

AGENDA NO. 4

PLANNING COMMISSION

STAFF REPORT



DATE: October 6, 2008

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-56-05) FOR THE CONSTRUCTION AND OPERATION OF A STAND-ALONE COMMUNICATION FACILITY. THE PROJECT IS LOCATED AT 801 EL CAMINO REAL AND SITUATED WITHIN THE PUBLIC SEMI-PUBLIC (PS) DISTRICT AND THE LOMA ALTA NEIGHBORHOOD. – SPRINT @ SDG&E SUBSTATION – APPLICANT: SPRINT-NEXTEL**

RECOMMENDATION

Staff recommends that the Planning Commission by motion

- (1) Confirm issuance of a Class 3 categorical exemption for "New construction or conversion of small structures" pursuant to Section 15303 of the California Environmental Quality Act; and
- (2) Adopt Planning Commission Resolution No. 2008-P60 approving Conditional Use Permit (C-56-05) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: On November 23, 2005 Sprint PCS submitted an application for a stand-alone communication facility within the SDG&E Substation.

Site Review:

Zoning and General Plan designation: The project site is situated within the Public Semi-Public (PS) District and has a land use designation of Civic Institutional (CI).

Existing uses and development on site: The primary land use at the site is 440.W Major utilities. SDG&E operates a substation at this site.

The proposal is to attach three antennas to an existing SDG&E steel pole. The proposed equipment shelter will be situated adjacent to an existing fence and is proposed to be partially below the existing grade. The attached site plans indicate the location of the equipment shelter, landscaping, and existing steel pole.

Site review: The site straddles the land contiguous with El Camino Real and Mesa Drive, where an access road and gate can be found.

The project site is subject to SDG&E's Subregional Natural Community Conservation Plan and Implementing Agreement. (The site is not a part of the Draft City of Oceanside Subarea Plan of the Multiple Habitat Conservation Program area.) The project as proposed complies with the aforementioned implementing agreement.

Surrounding land uses: The surrounding land uses are residential, including multi-family and single family. The land use designations on adjoining lots are MDB-R and SFD-R.

Project Description: The project application is comprised of one component, a Conditional Use Permit as follows:

Conditional Use Permit C-56-05 represents a request to permit the construction of a Stand-Alone Communication Facility pursuant to Section 3025.D.

This proposal includes attaching three 48-inch long panel antennas to an existing electrical transmission steel pole located within the SDG&E substation lands. A ring-around will hold the antennas to the pole. The pole is located within a fenced area and is not accessible to the general public. The top of the antenna will be 41 feet above existing grade and 20 feet below an electrical transmission connector.

The proposed 260 square-foot (approximate) equipment shelter is designed to have an L-shaped foot print. The structure shall not exceed eight feet in height and shall have a locked gate. A backup generator is not proposed; rather the applicant proposes to use battery gel packs as an alternative power supply.

The project is subject to the following Laws, Ordinances, and City Policies:

1. General Plan Land Use Element
2. Zoning Ordinance
3. State of California Government Codes
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is Civic Institutional (CI). The underlying land use, 440.W *Major utilities*, and the proposed project, a stand-alone communication facility, are consistent with this designation and the goals and objectives of the City's General Plan as follows:

Land Use Element II. Community Development

Goal: The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.726 Communication Systems: To provide for the efficient and aesthetic functioning of communication systems within the City.

Policies:

- A. The City shall encourage planning for the future communication system needs of individual land developments or uses and the City in general.
- B. Communication facilities shall be required to conform visually with surrounding land uses and/or natural features.

The proposed stand-alone communication facility complies with General Plan Community Development Goals by considering the efficient and aesthetic function of communication systems within the City. For example, the design of the communication facility specifically considers the surrounding land use, a major utility, and the land's natural features. The proposal visually conforms to the surrounding area because the antennas are mounted to an existing steel pole. The proposal also includes the planting of native trees and shrubs.

2. Zoning Ordinance Compliance

The project is located in the Public and Semi-Public (PS) District and complies with the requirements of Articles 16, 30, and 41.

Pursuant to Article 16 Public and Semipublic District, a *Communication Facility* land use is permitted within the PS District with an approved use permit. The proposal complies with Article 16, because development regulations for the communication facility shall be as specified by the use permit.

Pursuant to Section 3025 Reception Antennas and Communication Facilities, this application complies with local regulation of communication facilities. Communication facilities may be installed and operated within any zoning district subject to the categorical standards and process that are enumerated in Table 1.

Table 1. Compares the proposed development to Section 3025.D.3 and 3025.D.4

Requirement	Proposal
3025.D.3 Stand-Alone Communication Facilities. Shall be approved through a public hearing process pursuant to Article 41 and subject to subsection 3025.D.4	An application has been filed and recommended for the Planning Commission's consideration.
3025.D.4 A Use permit term is limited	A ten-year term complies with State Codes.
3025.D.4.B Requires reports within one-year of facility operation	A recommended condition of project approval.
3025.D.4.C Reduction in the visual presence of the approved antenna and facility equipment	The proposal includes design features to blend the antennas and facility with the surrounding environs and underlying land use.
3025.D.4.F Address the appearance of the entire site	The applicant proposes native plants and blending the appearance of the antennas with an existing structure of the SDG&E Substation.

As demonstrated in Table 1, the applicants' proposal satisfies categorical standards for the construction, operation, and maintenance of a communication facility. A maximum of two GPS antennas shall be allowed and they shall be located within the equipment shelter. Dish (parabolic) antennas are prohibited.

Pursuant to Article 41 Use Permits and Variances, the applicant has suitably filed materials with the Planning Division for consideration of a conditional use permit application. The proposal has been specifically conditioned for compliance with this article. Staff has prepared findings for the Planning Commission's consideration.

3. State of California Government Code 65850

California State Government Code 65850.6(b) states that a city shall not unreasonably limit the permitting term for collocating communication facilities. Limits of less than 10 years are presumed to be unreasonable absent public safety reasons or substantial land use reasons. Therefore, a 10-year term is a recommended condition of approval.

DISCUSSION

Issue: Suitability of a stand-alone facility within a PS District.

Recommendation: It is staff's recommendation that the proposed stand-alone communication facility is effectively disguised by the existing land use at the site, an

SDG&E Substation. The antennas will be flush mounted to an existing electrical transmission tower. The placement of the antennas is high enough to not be accessible to the public and low enough from the transmission connectors to not interfere with the delivery of power or communication services in the area.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 3, New Construction or Conversion of Small Structures, Section 15303 of the California Environmental Quality Act. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of September 23, 2008, staff has not received public comment or opinion on this proposal.

SUMMARY

The proposed Conditional Use Permit C-56-05 as conditioned, is consistent with the land use policies of the General Plan, the requirements of the Zoning Ordinance and State Government Codes. The project has been conditioned to meet or exceed all applicable land use and development standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Adopt Planning Commission Resolution No. 2008-P60 approving Conditional Use Permit C-56-05 with findings and conditions of approval attached herein.

PREPARED BY:



Juliana von Hacht
Associate Planner

REVIEWED BY:



Richard Greenbauer, Senior Planner

JH/JH/fil

SUBMITTED BY:



Jerry Hittlerman
City Planner

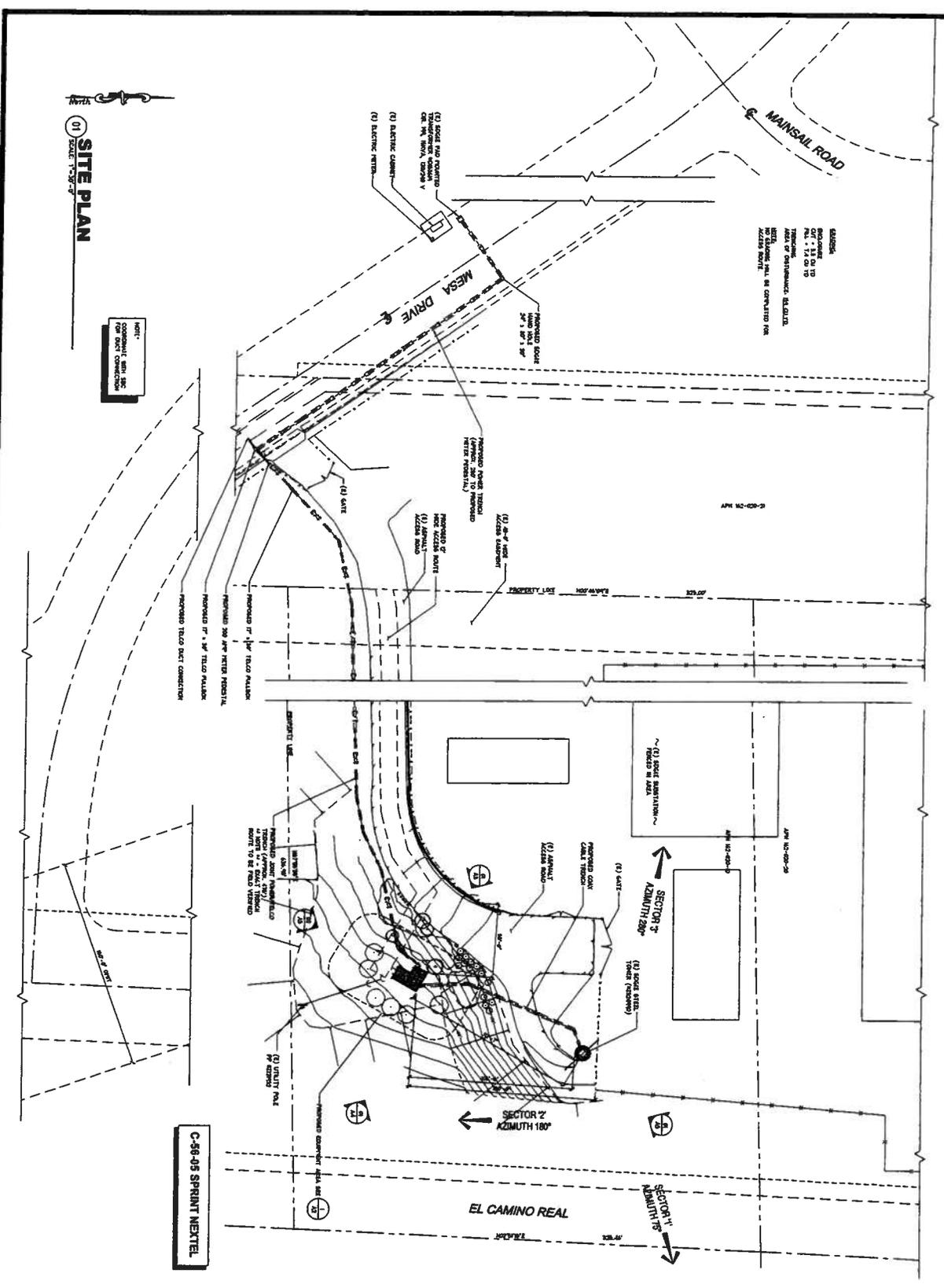
Attachments:

1. Site Plan and Elevations
2. Planning Commission Resolution No. 2008-P60

01 SITE PLAN

NOTE:
CONFORM WITH SDG&E
CONNECTIONS AND
CONNECTIONS

C-56-08 SPRINT NEXTEL



STATUS:
DATE: 11.01.08
TIME: 11:00 AM
BY: [Signature]
CHECKED BY: [Signature]
REVISIONS:
NO. DESCRIPTION
DATE

