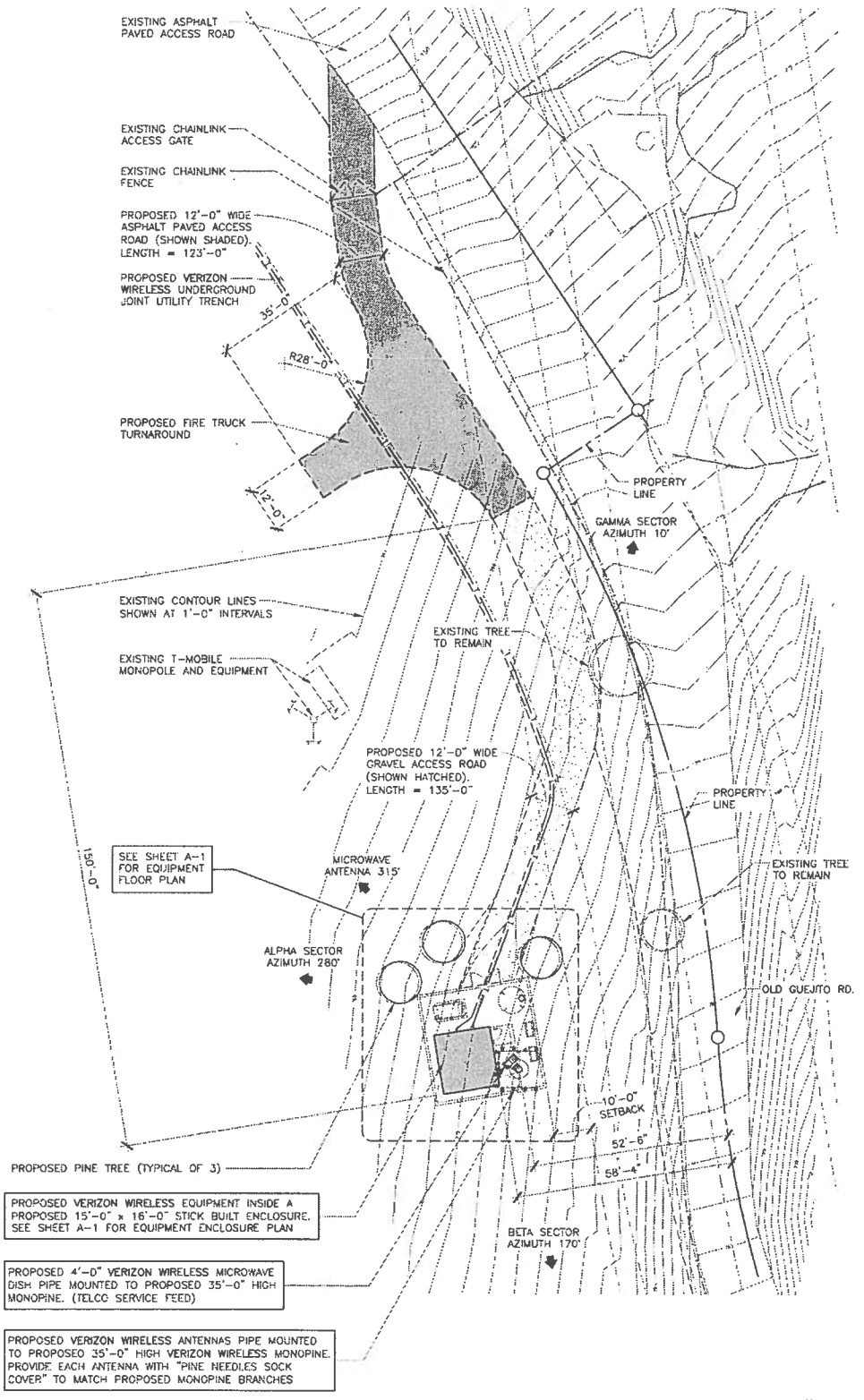


SITE PLAN

**PROPOSED PROJECT
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SITE PLAN



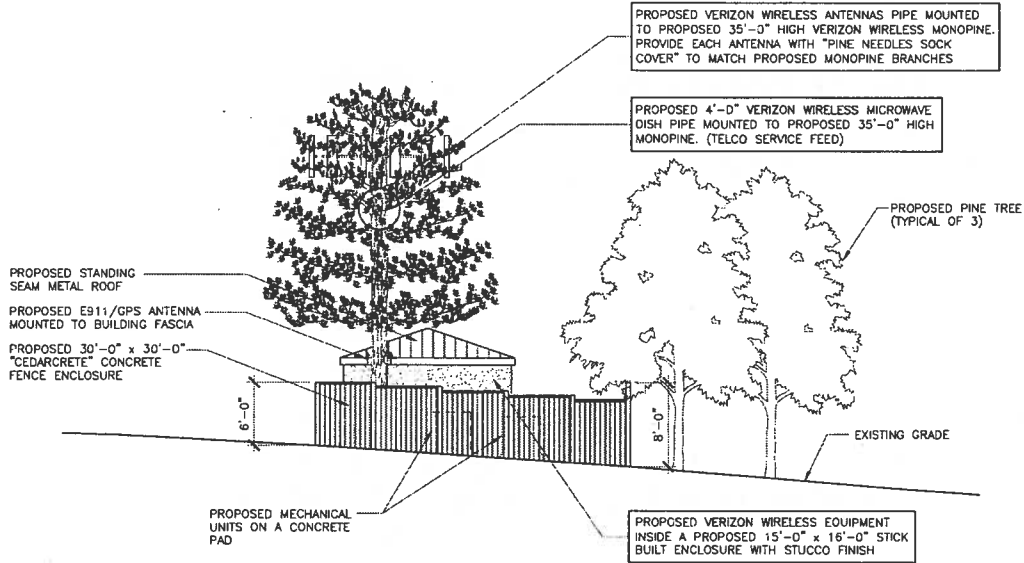
ENLARGED SITE PLAN



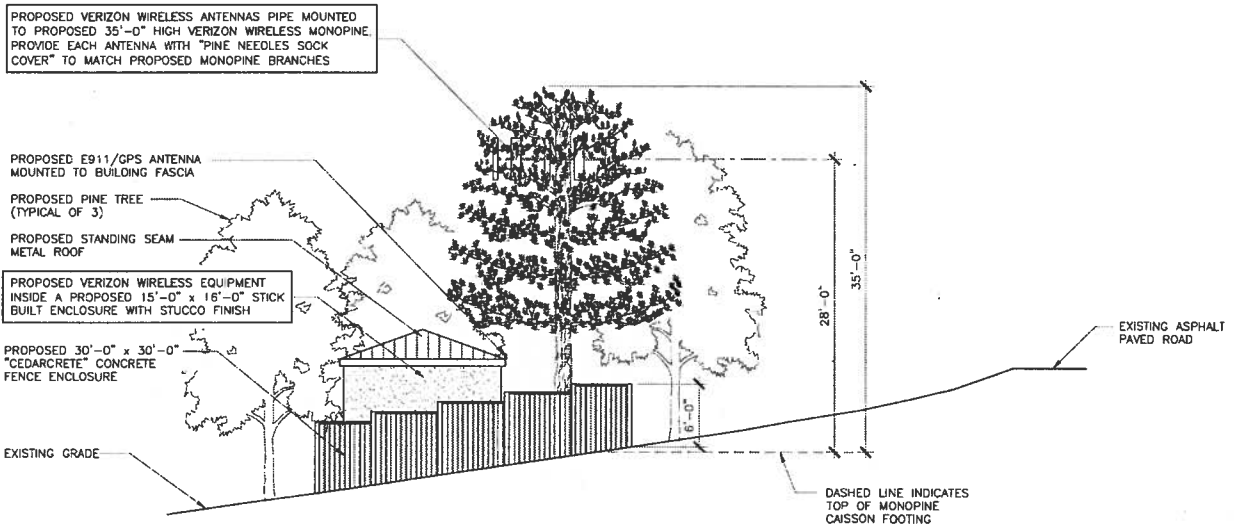
**PROPOSED PROJECT
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SITE PLAN