Plan Check No: **A1.1**

NO.	DATE	DESCRIPTION
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2	11/01/08	ISSUED FOR PERMITS
3	11/01/08	ISSUED FOR PERMITS
4	11/01/08	ISSUED FOR PERMITS
5	11/01/08	ISSUED FOR PERMITS
6	11/01/08	ISSUED FOR PERMITS
7	11/01/08	ISSUED FOR PERMITS
8	11/01/08	ISSUED FOR PERMITS
9	11/01/08	ISSUED FOR PERMITS
10	11/01/08	ISSUED FOR PERMITS

SITE PLAN

SDG&E SUBSTATION
SDJXC530028
801 EL CAMINO DEL REAL
OCEANSIDE, CA 92034

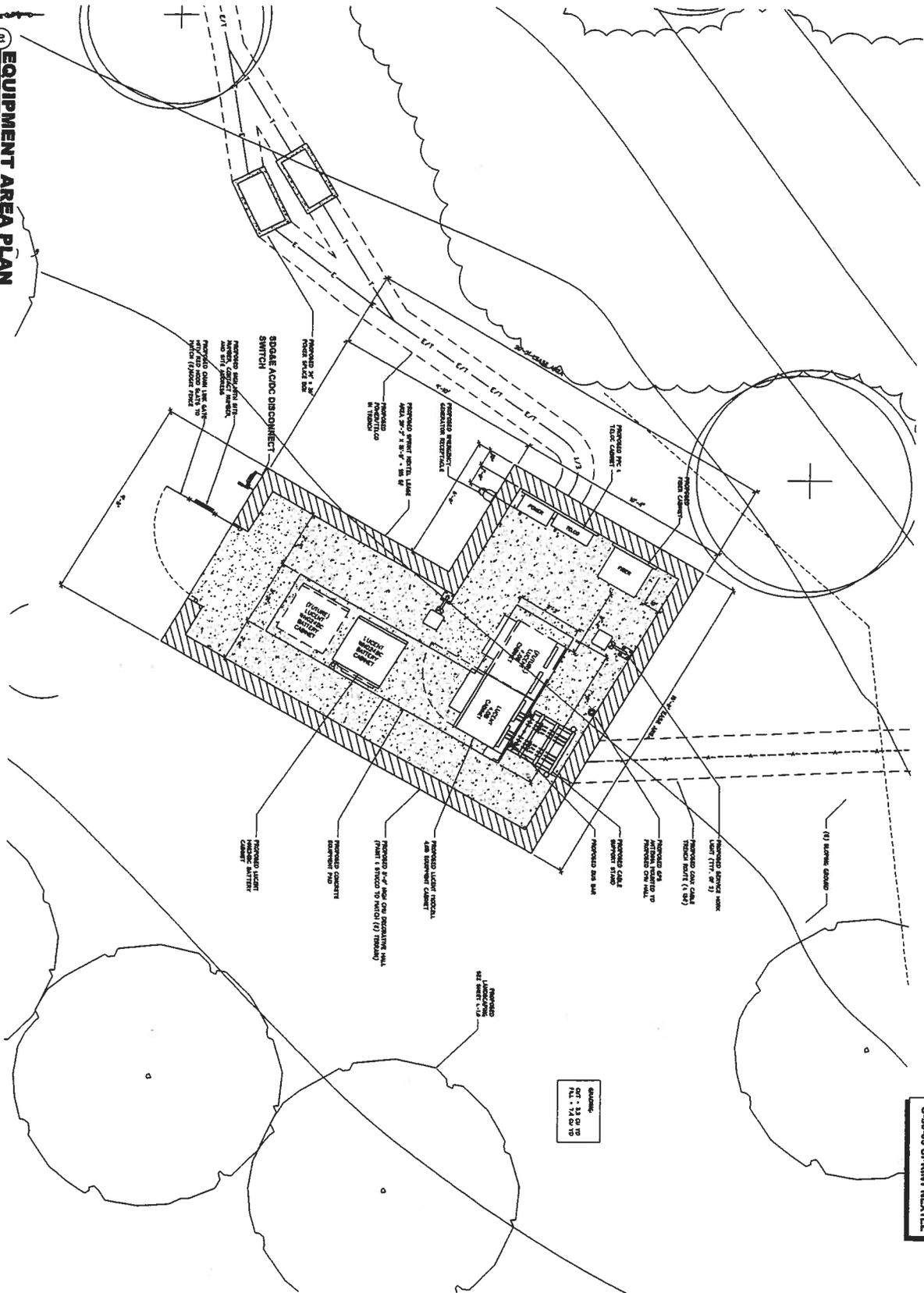
Sprint
Together with NEXTEL

Mitchell J architecture

NO.	DATE	DESCRIPTION
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9	11/01/08	ISSUED FOR PERMITS
10	11/01/08	ISSUED FOR PERMITS

EQUIPMENT AREA PLAN

SCALE: 1/8" = 1'-0"



DATE: 11.13.07
 PLAN: 11.13.07.10

C-56-05 SPRINT NEXTEL

EQUIPMENT AREA PLAN

SDG&E SUBSTATION
 SDG&E 44002B
 501 EEL CAMINO DEL REAL
 OCEANSIDE, CA 92034

Sprint
 Together with NEXTEL

M

MITCHELL J ARCHITECTURE, INC.
 4075 Camino del Real, Suite 100
 San Diego, CA 92131
 619.592.3129 (fax) / 619.592.3149 (tel)

architecture **Mitchell J** architecture

Plan Check No:

A2

DATE: 11.13.07

PROJECT: SDG&E SUBSTATION

SCALE: 1/8" = 1'-0"

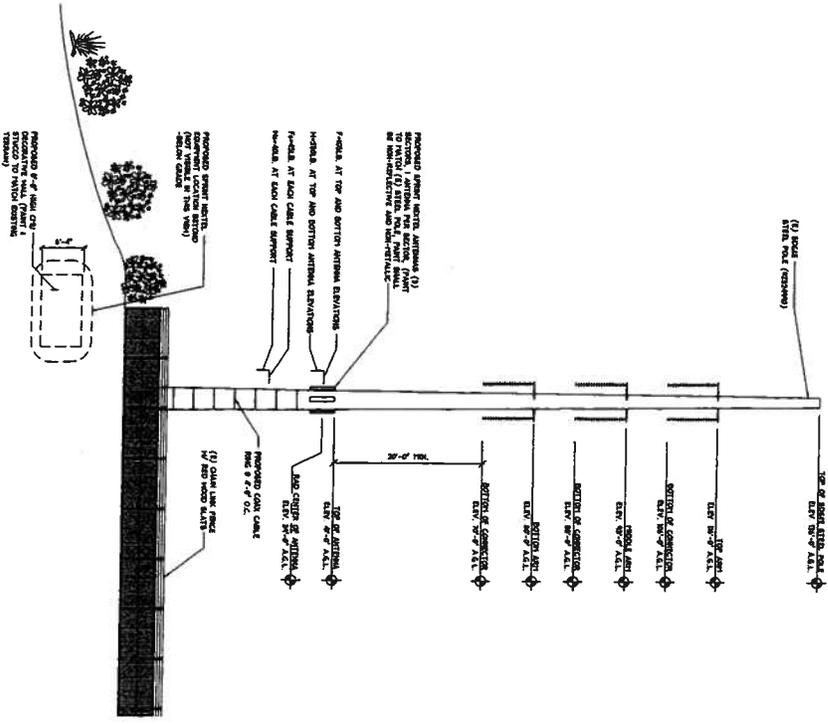
DESIGNED BY: [Signature]

CHECKED BY: [Signature]

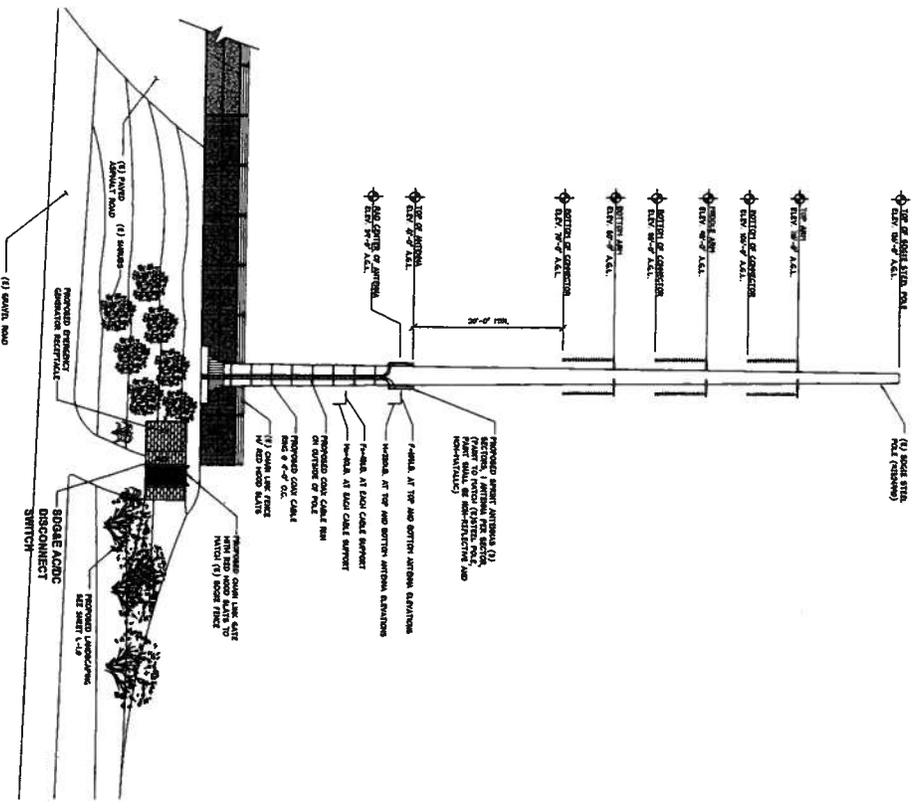
DATE: 11.13.07

NO.	REVISION	DATE
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9	ISSUED FOR CONSTRUCTION	11/13/07
10	ISSUED FOR CONSTRUCTION	11/13/07

C-56-05 SPRINT NEXTEL



01 NORTH ELEVATION
SCALE 3/8" = 1'-0"



02 SOUTH ELEVATION
SCALE 3/8" = 1'-0"

NORTH & SOUTH ELEVATIONS

SDG&E SUBSTATION
SDXC53002B
801 EL CAMINO DEL REAL
OCEANSIDE, CA 92054

Sprint
Together with NEXTEL

Mitchell J Architecture
2007-08-01
2007-08-01
2007-08-01

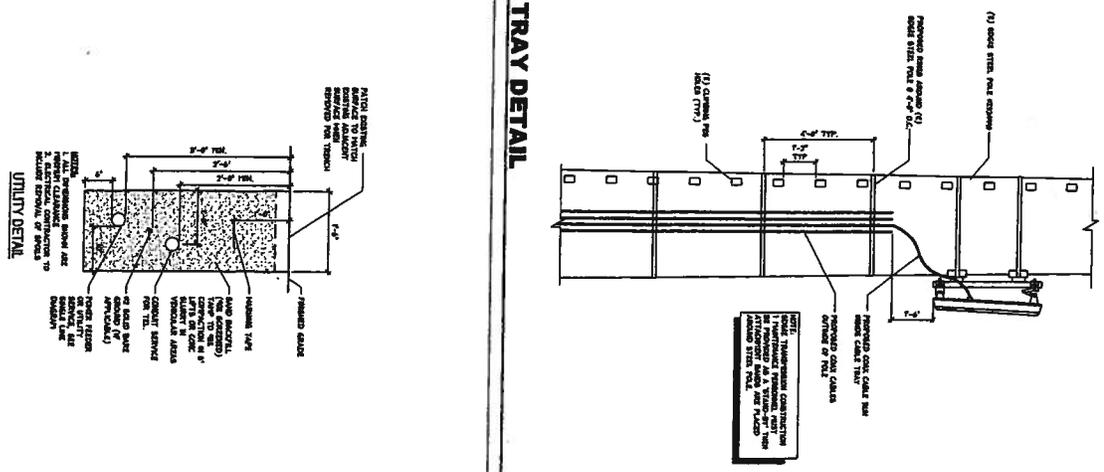
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Plan Check No:

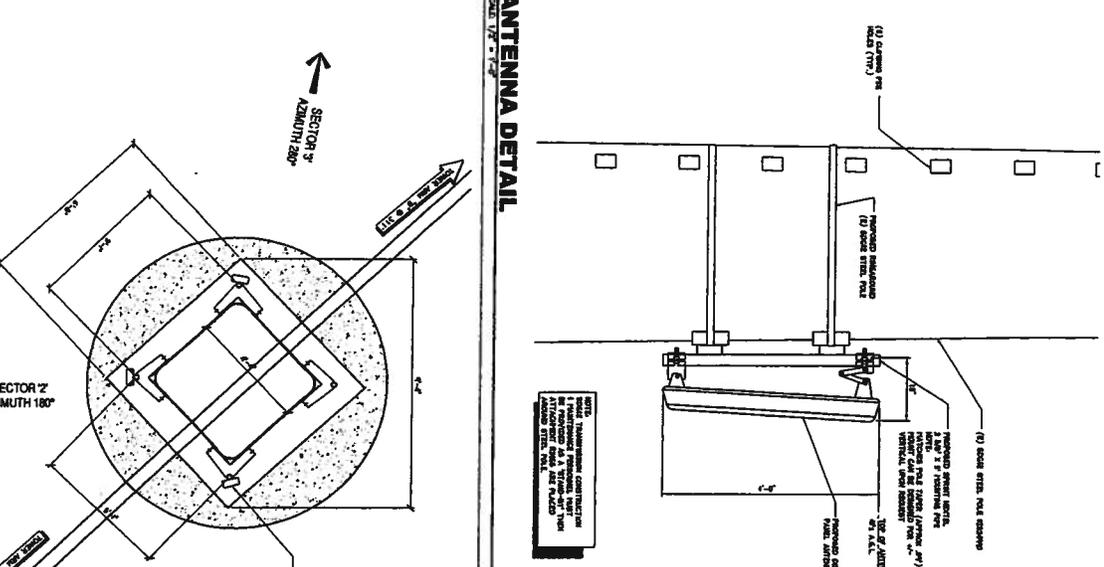
Professional Seal: ARCHITECT, MICHAEL J. ANDERSON, No. 1027, State of California, Exp. 12/31/08

Project No.	1027
Client	SDG&E
Architect	Mitchell J. Anderson
Date	10/27/07

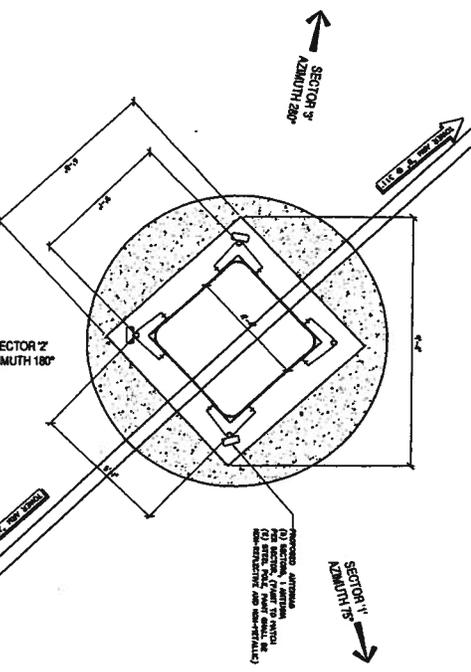
01 CABLE TRAY DETAIL
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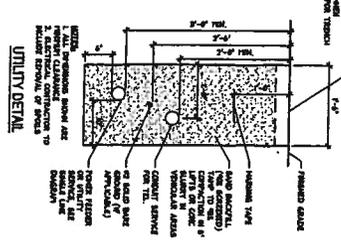
02 ANTENNA DETAIL
SCALE: 1/2" = 1'-0"



03 ANTENNA LAYOUT
SCALE: 1/2" = 1'-0"



04 TRENCH DETAIL
SCALE: 1/2" = 1'-0"



ANTENNA DETAIL & ANTENNA LAYOUT & CONNECTION DETAILS

<p>SDG&E SUBSTATION SDGCS3002B 801 EL CAMINO DEL REAL OCEANSIDE, CA 92034</p>	<p>Sprint Together with NOKIA</p>	<p>M MITCHELL ARCHITECTURE</p>	<p>DATE: 11/11/11 DRAWN BY: J. BROWN CHECKED BY: J. BROWN SCALE: 1/2" = 1'-0"</p>
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architecture **Mitchell** architecture

Plan Check No: **A7**

PLANTING SCHEME

Design Intent: The seed trees material chosen will mature in 3 to 5 years to screen the site with and blend into the existing landscape. All plant material is drought tolerant.

SYMBOL	SIZE	QTY	FORM	BOTANICAL NAME	COMMON NAME
	10"	6	NATIVE PLANT	HISTIOIDES ARISTATA	YUCCA
	10"	6	NATIVE PLANT	MONTEZUMA REDWOOD	MONTEZUMA REDWOOD
	10"	1	NATIVE PLANT	AGAVE CALIFORNICA	AGAVE
	10"	1	NATIVE PLANT	YUCCA	YUCCA

* ALL THE CITY OF OCEANSIDE, SHALL BE RESPONSIBLE TO PROMOTE THE BEST ESTABLISHMENT OF NATIVE PLANTS AND MATERIALS. ALL OTHERS ARE NOT SELECTED.

GENERAL NOTES- CITY OF OCEANSIDE

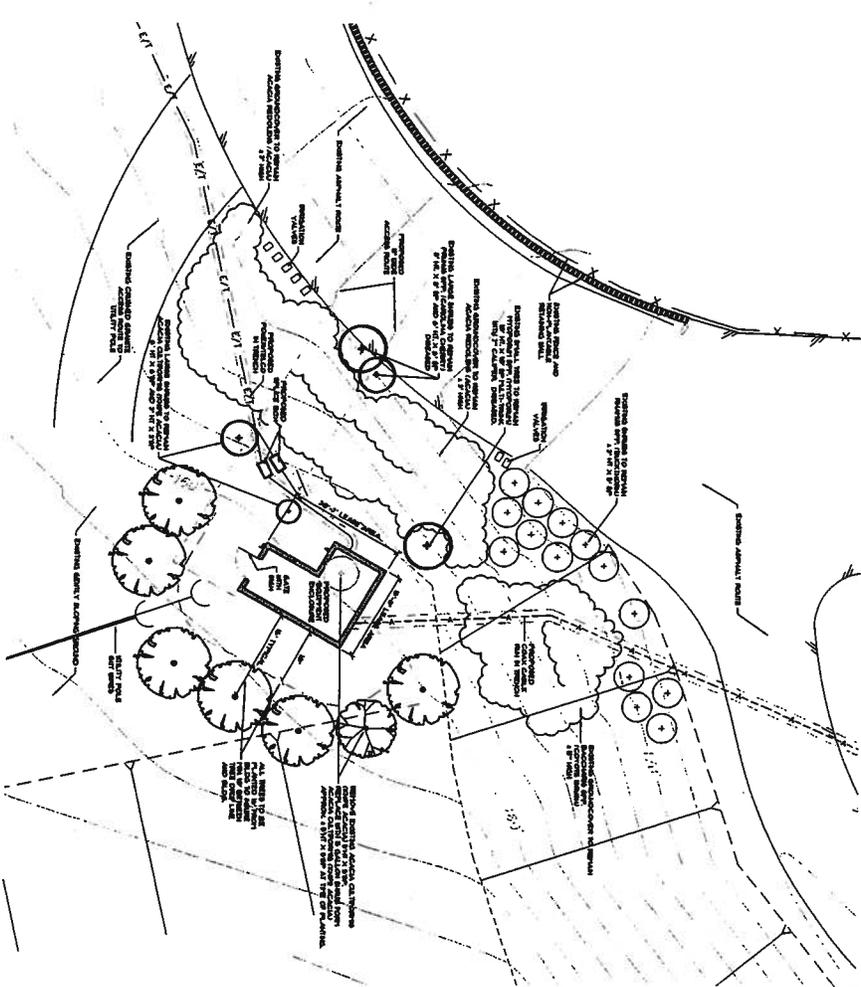
1. All landscape and irrigation shall be installed and maintained in accordance with the City of Oceanside's guidelines, ITCF Guidelines and all other landscape related City and Regional Standards as of the approved date of these plans.

2. The project shall be established by the Owner who shall assume responsibility for the maintenance of the landscape and irrigation system. The City of Oceanside shall not be responsible for the maintenance of the landscape and irrigation system.

3. An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum water loss due to run-off. Irrigation systems shall use high quality automatic control valves, controllers and other components. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters. All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.

4. Planting and Mulch: The selection of plant material is based on cultural, aesthetic and maintenance considerations. Appropriate plant material shall be selected from an agricultural suitability soil sample taken from the site. Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, 3" depth to help conserve water and prevent soil erosion. All trees shall be allowed to grow in their natural form. All landscape improvements shall follow the City of Oceanside Guidelines.

5. Final landscape plans shall accurately show placement of trees, shrubs, and groundcovers.
6. Landscape Architect shall verify utility, sewer, storm drain easement, and place planting locations accordingly to meet City of Oceanside requirements.
7. Equipment Enclosures: See Equipment Area Plan and elevations for enclosure height, materials and finish.



C-56-05 SPRINT/NETEL

THE KEMP COMPANIES, INC.
 CALIFORNIA NEVADA HAWAII
 CONSULTING LANDSCAPE ARCHITECTS 1911
 4800 S. RAYBURN AVENUE SUITE 100
 RIVERSIDE, CALIFORNIA 92504
 (951) 514-1000 FAX (951) 514-1009

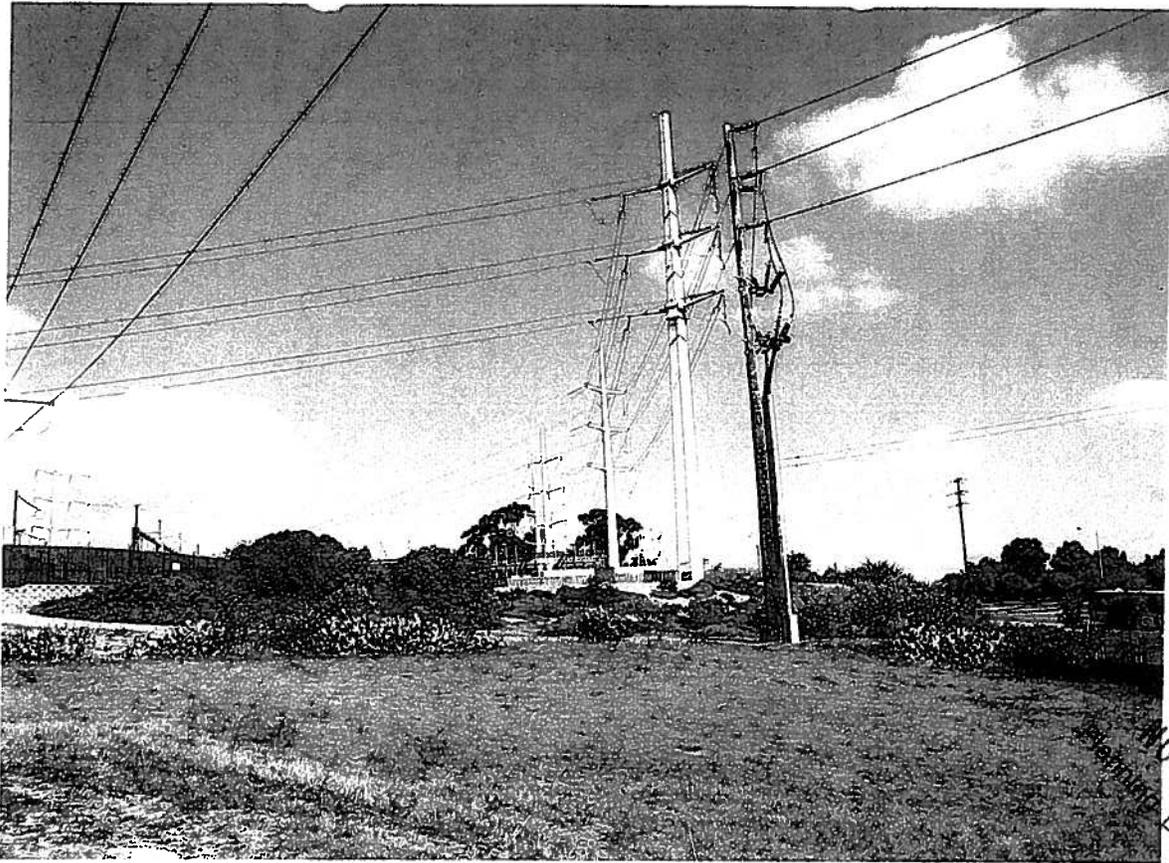
PRELIMINARY LANDSCAPE PLAN

SDG&E SUBSTATION
 SDXC55002B
 MESA DR. & S. EL CAMINO REAL
 OCEANSIDE, CA 92054

Sprint
 Together with NEXTEL
 2001 Caplin Dr. Suite 100, San Diego, CA 92111

L-1.0

Plan Check No:

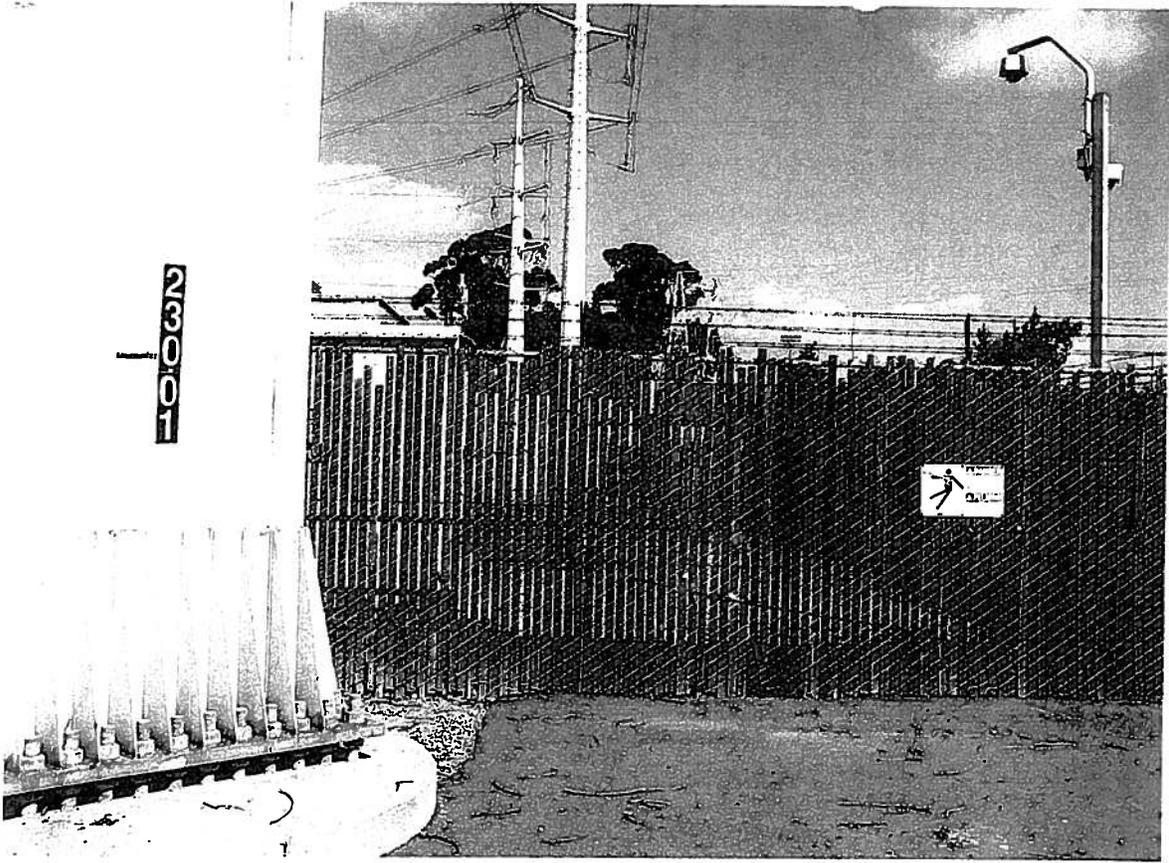


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Planning Department

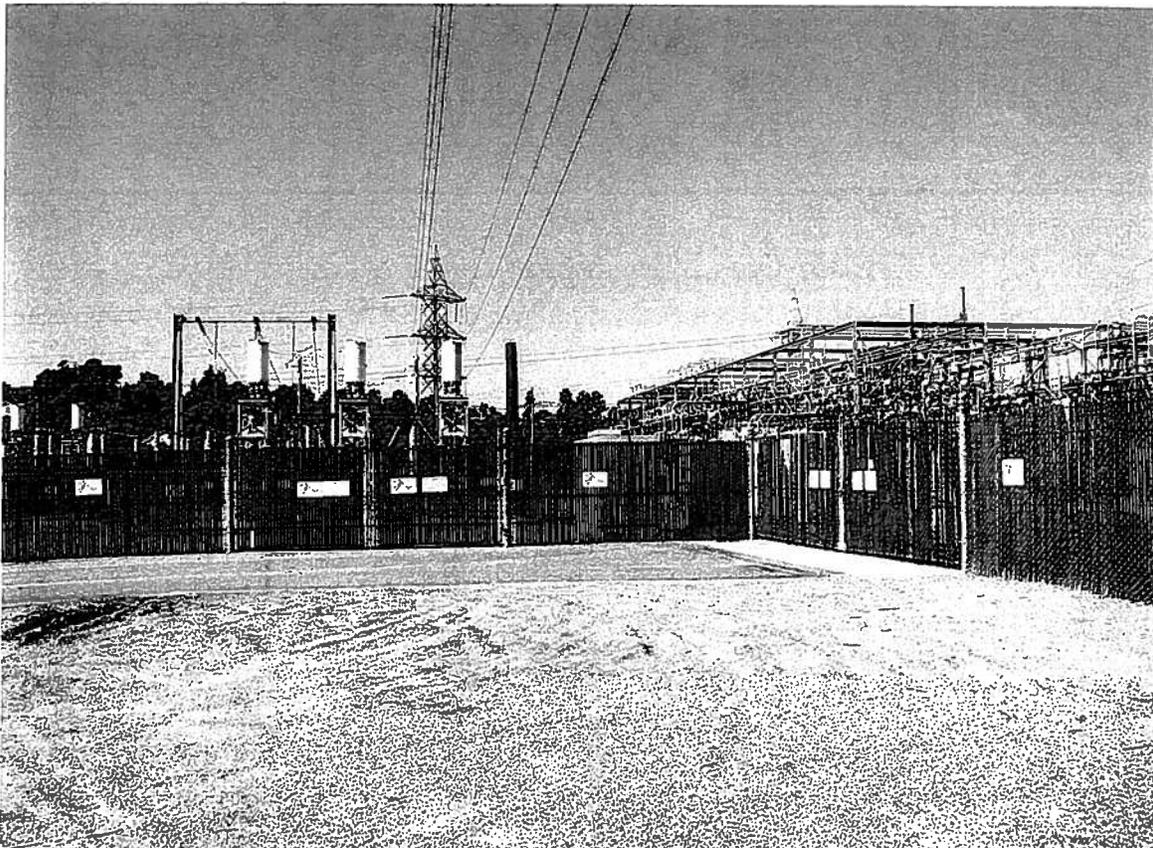
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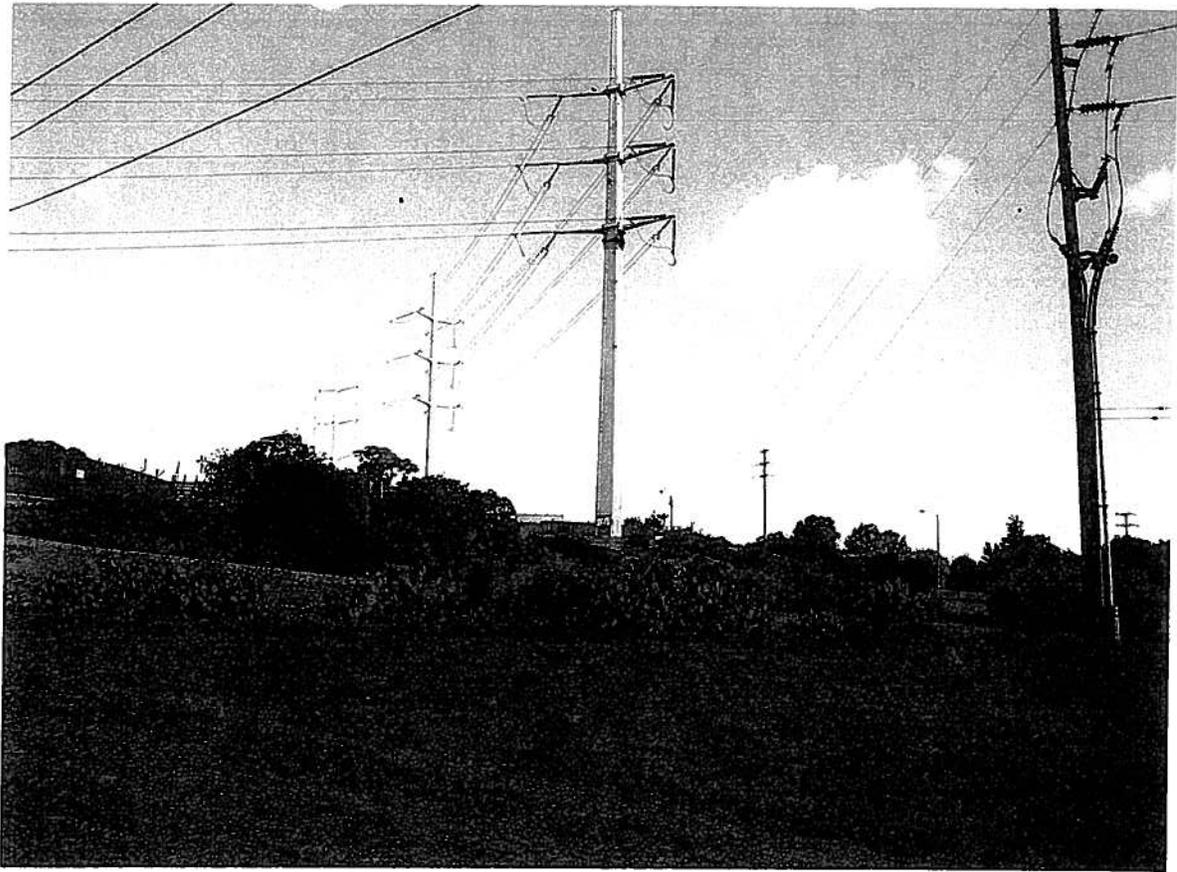
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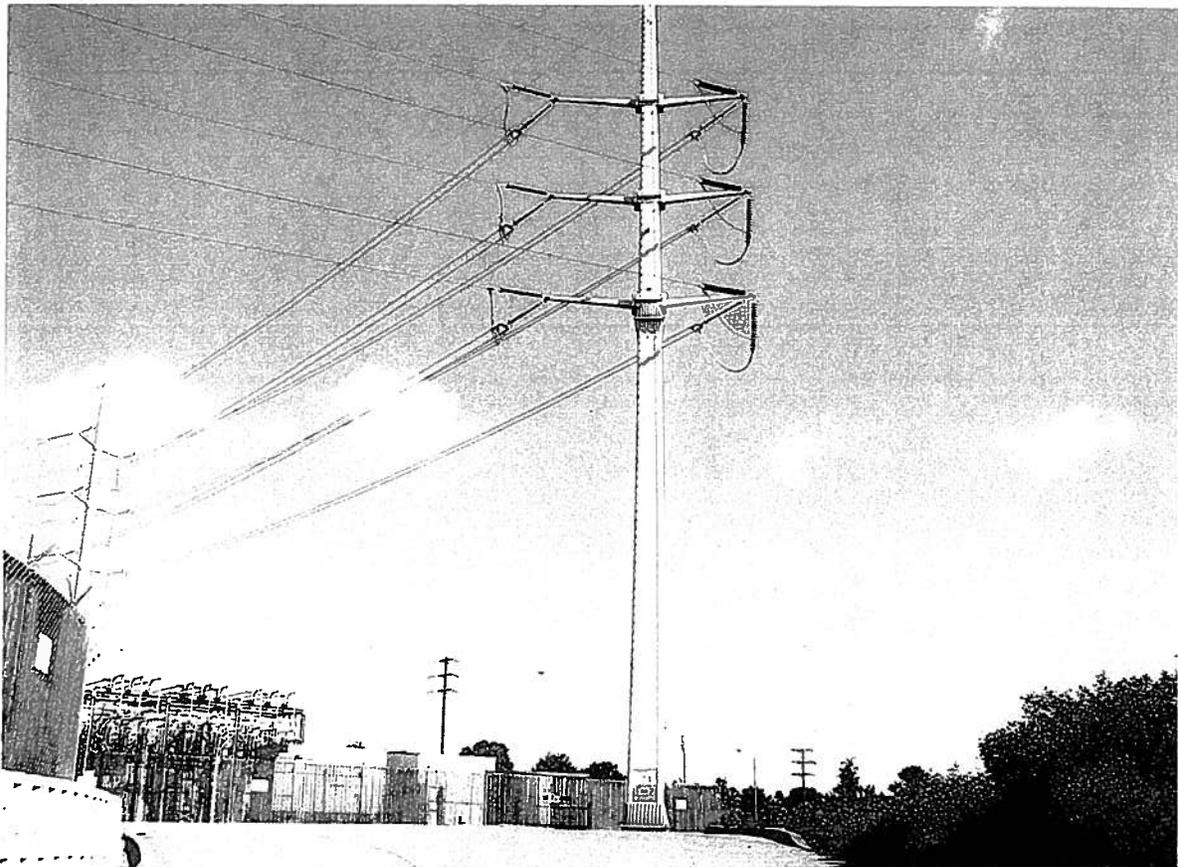
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LOOKING WEST FROM BASE OF SUBJECT TOWER