EAST ELEVATION

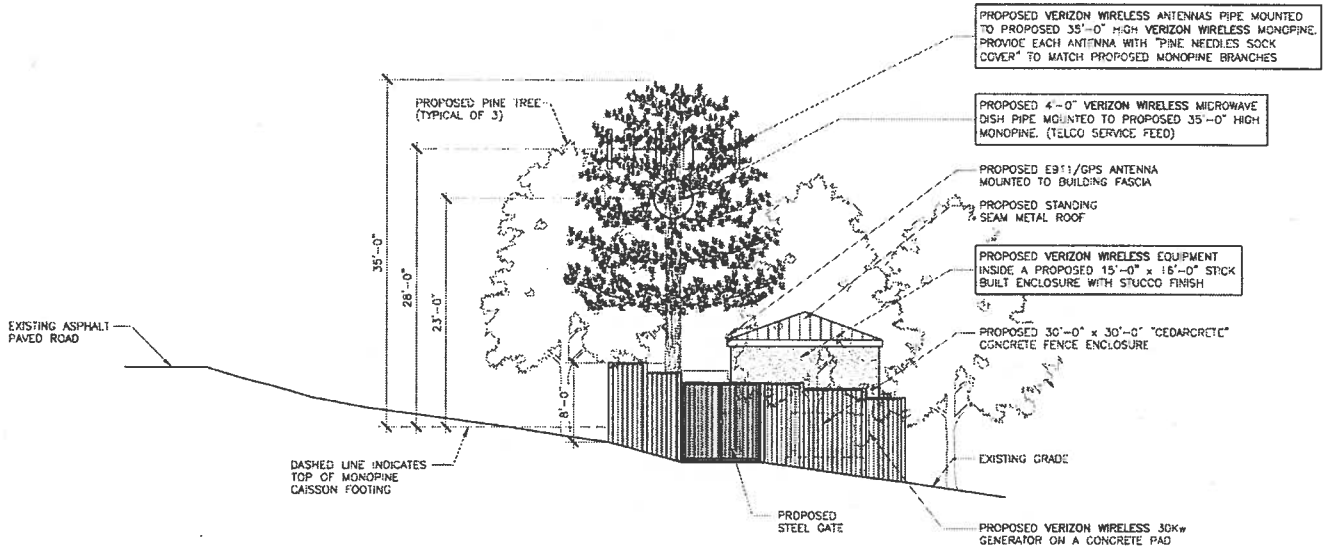


SOUTH ELEVATION

**PROPOSED PROJECT
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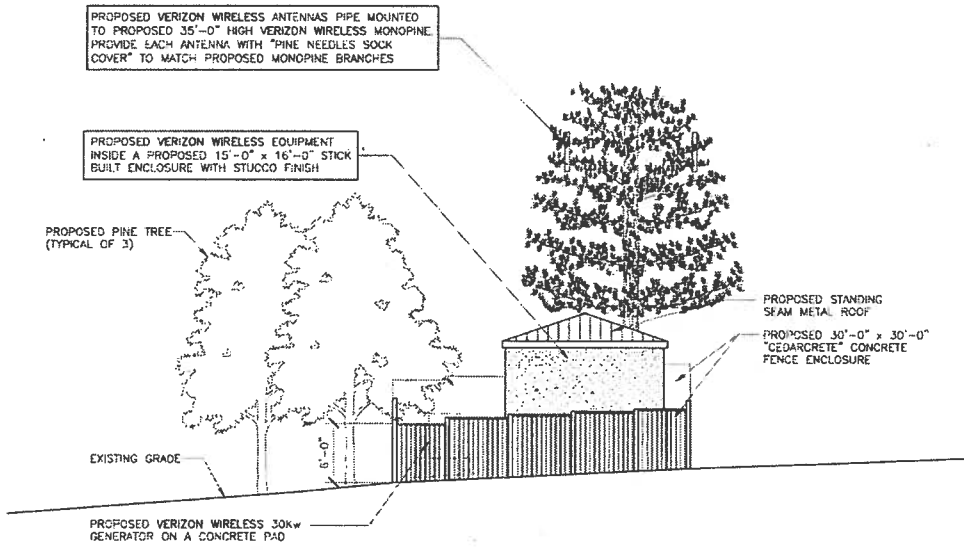


ELEVATIONS



NORTH ELEVATION

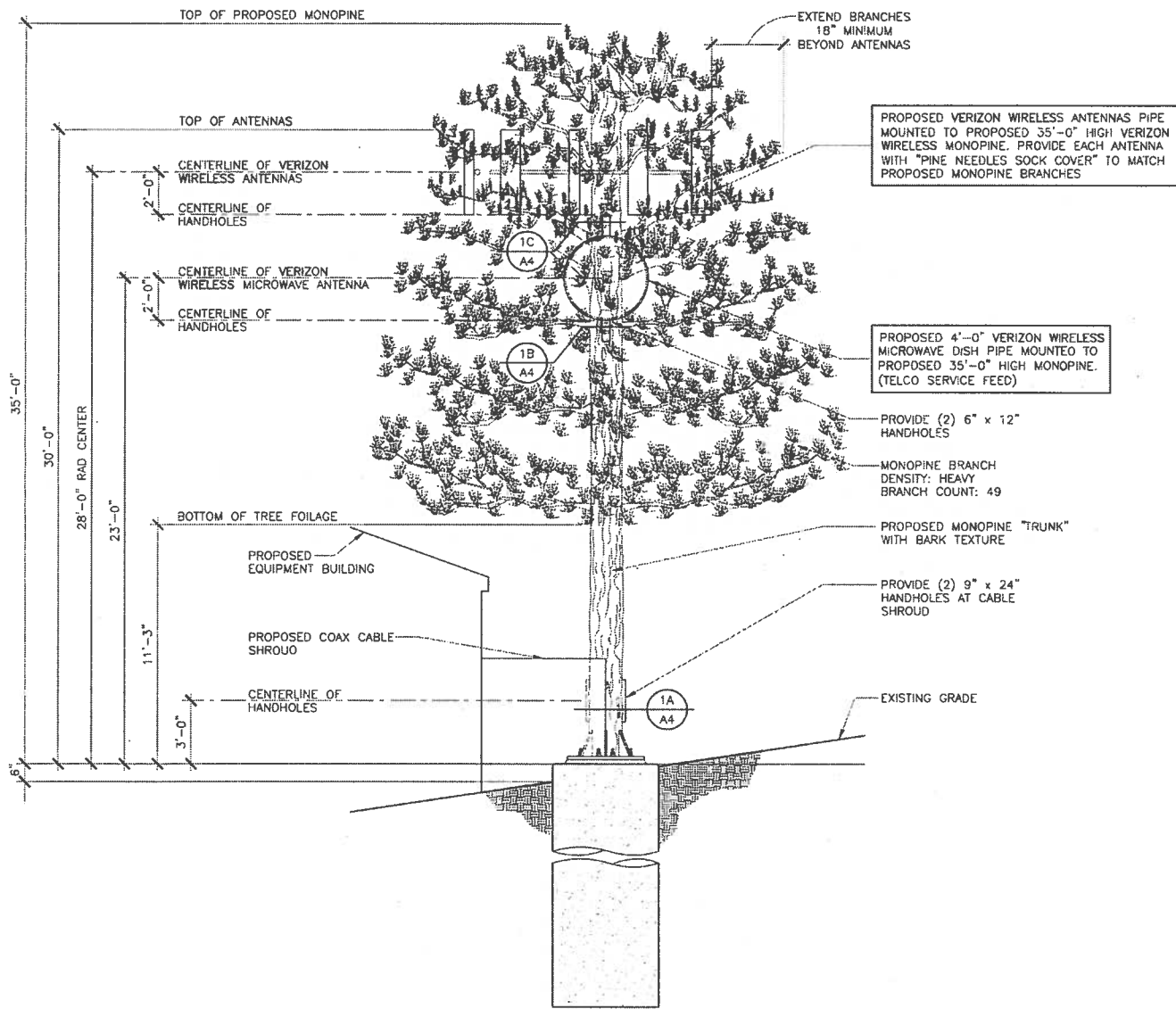
COLOR SPEC:
 METAL ROOF: "BERRIDGE" TEE PANEL - HEWLOCK GREEN
 FASCIA & GATE: "SHERWIN-WILLIAMS" SW6112 BISCUIT
 STUCCO: "SHERWIN-WILLIAMS" SW6114 BAGEL
 CEDARCRETE CONCRETE FENCE ENCLOSURE:
 MANUFACTURER: "ARTISAN PRECAST"
 COLOR: BUFF - "CEDARCRETE" CONCRETE FENCE



WEST ELEVATION

**PROPOSED PROJECT
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MONOPINE ELEVATION

NOTE: NO EXPOSED PIPES ABSENT ANTENNAS SHALL BE INSTALLED AT ANY TIME.