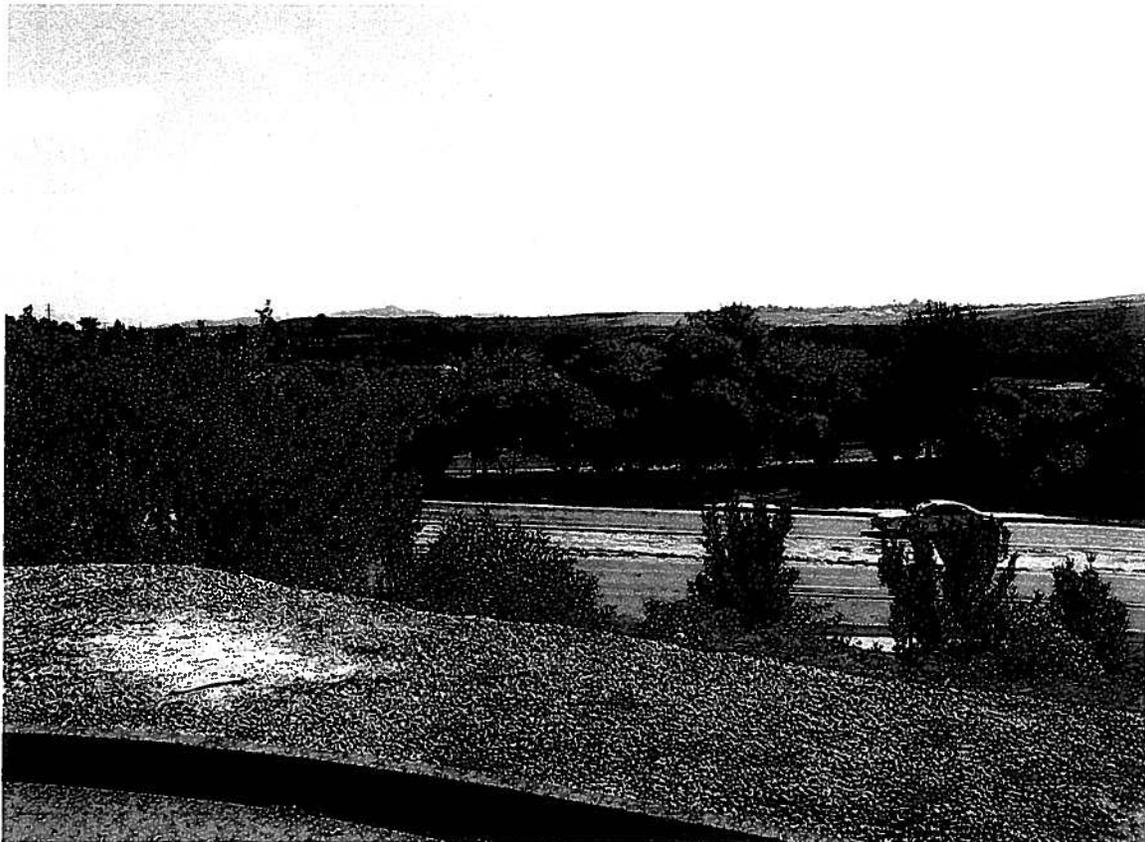
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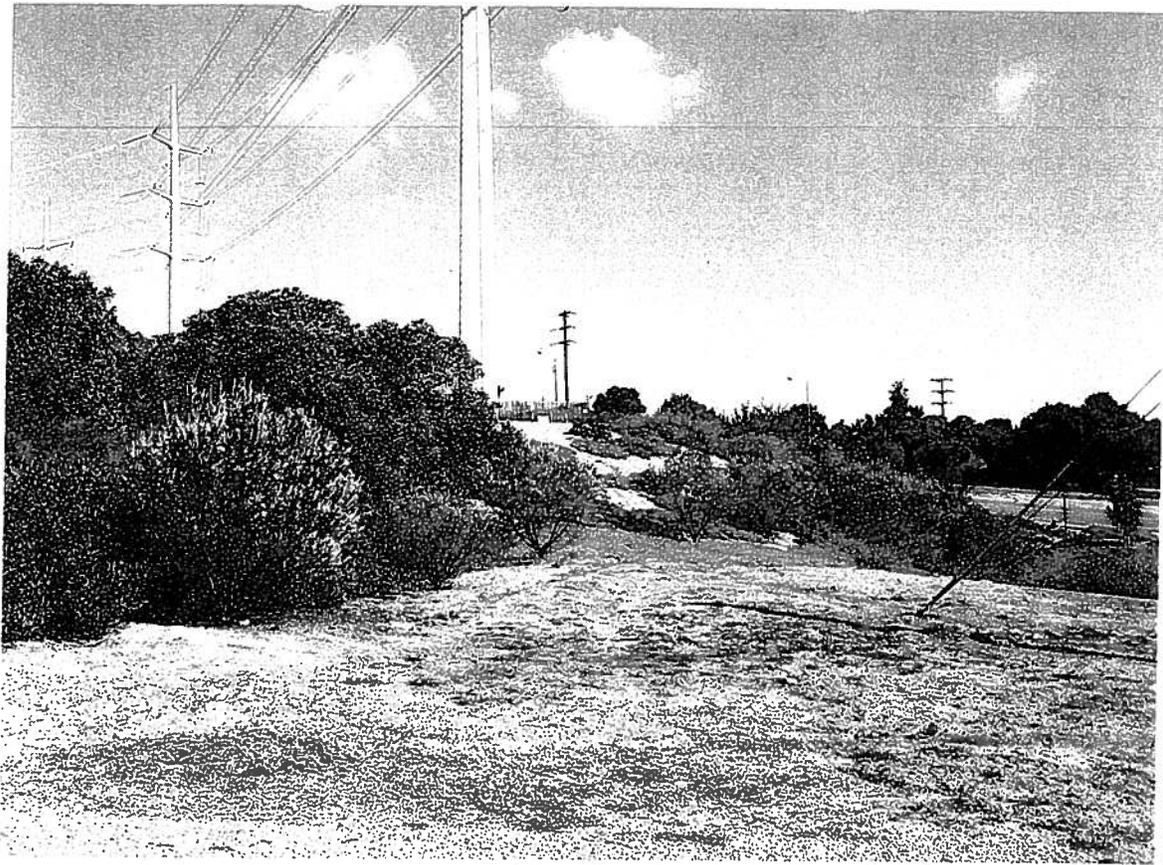
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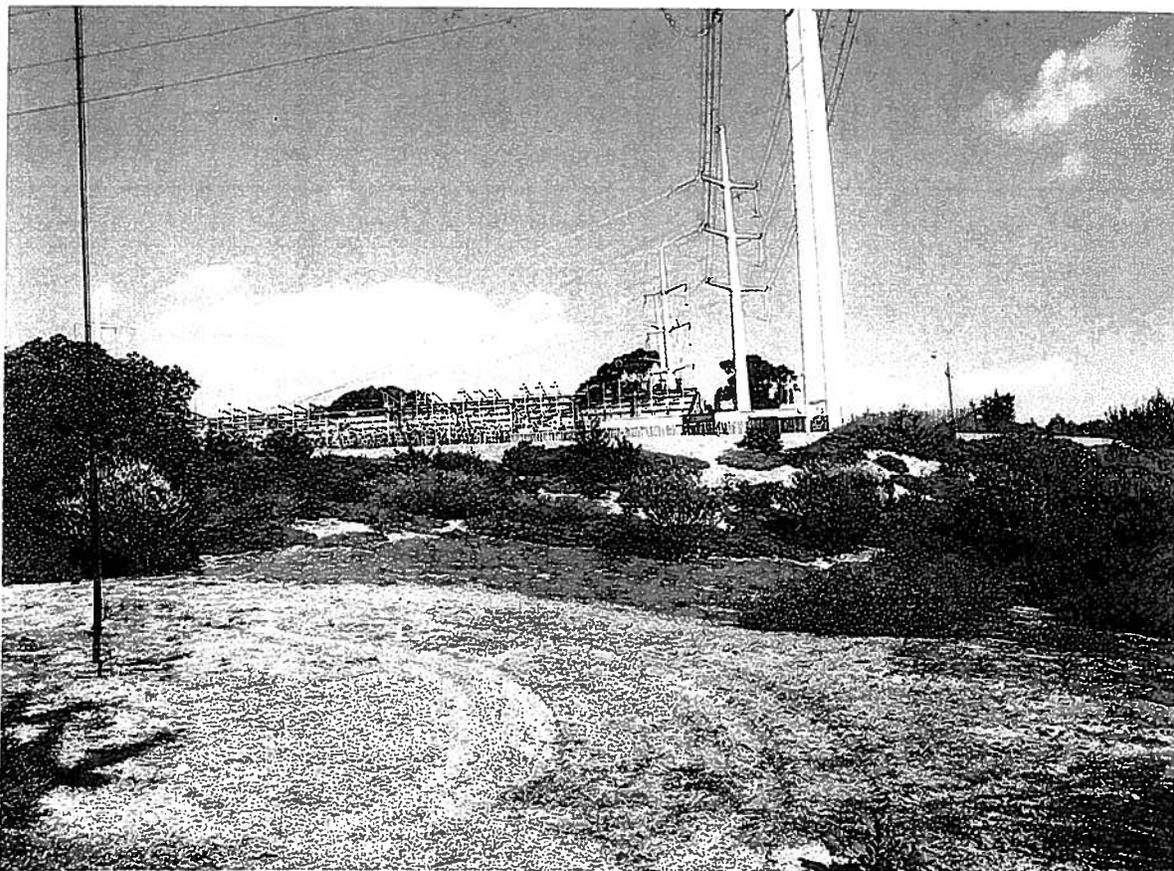
LOOKING SOUTH FROM BASE OF SUBJECT TOWER



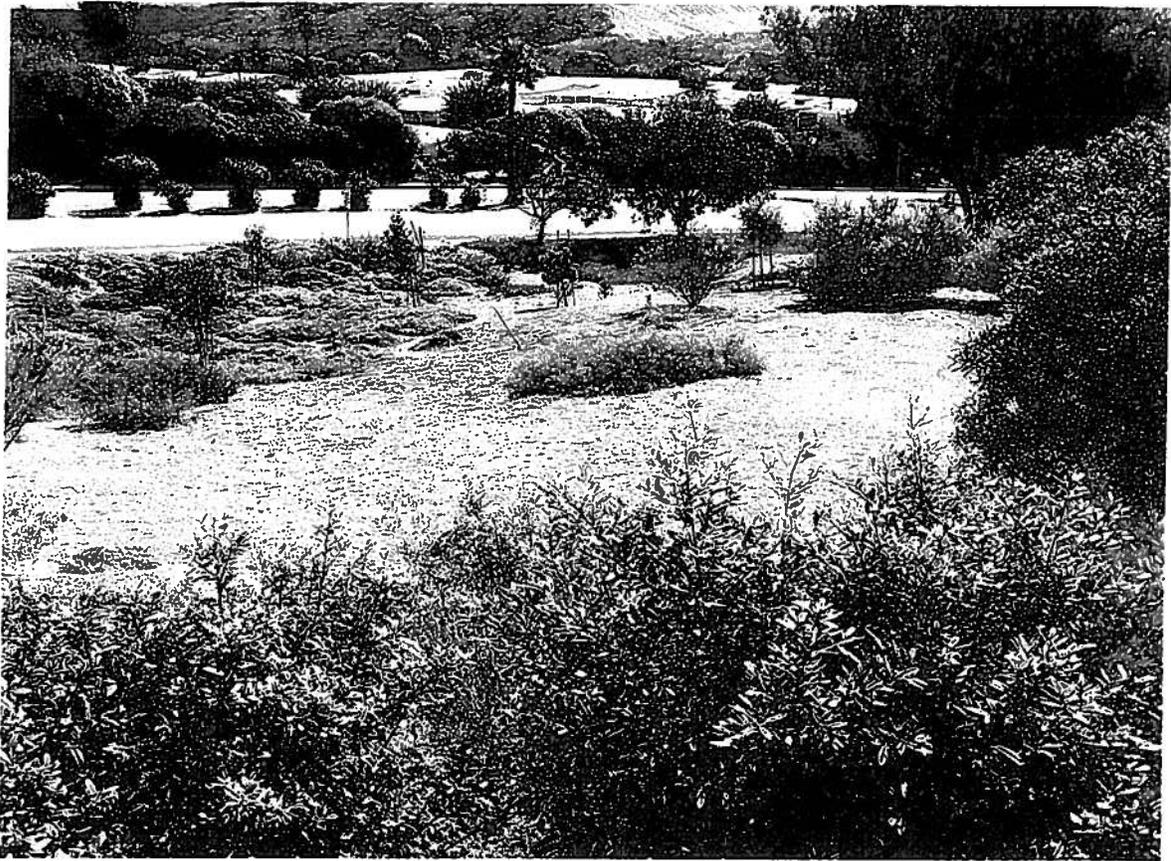
LOOKING EAST FROM BASE OF SUBJECT TOWER



LOOKING NORTHEAST AT PROPOSED EQUIPMENT AREA



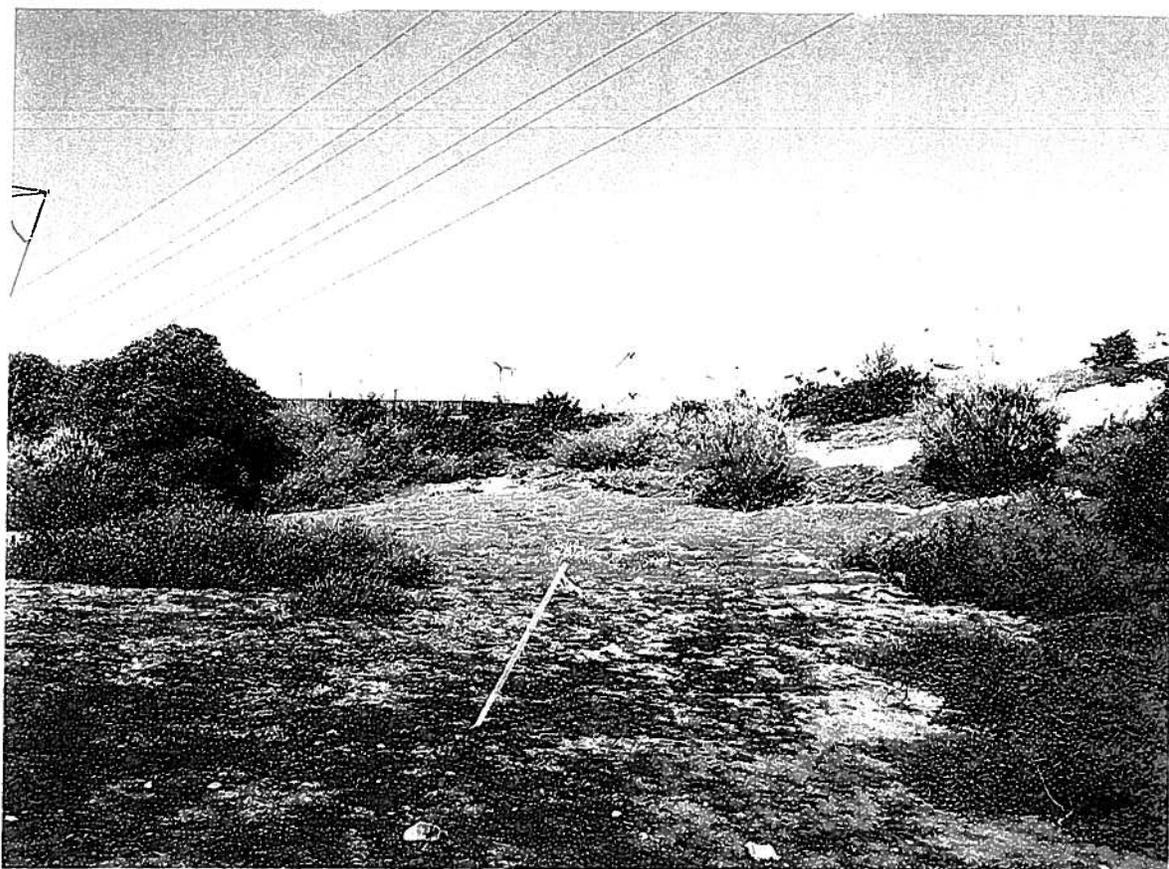
LOOKING NORTH AT PROPOSED EQUIPMENT AREA