MONOPINE:
MANUFACTURE: CELL TREES
CONTACT: DAVID WEEKLEY

**PROPOSED PROJECT
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ELEVATIONS

MICROWAVE ANTENNA 315'

PROPOSED 4'-0" VERIZON WIRELESS MICROWAVE DISH PIPE MOUNTED TO PROPOSED 35'-0" HIGH MONOPINE. (TELCO SERVICE FEED)

PROPOSED MONOPINE ANTENNA SUPPORT CROSS ARMS & FRAMES

PROPOSED 35'-0" HIGH VERIZON WIRELESS MONOPINE

GAMMA SECTOR AZIMUTH 10°

9'-0"

3'-0" 3'-0" 3'-0"

BRANCH SPAN OUTLINE OF MONOPINE AT TOP OF ANTENNAS

BRANCH SPAN OUTLINE OF MONOPINE AT LOWEST BRANCH

ALPHA SECTOR AZIMUTH 280°

9'-0"
3'-0"
3'-0"
3'-0"

2
A4

4
A4

1'-6" MINIMUM CLEAR FROM EDGE OF ANTENNA TO END OF BRANCH FOLIAGE

BETA SECTOR AZIMUTH 170°

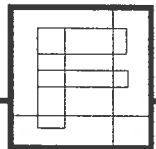
3'-0" 3'-0" 3'-0"
9'-0"

PROPOSED VERIZON WIRELESS ANTENNAS PIPE MOUNTED TO PROPOSED 35'-0" HIGH VERIZON WIRELESS MONOPINE. PROVIDE EACH ANTENNA WITH "PINE NEEDLES SOCK COVER" TO MATCH PROPOSED MONOPINE BRANCHES

ANTENNA PLAN

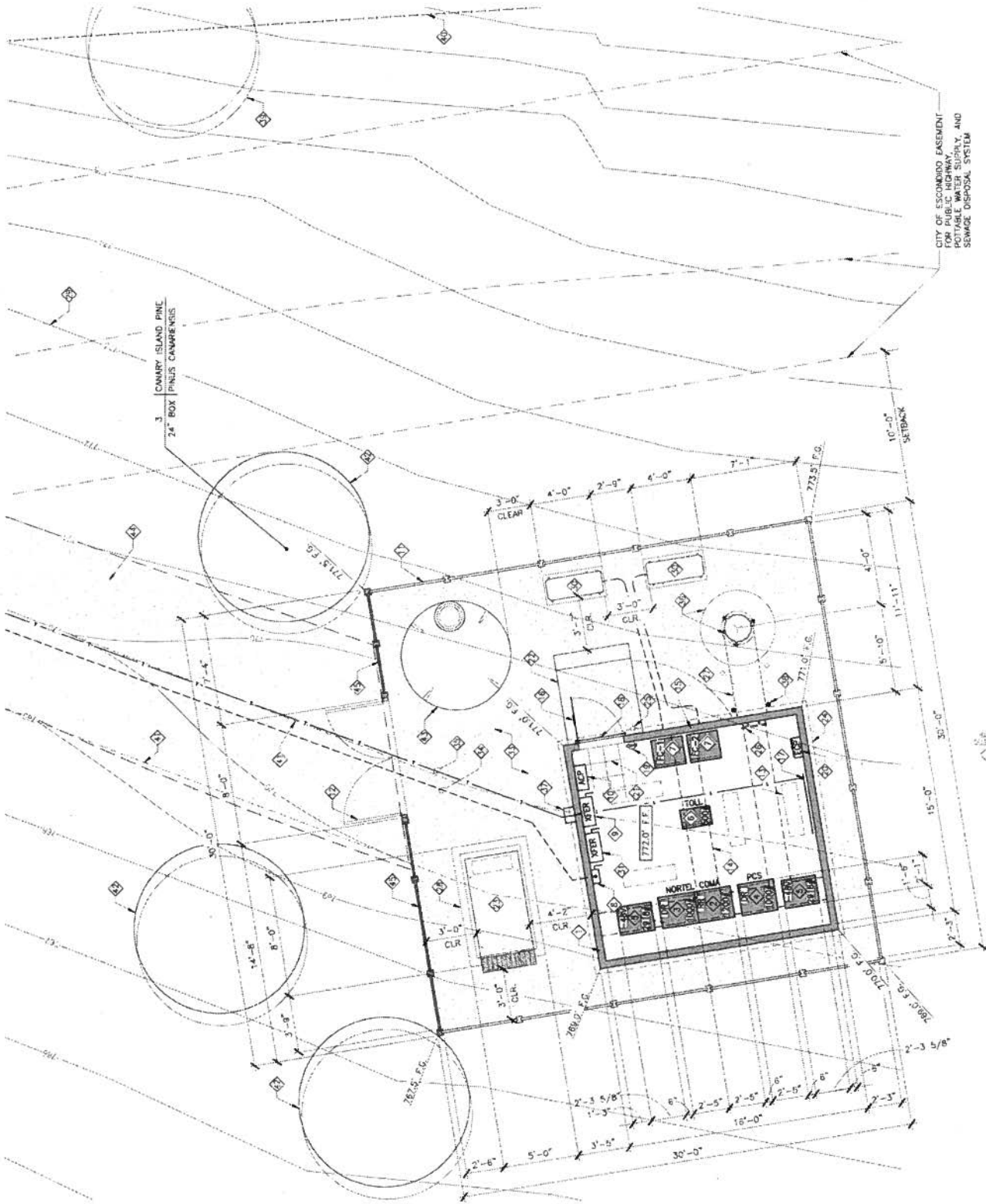


PROPOSED PROJECT PHG 09-0017



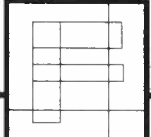
CITY OF ESCONDIDO EASEMENT
 FOR POTABLE WATER SUPPLY AND
 SEWAGE DISPOSAL SYSTEM

3 CANARY ISLAND PINE
 24" BOX PINUS CANARIENSIS



EQUIPMENT FLOOR PLAN

**PROPOSED PROJECT
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FLOOR PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - SP and RA-5 zoning (Specific Plan and Residential Agriculture, 5 acre min. lot size) / Larger estate-sized lots and avocado groves are located to the north, and limited residential development. Old Guijito Road is located immediately north of the site. This road is gated and currently used for grove access.

SOUTH - R-1-10 zoning (Single-Family Residential, 10,000 SF min. lot size) / Single-family residential homes are located south of the site on estate-sized lots. Orange Glen Elementary School is located to the south on the southern side of James Street

EAST - RA-5 and RE-20 zoning (Residential Agriculture, 5-acre min. lot size and Residential Estate, 20,000 SF min., lot size) / A limited number of single-family homes are located east of the site on large agricultural/estate-sized lots.

WEST - R-1-6 zoning (Single-Family Residential, 6,000 SF min. lot size) / Single-family residential homes are located west of the site across E. Valley Parkway. The proposed wireless facility would be located approximately 270' east of E. Valley Parkway.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service - The Police Department expressed no concern regarding the proposed project and their ability to provide service to the site.
2. Effect on Fire Service - The Fire Department indicated that adequate services can be provided to the site and the proposed project would not impact levels of service. Appropriate access would be provided to the site.
3. Traffic – The Engineering Department indicated the project would not have any impacts to existing traffic or circulation within the area.
4. Utilities – The Engineering Department indicated the project would not result in a significant impact to public services or utilities.
5. Drainage – The Engineering Department determined the project would not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15303, "New Small Facilities and Structures" and a Notice of Exemption was prepared for the proposed project. In staff's opinion, the request does not have the potential for causing a significant effect on the environment since the antennas would be secured within a fenced area, and generally would not be accessible to the general public. The subject site does not contain any protected or sensitive habitat.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval. Staff feels the proposed facility would not result in a potential health hazards to nearby residents since the Radio Frequency (RF) study prepared for the proposed project indicates the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) standards. Public access to the cross tower and panel antennas is restricted and secured. Appropriate access would be provided to the facility for emergency vehicles.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs within the proposed development area or will be directly impacted/removed by the proposed development.

D. GENERAL PLAN ANALYSIS:

General Plan - The requested Conditional Use Permit is consistent with the Suburban land-use designation of the General Plan and underlying RE-20 zoning since communication facilities customarily are permitted when conditioned to observe the underlying zone requirements and any related ordinance restrictions, wireless design requirements, and when compatible with surrounding properties. The project is in substantial compliance with any relevant General Plan criteria and underlying RE-20 zone standards, as detailed in various sections of the staff report.

E. PROJECT ANALYSIS

Appropriateness of the Proposed Design and Whether the Proposed Wireless Facility Would Be in Conformance with the Communication Antennas Ordinance

Verizon Wireless proposes to install a 37-foot-high simulated pine tree to support up to 12 panel antennas on a 9.52-acre agricultural/estate lot. The supporting electrical equipment would be placed within a new enclosure area. An equipment building would be located within the enclosure area and would include a green, standing-seam metal roof to resemble an agricultural outbuilding. The facility also includes a 30 kW emergency standby generator. In order to secure the facility and provide appropriate noise attenuation for the generator, the entire compound (30' x 30') would be surrounded by a solid masonry wall ranging from 6 feet to 8 feet in height. The height of the wall is necessary to provide appropriate sound attenuation for the proposed emergency standby generator and to ensure appropriate sound attenuation for any future residential development of the subject parcel. A masonry "Cedarcrete" type wall would be used since it resembles a wooden fence and would appear more agricultural in appearance rather than a typical decorative block wall with pilasters.

The Wireless Facilities Guidelines encourages facilities to be in context with the surrounding area and in scale with surrounding buildings and tree heights. The Guidelines also contain additional development restrictions for residentially zoned land that has been developed with a residential use in order to avoid potential impacts to adjacent residential uses. These development requirements require a minimum lot size of 10,000 SF and limit of one wireless facility on parcels less than one acre. In addition, a freestanding facility that is not incorporated into the architecture of the primary structure or residence shall be setback 1.5 times the height of the facility (measures from the top of the antennas) to the adjacent property line. The Planning Commission may modify these development requirements on a case-by-case basis subject to specific findings. The proposed new freestanding facility would be consistent with the development requirements since the facility would be located on a 9.52-acre site that contains only one existing wireless T-Mobile facility. The proposed faux tree would be situated adjacent to a gated easement roadway (Old Guejito Road) and is not in close proximity of any existing, proposed or anticipated residential development located off-site. The proposed equipment enclosure screen wall would be setback ten feet from the ultimate right-of-way of Old Guejito Road (60' public roadway and utility easement) and the faux tree located approximately 50+ feet away from the northern property line, which is consistent with the minimum 46.5' setback requirement due to the height of the antennas. The nearest residential structures located on the subject site is situated approximately 300 feet to the south. The closest home located off-site is situated approximately 400+ feet to the northeast and over 400+ feet to the southwest.