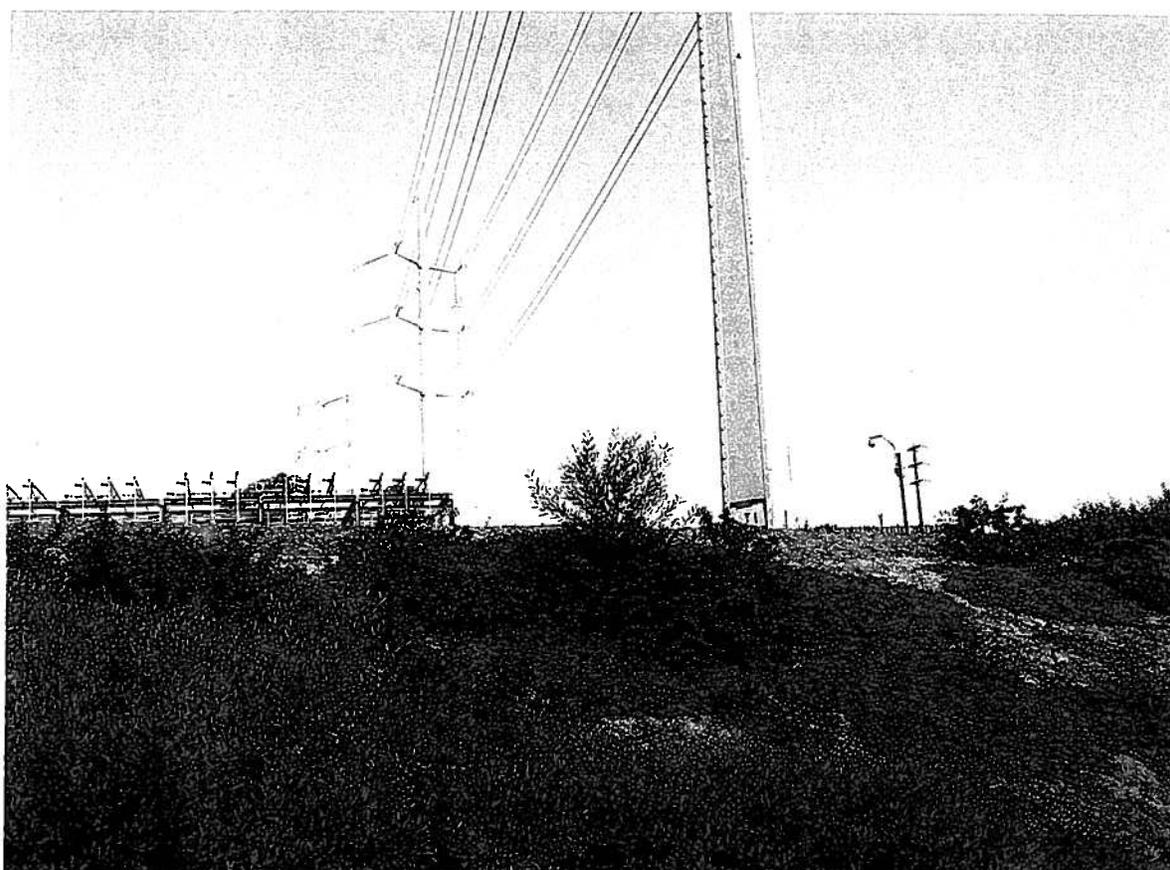
LOOKING SOUTHEAST AT PROPOSED EQUIPMENT AREA



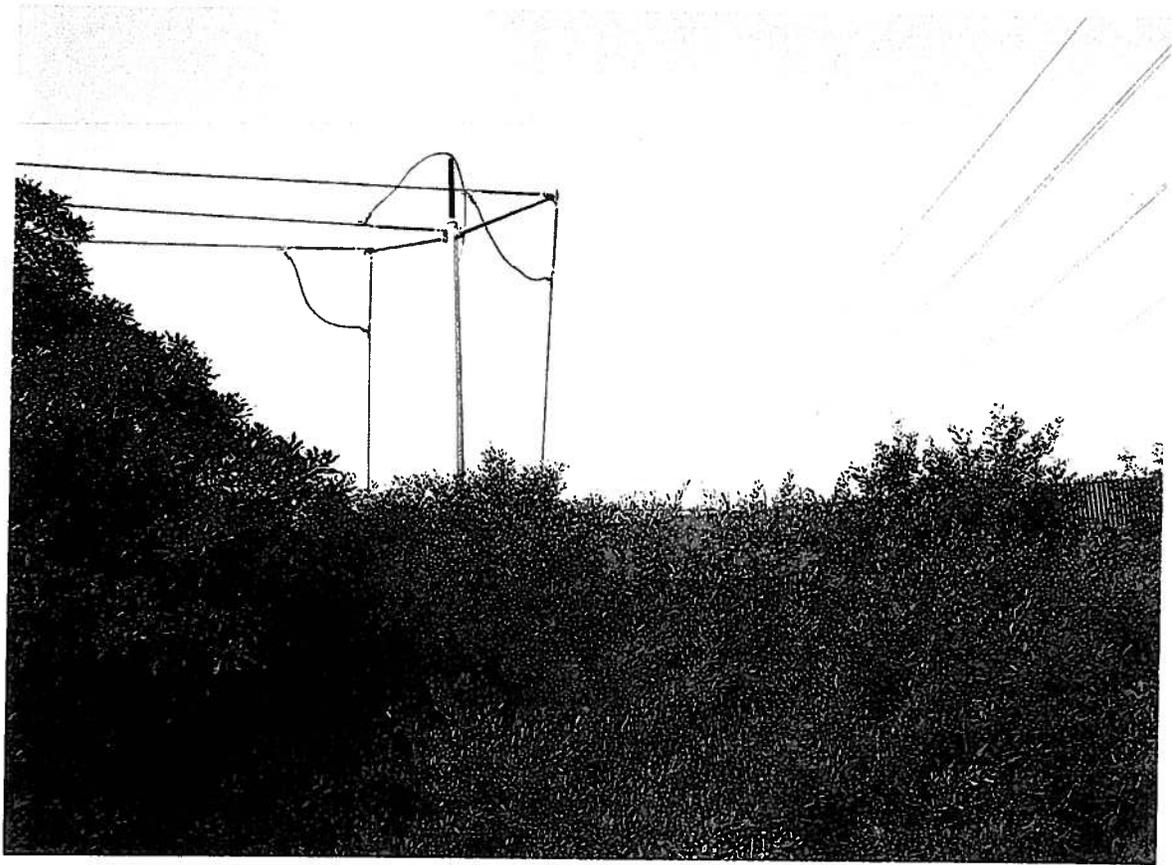
LOOKING SOUTH AT PROPOSED EQUIPMENT AREA



LOOKING NORTHWEST AT PROPOSED EQUIPMENT AREA



LOOKING NORTH FROM PROPOSED EQUIPMENT AREA



LOOKING WEST FROM PROPOSED EQUIPMENT AREA



LOOKING SOUTH FROM PROPOSED EQUIPMENT AREA



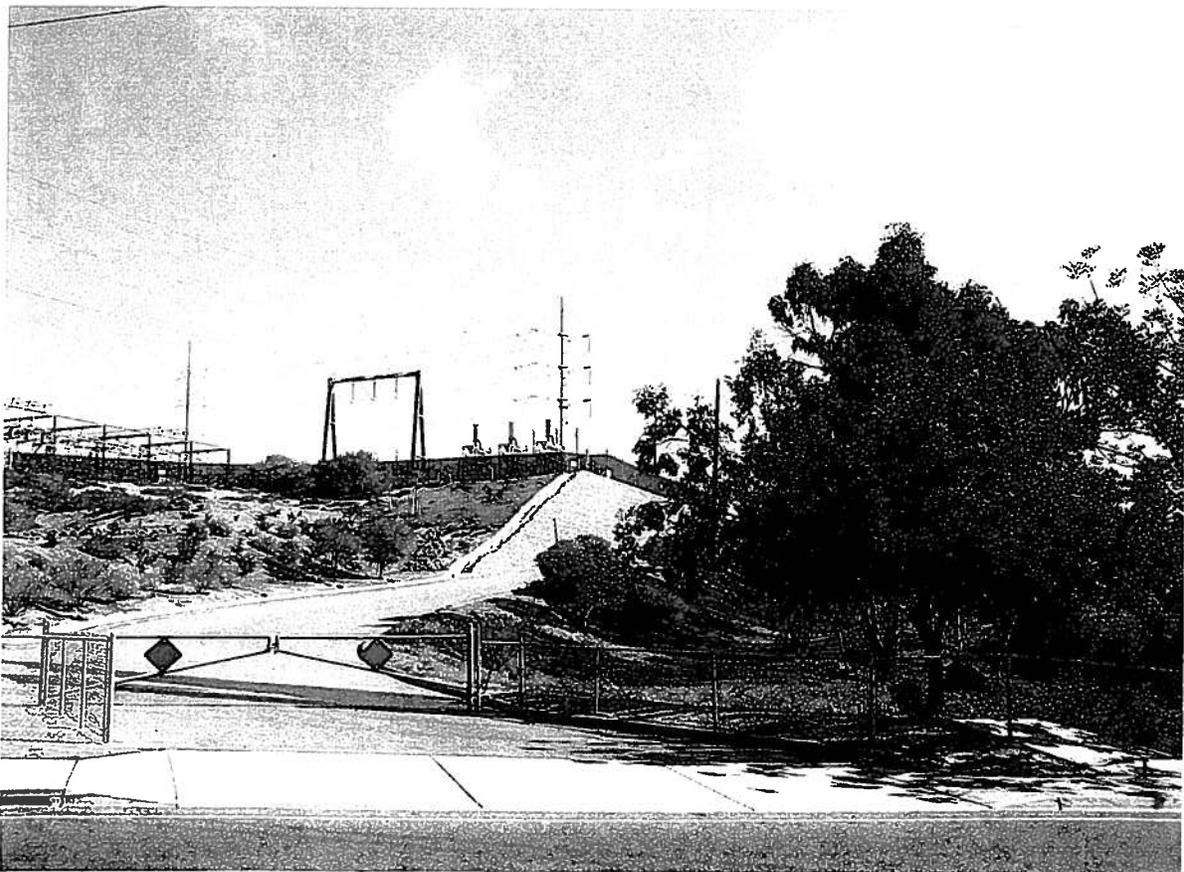
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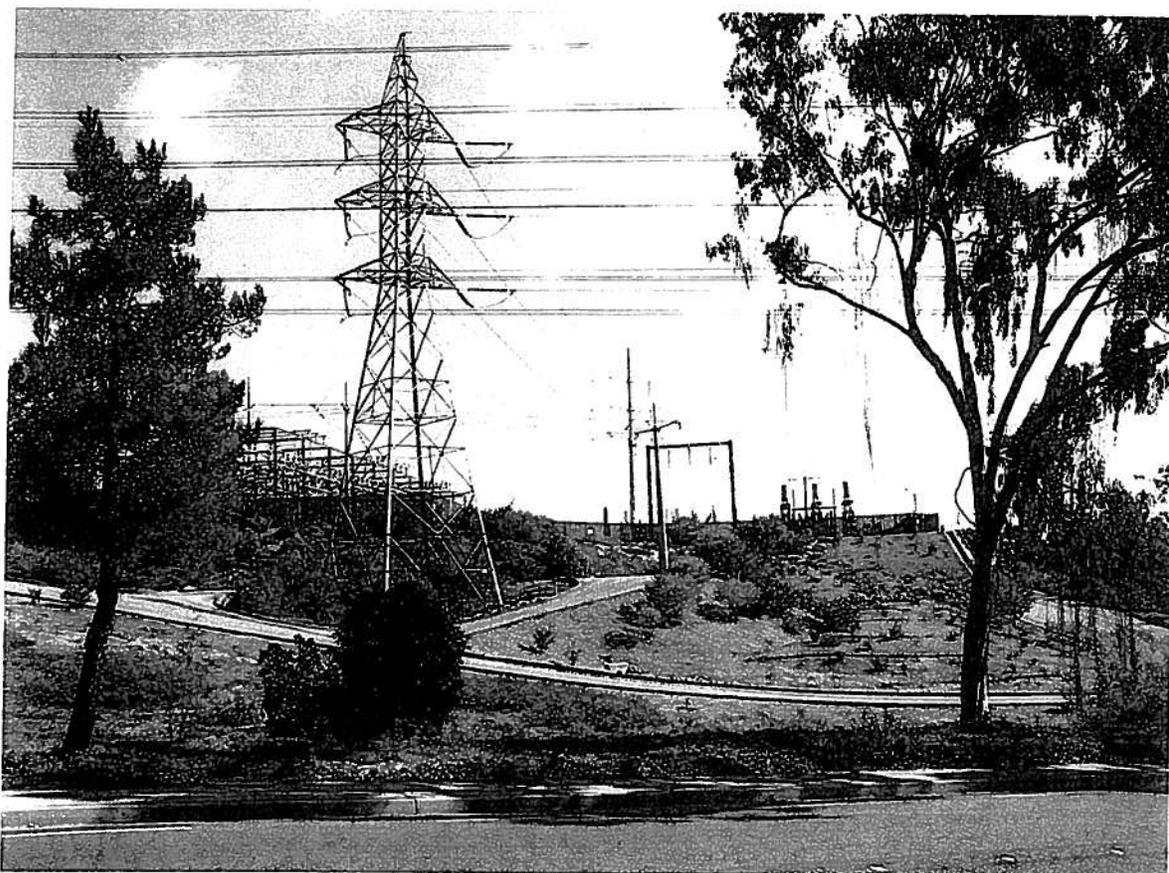
LOOKING EAST FROM PROPOSED EQUIPMENT AREA