The Design Review Board considered the proposed facility on May 25, 2006, and recommended approval of the project (6-0). The Board felt the proposed faux tree design, number of antennas and design of the equipment building and block wall was appropriate for the site due to the increased setback from E. Valley Parkway; the backdrop of the taller hillside and grove trees; and that additional specimen-sized pine trees would be installed to provide the appropriate context for the facility. However, the Board recommended the height of the tree (above the antennas) be increased to approximately 37 feet vs. 35 feet to provide a more natural and conical shape to the faux pine tree. This has been included in the project conditions. Staff feels the proposed facilities would be in conformance with the Wireless Facilities Guidelines and would be appropriate for the site, and therefore is recommending approval. Staff feels the proposed project would be in conformance with the Wireless Facilities Guidelines since the facility would introduce an appropriate stealthy design to the visually prominent area; the proposed equipment cabinets would be placed within a new enclosure designed to be compatible with similar structures on the site, and the area landscaped to screen views. The height and setbacks would be consistent with a wireless facility located on a residential property developed with a residential use, and would not result in any adverse visual or noise impacts to adjacent properties.

Conformance with FCC Emission Requirements

Operation of the facility would generate radio frequency energy emissions (RF). A radio frequency power density study was prepared for the project by Lawrence Behr Associates, Inc., to determine whether the proposed communication facility complies with the FCC Radio Frequency Safety guidelines. The study assumes a worst case scenario at maximum capacity, and compares the figures to existing standards. The analysis indicated the anticipated MPE limits at ground level (areas of potential General Population Exposure to RF electromagnetic fields) from the proposed Verizon

facility is less than 1% of FCC exposure limits. The study also included the existing T-Mobile wireless facility located on the subject site and the Nextel wireless facility (faux palm tree) located on an adjacent parcel to the north. The study indicated that due to the physical separation and pointing angles, there is no shared RF contribution from these existing facilities. The project site is fenced and access is limited. Appropriate signage would be installed in accordance with Verizon Wireless RF signage policy and FCC requirements. A copy of the study has been attached with this report.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The 9.52-acre property irregularly shaped and consists primarily of undeveloped land. The property fronts onto E. Valley Parkway. Access to the site is provided from James Street on the southern and Old Guejito road is located along the northern boundary of the site. An existing T-Mobile telecommunication facility is located towards the northwestern area of the site. The property is developed with several older (historic) structures which includes a one-story wooden barn (c1920), small rock house (c1920) and a single-story board and batten house (c1890) These structures are associated with the Stewart Ranch. These structures generally are located within the southwestern and eastern portions of the property. The nearest structures (barn and rock house) are located approximately 300 feet to the southwest of the proposed wireless facility.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 9.52-acres
2. Antenna Structure: Approx. 31' to top of panel antennas. Approx. 37' to top of center tree trunk/faux limbs.
3. Panels: 12 panel antennas (3 sectors with 4 panels per sector).
6' tall, 12" wide
One microwave dish (4' diameter)
4. Power Density: Less than 1% of the FCC General Public Limit for Maximum Public Exposure (MPE) at ground level.
5. Equipment: Equipment Racks, Radio Racks and PCS Racks, Battery Rack, Toll Rack, electrical panel, mechanical units, GPS antenna(s), 1,100 gal. water tank, and other related equipment. A 30 kw emergency backup generator to be installed inside of the enclosure area. A noise study was prepared for the project by Helix Environmental Planning, which indicated the project would be in conformance with the City's Noise Ordinance of 50 dBA at the property line between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA from 10:00 p.m. to 7:00 a.m. With the installation of the perimeter masonry block wall up to eight feet in height, the generator would maintain a noise level of 42.2 dBA at the closest property line located east of the facility (Old Guejito Road). Since the generator is for backup purposes only, the hours it can be utilized is restricted by APCD and generally only is tested once a month for a limited period during daytime hours.
6. Equipment Building: 240 SF building (15' L x 16' W x 12' H top of ridge). Overall height varies due to the sloping topography of the site. Green standing seam metal roof, tan stucco exterior.
7. Equipment Enclosure: Solid masonry wall (Cedarcrete tan) 30' x 30' ranging in height from 6 feet to 8 feet in height. Solid steel gates painted to match wall color.
8. Landscaping: Three specimen-size pine trees (72" box) to be added for context around the enclosure area, along with additional landscaping around northern, western and southern sides of the facility. Irrigation tank provided inside of the equipment enclosure area.

C. CODE COMPLIANCE ANALYSIS

	<u>Existing</u>	<u>RE-20 Zoning Requirements</u>
1. Setbacks		
Front:	287+ feet from E. Valley Pkwy.	25 feet min.
Side:	10 feet (to enclosure wall) from roadway easement on north 50' to north P/L 680+ feet to James St. on south	10 feet min. street side to equipment The Wireless Ord. also requires a setback of 1.5 times the height of the freestanding facility from the P/L (46.5' req)
Rear:	370+ feet to east	20 feet min.

EXHIBIT "A"
FINDINGS OF FACT
PHG 09-0017

Conditional Use Permit

1. General Plan Residential Policy B2.1 (page II-17) states that residential neighborhoods shall be protected from the encroachment of incompatible activities which may have a negative impact on the residential living environment. Granting this Conditional Use Permit to allow a personal wireless communication facility on the subject property would not conflict with this policy and would be based on sound principles of land use since the use is in response to services required by the community and the facility would enhance communication services in the city without posing a health threat to the surrounding area. The proposed wireless antenna panels would be incorporated into a stealthy design appropriate for the site, which would avoid potential visual impacts in conformance with the Communication Antennas Ordinance. The ground equipment would be located within a secured equipment enclosure area and designed to avoid any potential noise impacts to adjacent properties. The proposed facility would not result in a substantial alteration of the present or planned land use since the project site already contains an existing wireless facility and is adjacent to a similar wireless facility (faux palm tree) to the north. The facility also would not result in a potential health hazard to nearby residents since the facility would be within MPE (maximum permissible exposure) limits as indicated in the radio frequency analysis prepared for the project. The proposed facility would be in compliance with the City's Wireless Facility Guidelines, as discussed in the Planning Commission staff report.
2. The proposed personal wireless communication facility would be located within the RE-20 zone. Personal wireless communication facilities are permitted within this residential zone pursuant to approval of a Conditional Use Permit (CUP). The proposal would not cause deterioration of bordering land uses or create special problems in the area since the antenna panels would be incorporated into a stealthy type of facility (faux tree), and the location, number and size of the panels have been designed to integrate into the design and scale of the proposed faux tree. The proposed facility would be consistent with the Communication Antennas Ordinance because the facility would be in substantial conformance with the height and setback requirements for residentially developed parcels; be considered a stealthy design; the proposed equipment cabinet(s) would be placed within a secured area; appropriate noise attenuation measures have been incorporate into the design; additional landscaping provided to screen the proposed use and provide the appropriate context for the faux pine tree; and the project would be in conformance with FCC emission standards.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the community, and the request would be in compliance with the General Plan Policies and the Wireless Facility Guidelines, and would not result in a negative impact to the adjacent neighborhood for the reasons stated above and detailed in the Planning Commission staff report and radio frequency analysis. Anticipated traffic generated by the project generally would be limited to approximately one routine maintenance trip per month. The antennas would be in conformance with FCC requirements for RF emissions.
4. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) in conformance with Section 15303, "New Small Facilities or Structures" and a Notice of Exemption was prepared for the proposed project. In staff's opinion, the request does not have the potential for causing a significant effect on the environment since the facility would be secured within an new fenced compound area, and generally would not be accessible to the general public. The proposed facility would not result in any adverse noise impacts. The antennas would be in conformance with FCC requirements for RF emissions. The subject site/lease does not contain any protected or sensitive habitat, and the project would not result in a direct or cumulative impacts to any protected or sensitive resource or animals.

EXHIBIT "B"

CONDITIONS OF APPROVAL PHG 09-0017

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Department, Director of Building, and the Fire Chief.
2. Access for use of heavy fire fighting equipment as required by the Fire Chief shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshal. Appropriate access shall be provided to the project site, to the satisfaction of the Fire Department.
3. The legal description attached to the application 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.
4. The developer shall 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, including any applicable City Wide Facilities Fees.
5. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).
6. As proposed, the design, color and materials of the proposed facilities shall be in accordance with the staff report, exhibits and the project's Details of Request, to the satisfaction of the Planning Division, including the following:
 - a. The color of the standing seem metal roof shall use a darker green type shade to blend in with the background. The final color of the roof (color sample) shall be included with the building plans and approved by the Planning Division.
 - b. Any support poles, brackets, cable runs and other support equipment shall be painted to match/blend with the varying colors and textures of the faux tree, and/or equipment enclosure. This shall be clearly noted on the building plans.
 - c. Appropriate sock type materials shall be included around the antenna panels and the microwave dish, to the satisfaction of the Planning Division. The microwave dish shall be painted to blend in with the faux tree.
 - d. An appropriate number of branches shall be incorporated into the faux tree to create a nature shape and to appropriately screen the antenna panels and microwave dish. This shall clearly be indicated on the building plans and a sample of a similar tree (with 12 antenna panels) submitted with the building plans for approval. The height of the tree (above the panels) shall be increased at least an additional two feet in order to provide a more natural shape to the faux tree and to include additional branches.
 - e. The cable bridge from the equipment building to the tree shall be below the height of the screen wall (if feasible). Any visible portions shall be painted to blend in with the surrounding area/buildings.
 - f. A minimum of three, 72" box sized trees (pine trees) shall be incorporated into the landscape design. Shrubs and trees (min. 15 gallon) shall be planted around the equipment enclosure area to provide visual screening and to provide the appropriate context for the faux pine tree. Medium and tall growing native-type drought tolerant shrubs should be used. A permanent irrigation system also shall be provided. Any above-ground water tanks shall be located within an appropriate area to help screen the structure from views and the structure shall be painted a dark olive green. Separate landscape and irrigation sheet(s) shall be included with the building plans.
 - g. The proposed enclosure gate shall be of a solid material designed to provide appropriate noise attenuation. The specification of the gate shall be included in the building plans, and indicate how it conforms to the noise study requirements.

7. All new utility runs shall be placed underground, to the satisfaction of the Planning Division and the Engineering Department, unless as specifically approved by this permit.
8. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Ord. 92-47) and the exhibits included in the staff report(s), to the satisfaction of the Planning Division. Appropriate signs providing notice, caution or warning, and other necessary markings, shall be placed at appropriate 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. The requirement for the appropriate signage/notice shall be indicated on the building plans.
9. Verizon or any subsequent operator/lease holder of the wireless facility agrees to investigate any complaints related to possible interference with electronic equipment in the surrounding area to determine the cause of the interference. Any interference shall be resolved in a timely manner to the satisfaction of the Director of Community Development. If the facility is determined to be the cause of the electronic interference, Verizon shall solve the problem in a timely manner to the satisfaction of the complainant and the Director of Community Development. In addition, any interference with public safety communications shall be corrected immediately, to the satisfaction of the City of Escondido.
10. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08).
11. If requested by the City of Escondido, Verizon, or any subsequent operator/lease holder of the facilities shall permit co-location of other wireless providers on its facility (subject to City of Escondido approval) if it can be demonstrated that there would be no adverse effect on the existing facilities/operations, and the new facilities can be appropriately integrated into the design of the existing facility.
12. Verizon shall select an independent third party consultant to conduct actual power density measurements of the facility within 90 days after installation and under full operation of the facility. The results of the study shall be submitted to the Director of Community Development so that the theoretical power density study can be compared to the actual output to ensure compliance with FCC requirements.
13. Verizon or any subsequent operator/lease holder of the wireless facility shall be responsible for all on-going maintenance of the facility, including the antennas and supporting equipment to ensure the condition of the facility does not appear weathered. Any required landscaping shall be permanently maintained in a flourishing manner. Any required irrigation shall be maintained in fully operational condition.
14. All communication facilities on the site shall be promptly removed upon non-use of the facilities, to the satisfaction of the Planning Division and Building Department.
15. Any permanent, temporary or stand-by emergency generators must be in conformance with the City's Ordinance and regulations regarding electric generating facilities.
16. 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 Planning Commission. Minor changes within the approved size and design parameters may be permitted by the Director of Community Development after review by the Design Review Board, as may be required.
17. Any proposed private security gates shall provide rapid reliable access by means of a key box to provide immediate access for firefighting purposes, as may be required by the Fire Department.
18. The Conditional Use Permit shall be null and void if not utilized within twelve months of the effective date of approval, as determined by the Planning Division.
19. This Conditional Use Permit only is for the installation of Verizon equipment on the existing facility located on the site. The number of antennas approved by this Conditional Use Permit shall be used solely for Verizon and not transferred or subleased to any other carriers unless approved by the City. No other additional carriers shall be allowed to be placed on the existing wireless communication facility, unless a new Conditional Use Permit is approved by the City.
20. This item may be referred back to the Planning Commission upon recommendation of the Director of Community Development for review and possible revocation or modification of the Conditional Use Permit upon receipt of nuisance complaints regarding the facility or non-compliance with the Conditions of Approval.

21. A copy of these Conditions of Approval shall be submitted with the submittal of the building plans indicating compliance with all of the Conditions and Details of Request and exhibits contained in the Planning Commission staff report.
22. An inspection by the Planning Division will be required prior to operation of the project. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
23. 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). The applicant shall 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. In accordance with California Environmental Quality Act (CEQA) section 15062, 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.

ENGINEERING CONDITIONS OF APPROVAL

3009 E. Valley Parkway PHG09-0017 - Verizon

GENERAL

1. All 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.
2. Adequate horizontal sight distance shall be provided at the driveway entrance. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
3. A current preliminary title report shall be submitted with the grading/drainage plans.

GRADING

1. A site drainage and erosion control plan shall be submitted to and approved by the Engineering Department prior to issuance of building permits.
2. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 5 1/2" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC.
3. All proposed paved areas shall drain to landscaping or erosion protected natural vegetation.
4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.
5. Erosion control, including riprap, interim sloping planting, gravel bags, 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.

*All site grading and erosion control plans shall be prepared by a Registered Civil Engineer. A separate submittal to the Engineering Department is required for the site grading and erosion control plans. Plans will **not** be forwarded from the Building Department.*

BOUNDARIES and EASEMENTS

1. All property ownership and leasing boundaries and all easements, both private and public, affecting subject property shall be shown and labeled on the drainage plans.

CASH SECURITY AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading, drainage, and best management practices items of work with a minimum of \$5,000 up to a maximum of \$50,000, unless a higher amount is deemed necessary by the City Engineer.
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.



CITY OF ESCONDIDO
 PLANNING DIVISION
 201 NORTH BROADWAY
 ESCONDIDO, CA 92025-2798
 (760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
 Attn: Linda Kesian
 P.O. Box 121750
 San Diego, CA 92112-1750

From: City of Escondido
 201 North Broadway
 Escondido, CA 92025

Project Title/Case No.: PHG 09-0017 (Verizon Wireless)

Project Location - Specific: On the east side of East Valley Parkway, south of Old Guejito Road, addressed as 3009 E. Valley Parkway (APN 231-140-29).

Project Location - City: Escondido, **Project Location - County:** San Diego

Description of Project: A Conditional Use Permit to install a wireless communication facility consisting of an approximately 37-foot-high structure designed to resemble a pine tree. The proposed facility consists of 12 panel antennas and a microwave dish mounted onto the faux tree. The project also consists of a 240 SF equipment building and 30 kW back-up generator that would be located within a secured compound area surrounded by a solid masonry wall ranging from six to eight feet in height.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project

Name Kerrigan Diehl (Plancom Inc.) Telephone (760) 587-3003
 Address 302 State Place, Escondido, CA 92029

Private entity School district Local public agency State agency Other special district

Exempt Status: Categorical Exemption. Section 15303, "New Small Facilities or Structures."

Reasons why project is exempt:

1. The proposed project would be consistent with the Communication Antennas Ordinance since the facility would introduce an appropriate stealthy design to the area that has previously been developed with a older non-stealthy wireless facilities. The proposed equipment cabinets would be placed within a new enclosure designed to be compatible with similar structures on the site, and the area landscaped to screen views. The height and setbacks would be consistent with a wireless facility located on a residential property developed with a residential use, and would not result in any adverse impacts to adjacent properties.
2. The size of the proposed facility is relatively small (900 SF secured area which includes a 240 SF new equipment building and faux tree within the secured area). No significant grading or removal of native vegetation is proposed or required. All service and access to the proposed wireless facility are available and would be in conformance with local standards.
3. The proposed facility would not be hazardous to the health of nearby residents or the general public since the facility would be within maximum permissible exposure (MPE) limits and Federal Communication Commission (FCC) standards.

Lead Agency Contact Person: Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature: 
 Jay Paul, Associate Planner

March 28, 2011
 Date

Signed by Lead Agency
 Signed by Applicant

Date received for filing at OPR: N/A

.....

3400 Tupper Drive
Greenville, North Carolina 27834
252-757-0279 800-522-4464
252-752-9155 FAX
Email: lbassc@lbagroup.com

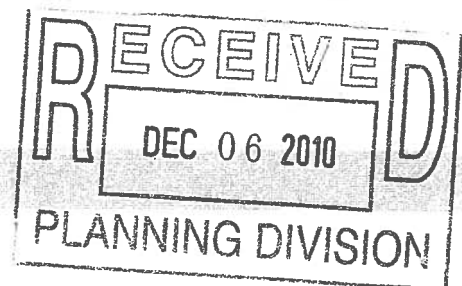
Lawrence Behr Associates, Inc.

Verizon Wireless
Site: ORANGE GLEN
3009 East Valley Parkway
Escondido, CA 92027

.....

Verizon Wireless
Irvine, California

Jun 12 2009.



NOTICE

This work is based upon our best interpretation of available information. However, these data and their interpretation are constantly changing. Therefore, we do not warrant that any undertaking based on this report will be successful, or that others will not require further research or actions in support of this proposal or future undertaking. In the event of errors, our liability is strictly limited to replacement of this document with a corrected one. Liability for consequential damages is specifically disclaimed. Any use of this document constitutes an agreement to hold Lawrence Behr Associates, Inc. and its employees harmless and indemnify it for any and all liability, claims, demands, litigation expenses and attorneys fees arising out of such use.

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GREENVILLE, NORTH CAROLINA

Areas requiring mitigation were documented. The FCC guidelines define two separate tiers of exposure limits; these tiers are General Public and Occupational.

As defined by FCC:

General population/uncontrolled exposure. For FCC purposes, applies to human exposure to RF fields when the general public is exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public always fall under this category when exposure is not employment-related.

Occupational/controlled exposure. For FCC purposes, applies to human exposure to RF fields when persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

Areas requiring mitigation were documented.

Assessment of site ORANGE GLEN 3009 East Valley Parkway, Escondido, CA 92027

- This Verizon Wireless site is proposed on an 35ft tree structure on open land. Verizon Wireless proposes installing a 4ft dish antenna and three sectors, each sector consisting of four panel antennas. T-Mobile has an existing monopole site to the northwest of the proposed Verizon Wireless and Nextel has a monopalm structure to the northeast adjacent the access road entry gate. However due to physical separation and pointing angles there is no shared RF contribution. Measurements showed maximum levels to be less than 1% MPE in the area of the proposed Verizon Wireless site. The area is currently fenced and access is through a locked gate with RF signage posted
- For the study, we considered the entire accessible area to be general population/uncontrolled area as defined by the FCC.
- The FCC MPE general population/uncontrolled limits from the Verizon Wireless transmit antennas are not exceeded at ground level, as shown in Annex 1.0, MPE Ground Level Analysis Map.
- Verizon Wireless will not contribute 5% or greater to any other carrier s MPE levels where MPE limits may be exceeded.
- LBA performed electromagnetic environment (EME) measurements of the existing conditions at the site, on June 10th 2009 at 2:00 pm. MPE levels were measured and limits were not exceeded and showed no shared RF contribution to the Verizon Wireless area. Levels were below 1% MPE.

Recommendations for site ORANGE GLEN 3009 East Valley Parkway, Escondido, CA 92027

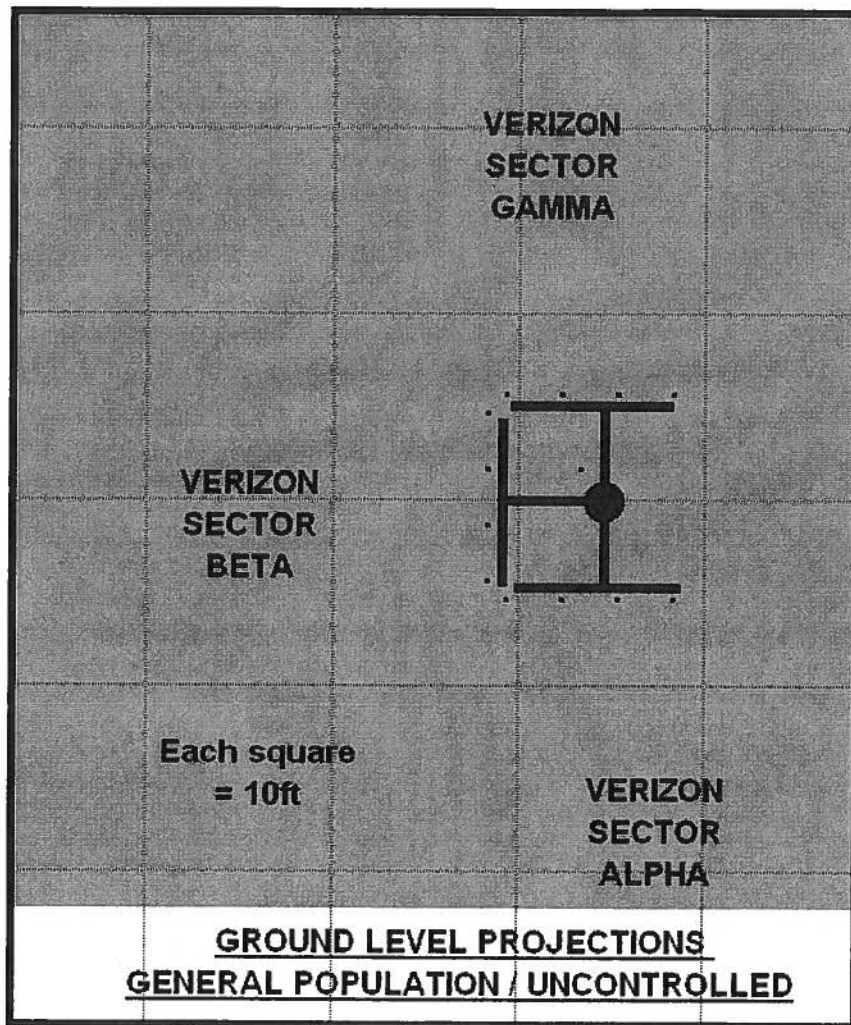
- This Verizon Wireless site will be in compliance with the current FCC RF human exposure regulations if constructed as shown.
- LBA recommends any worker attempting to service the antennas have RF awareness training and wear a personal RF monitor.
- LBA recommends placement of RF signage in accordance with Verizon Wireless RF signage policy.
- OET Bulletin-65 should be followed for performance of work within the posted distances.

Annex 1.0

MPE Analysis Map (Ground Level)

Site: ORANGE GLEN

Verizon Wireless
Irvine, California



Green <= 5%, Blue <= 50%, Yellow <= 100%, Red above 100%

LAWRENCE BEHR ASSOCIATES, INC.
TELECOMMUNICATIONS CONSULTANTS
Greenville, NC

Annex 2.0

Parameters (Ground Level)

Site: ORANGE GLEN

Verizon Wireless
Irvine, California

Ant Num	ID	Name	(MHz) Freq	Trans Power	Trans Count	Calc Power	Mfg	Model	(ft) X	(ft) Y	(ft) Z	Type	(ft) Aper	dBd Gain	EWdth Pl Dir
1	VERIZON SEC ALPHA		880.02000	18.7	7	130.9	ANTEL	BXA-80063/4CF	109.0	95.0	28.0	Panel	4.0	13	63,170
2	VERIZON SEC ALPHA		700.00000	40.0	2	80.0	ANTEL	BXA-70063/4CF	106.0	95.0	28.0	Panel	4.0	13	63,170
3	VERIZON SEC ALPHA		1965.00000	18.0	6	108.0	ANTEL	BXA-185063/8CF	103.0	95.0	28.0	Panel	4.0	16.5	63,170
4	VERIZON SEC ALPHA		880.02000	18.7	1	18.7	ANTEL	BXA-80063/4CF	100.0	95.0	28.0	Panel	4.0	13	63,170
5	VERIZON SEC BETA		880.02000	18.7	7	130.9	ANTEL	BXA-80063/4CF	99.0	96.0	28.0	Panel	4.0	13	63,260
6	VERIZON SEC BETA		700.00000	40.0	2	80.0	ANTEL	BXA-70063/4CF	99.0	99.0	28.0	Panel	4.0	13	63,260
7	VERIZON SEC BETA		1965.00000	18.0	6	108.0	ANTEL	BXA-185063/8CF	99.0	102.0	28.0	Panel	4.0	16.5	63,260
8	VERIZON SEC BETA		880.02000	18.7	1	18.7	ANTEL	BXA-80063/4CF	99.0	105.0	28.0	Panel	4.0	13	63,260
9	VERIZON SEC GAMMA		880.02000	18.7	7	130.9	ANTEL	BXA-80063/4CF	100.0	106.0	28.0	Panel	4.0	13	63,010
10	VERIZON SEC GAMMA		700.00000	40.0	2	80.0	ANTEL	BXA-70063/4CF	103.0	106.0	28.0	Panel	4.0	13	63,010
11	VERIZON SEC GAMMA		1965.00000	18.0	6	108.0	ANTEL	BXA-185063/8CF	106.0	106.0	28.0	Panel	4.0	16.5	63,010
12	VERIZON SEC GAMMA		880.02000	18.7	1	18.7	ANTEL	BXA-80063/4CF	109.0	106.0	28.0	Panel	4.0	13	63,010
13	VERIZON DISH		10000.00000	0.2	1	0.2	Dish	Dish	104.0	102.0	23.0	Dish	4.0	37.75	1,8,315

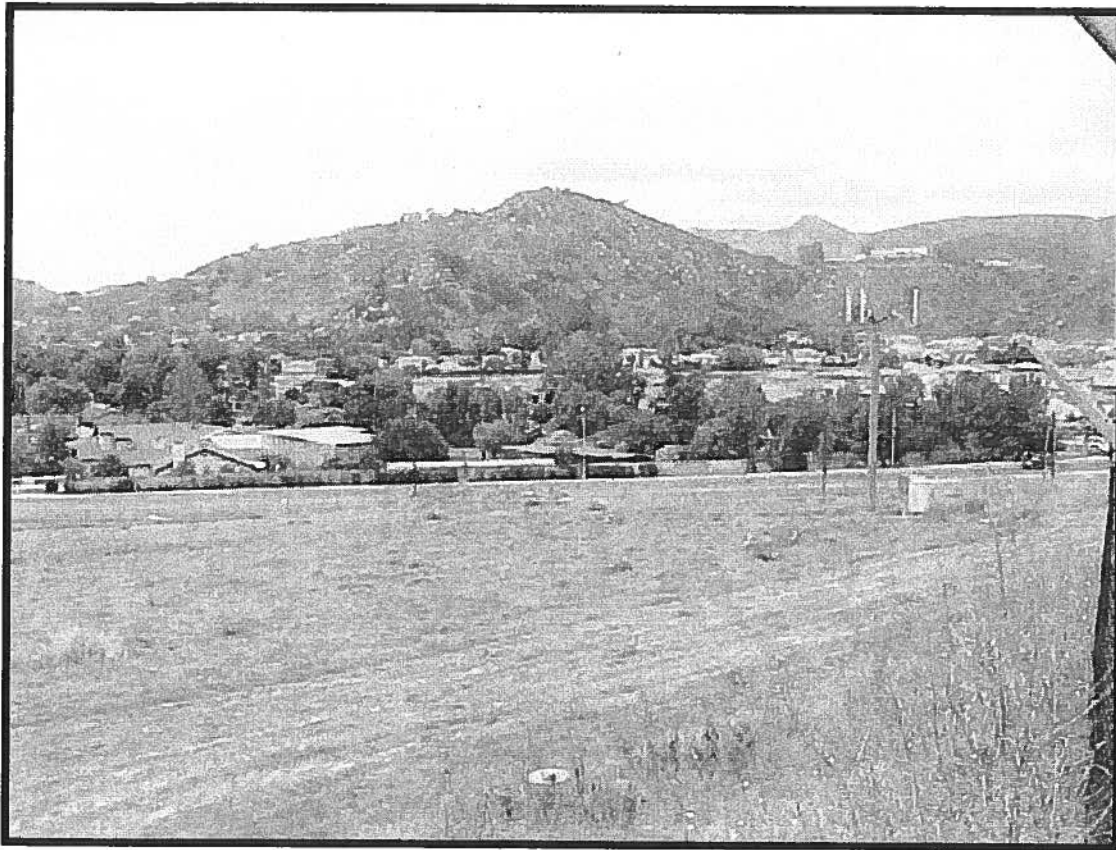
Note: "Z" height is to the base of antenna

Site Operational Parameters

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TELECOMMUNICATIONS CONSULTANTS
Greenville, NC

Annex 3.1
Photographs
Site: ORANGE GLEN

*Verizon Wireless
Irvine, California*



View looking northwest towards existing T-Mobile monopole from proposed Verizon Wireless monopole location.

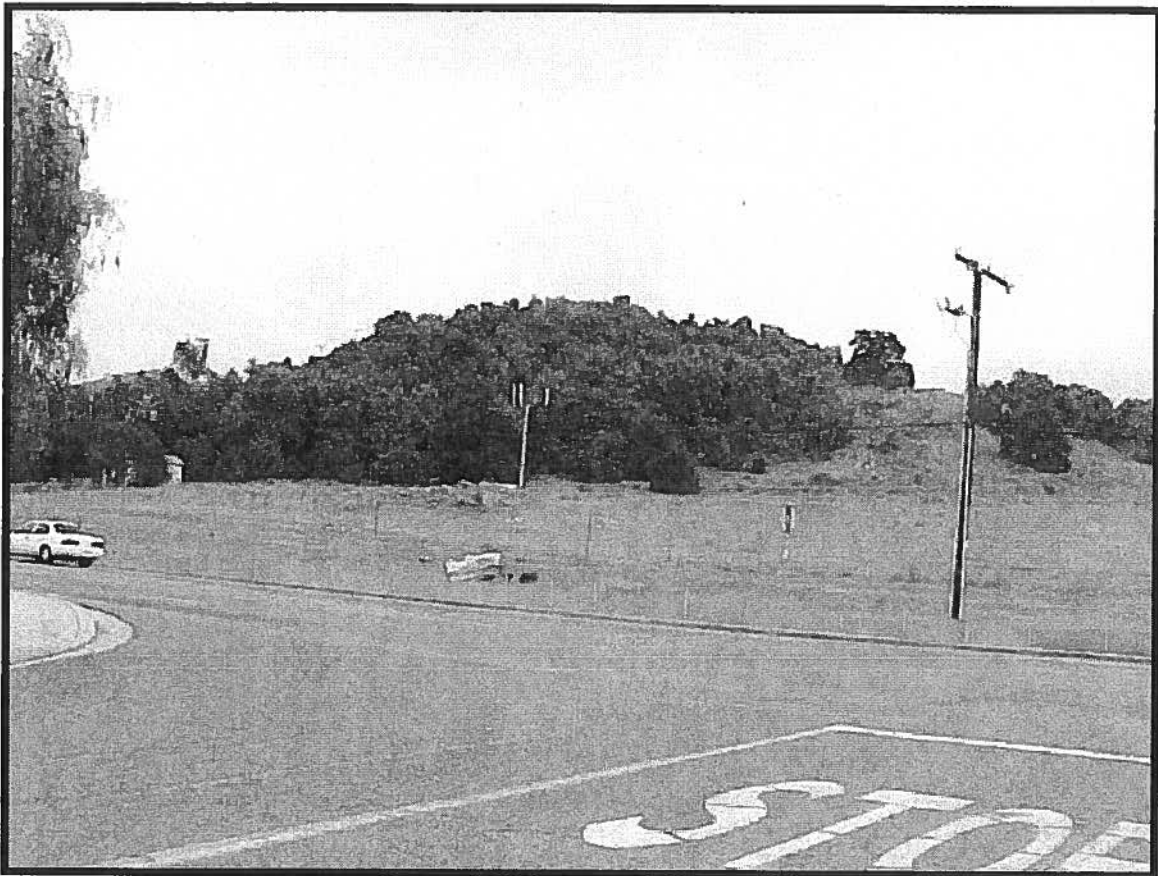
June 10, 2009

LAWRENCE BEHR ASSOCIATES, INC.
TELECOMMUNICATIONS CONSULTANTS
Greenville, NC

Annex 3.2
Photographs

Site: ORANGE GLEN

*Verizon Wireless
Irvine, California*



View looking east towards proposed Verizon Wireless monopine and equipment location. Existing T-Mobile monopole is in the center and Nextel equipment is housed in white building to the far left.

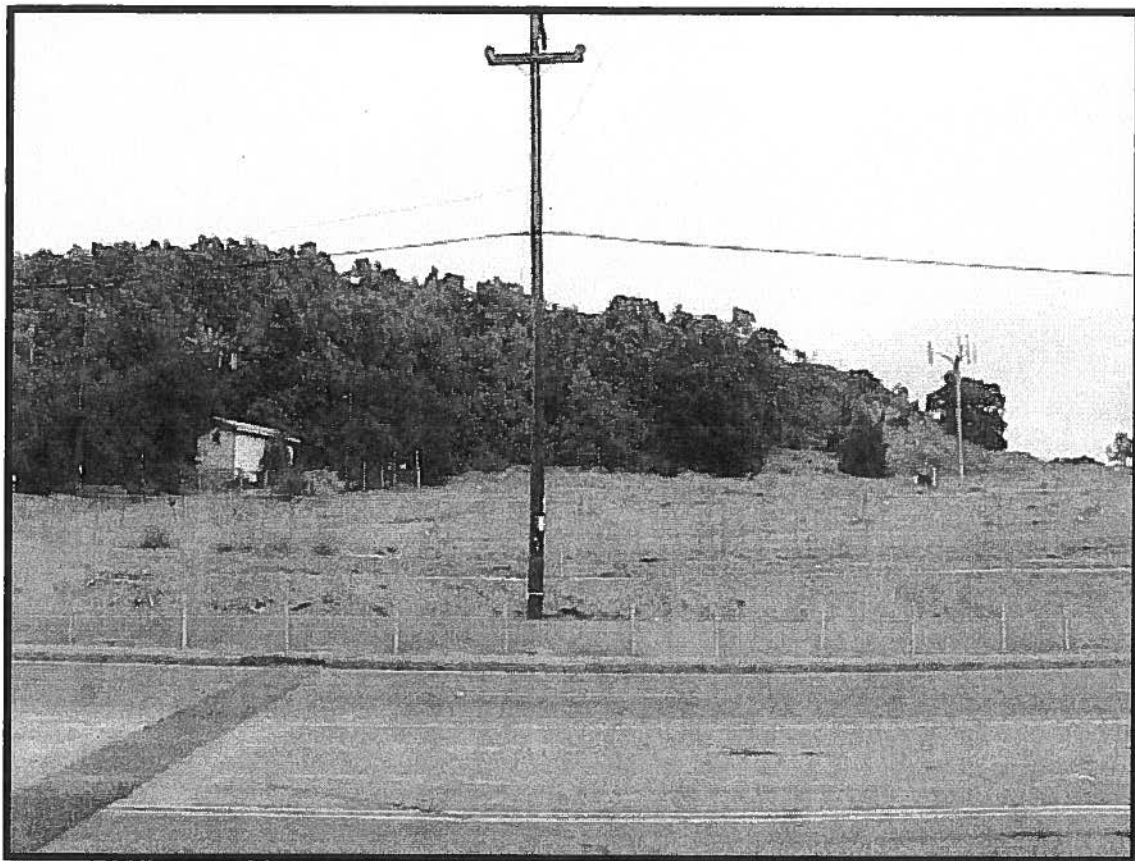
June 10th, 2009

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TELECOMMUNICATIONS CONSULTANTS
Greenville, NC

Annex 3.3
Photographs

Site: ORANGE GLEN

*Verizon Wireless
Irvine, California*



**View looking southeast towards existing T-Mobile monopole and Nextel site.
Verizon Wireless monopine site is proposed further south on the raw land.**

June 10th, 2009

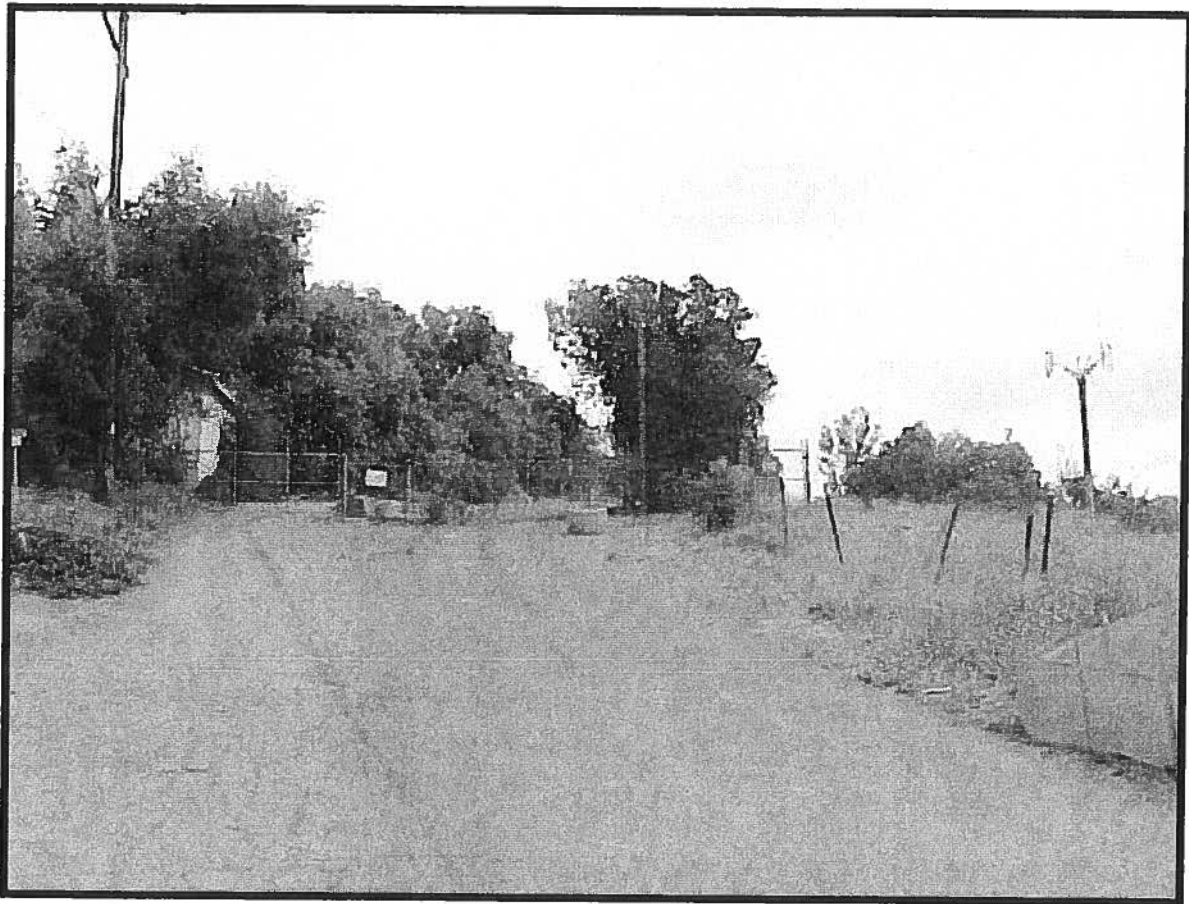
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Greenville, NC

Annex 4.4

Photographs

Site: ORANGE GLEN

*Verizon Wireless
Irvine, California*



Access road with locked gates and existing T-Mobile monopole site to the right and Nextel site to the left. Verizon Wireless monopine site is proposed further south on the raw land.

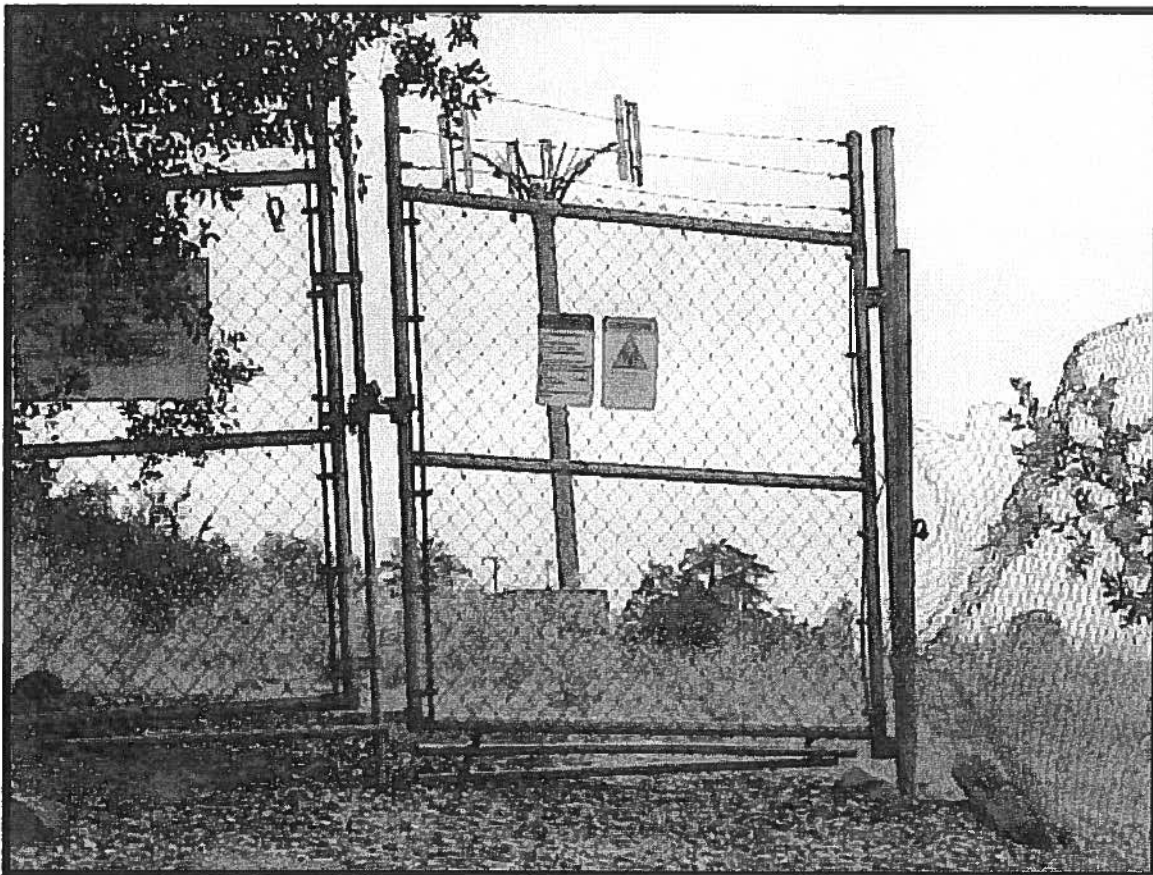
June 10th, 2009

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Greenville, NC

Annex 3.5
Photographs

Site: ORANGE GLEN

*Verizon Wireless
Irvine, California*



**Locked gate with RF signage posted leading to existing T-Mobile monopole site.
Verizon Wireless monopine site is proposed further south on the raw land.**

June 10th, 2009

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Greenville, NC