LOOKING NORTHEAST FROM PROPOSED EQUIPMENT AREA



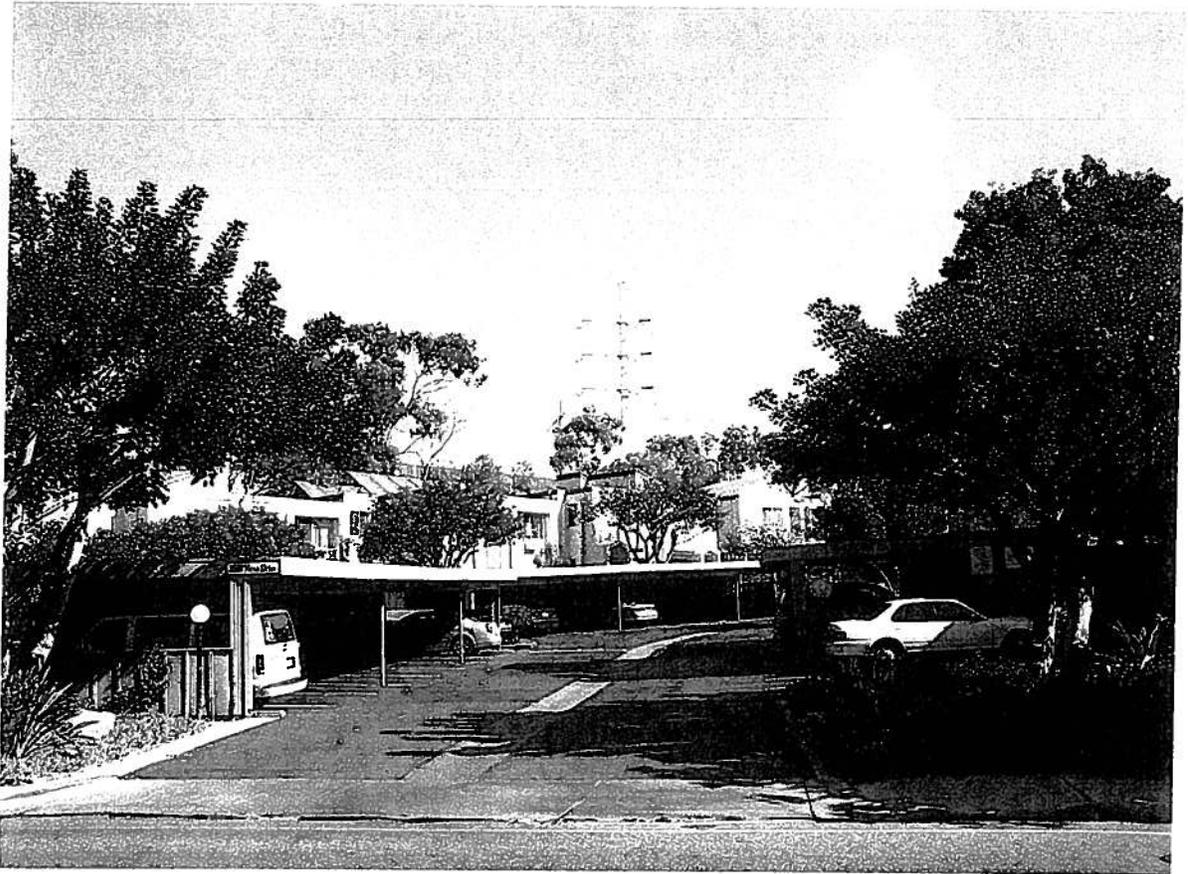
LOOKING NORTHEAST TOWARD SUBJECT PROPERTY FROM ACCESS ON MESA DRIVE



LOOKING EAST TOWARD SUBJECT PROPERTY FROM MESA DRIVE



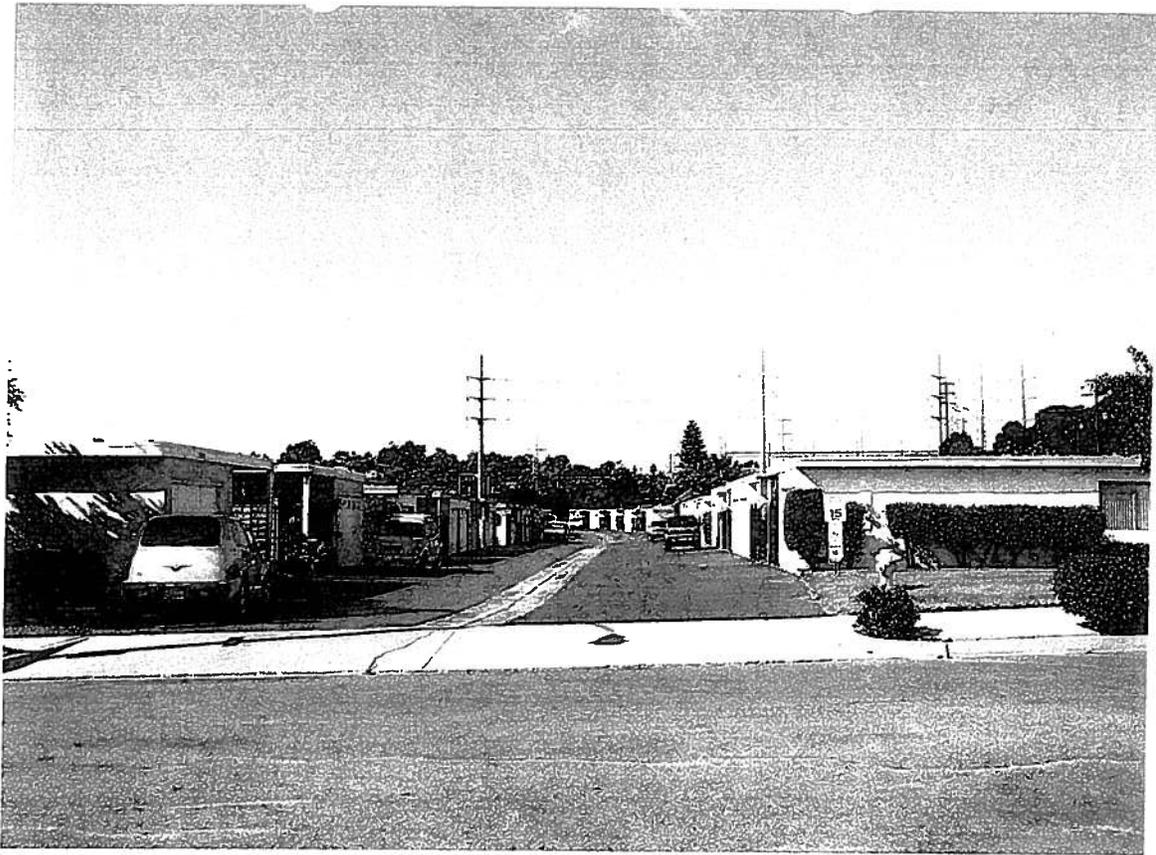
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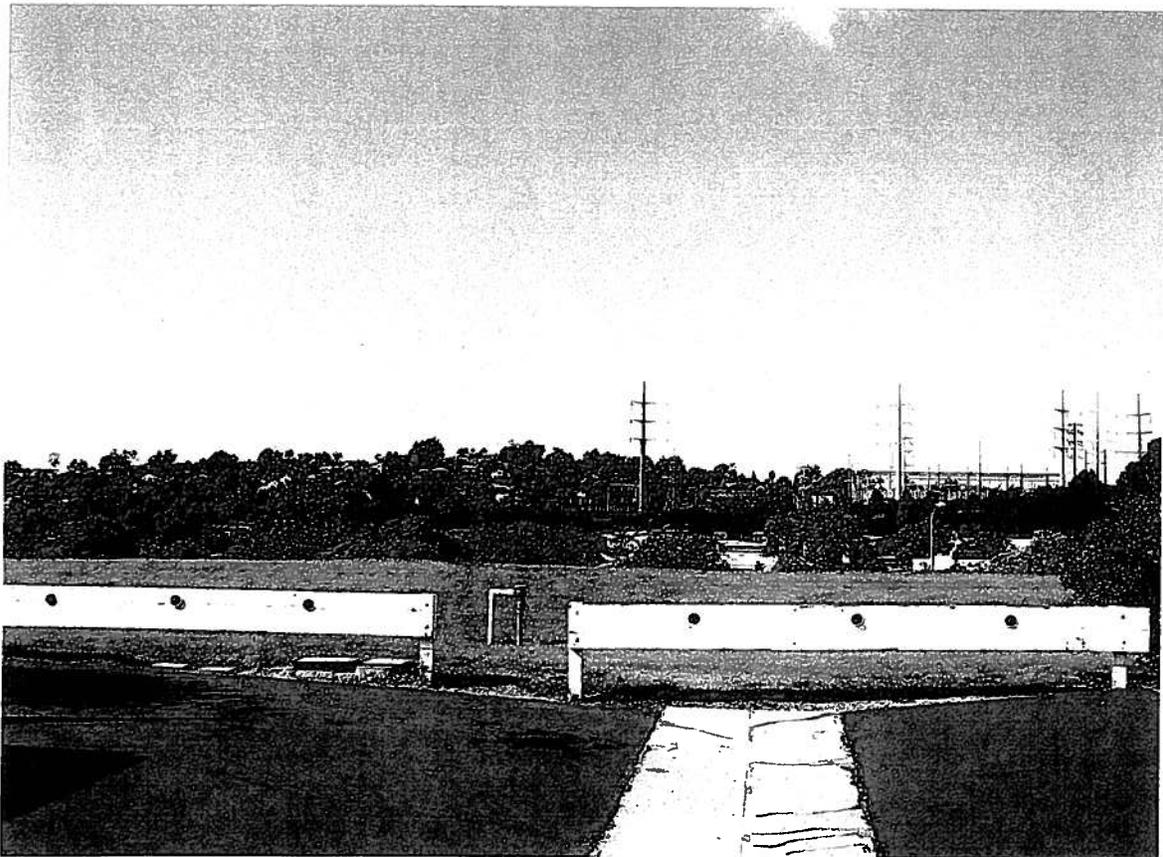
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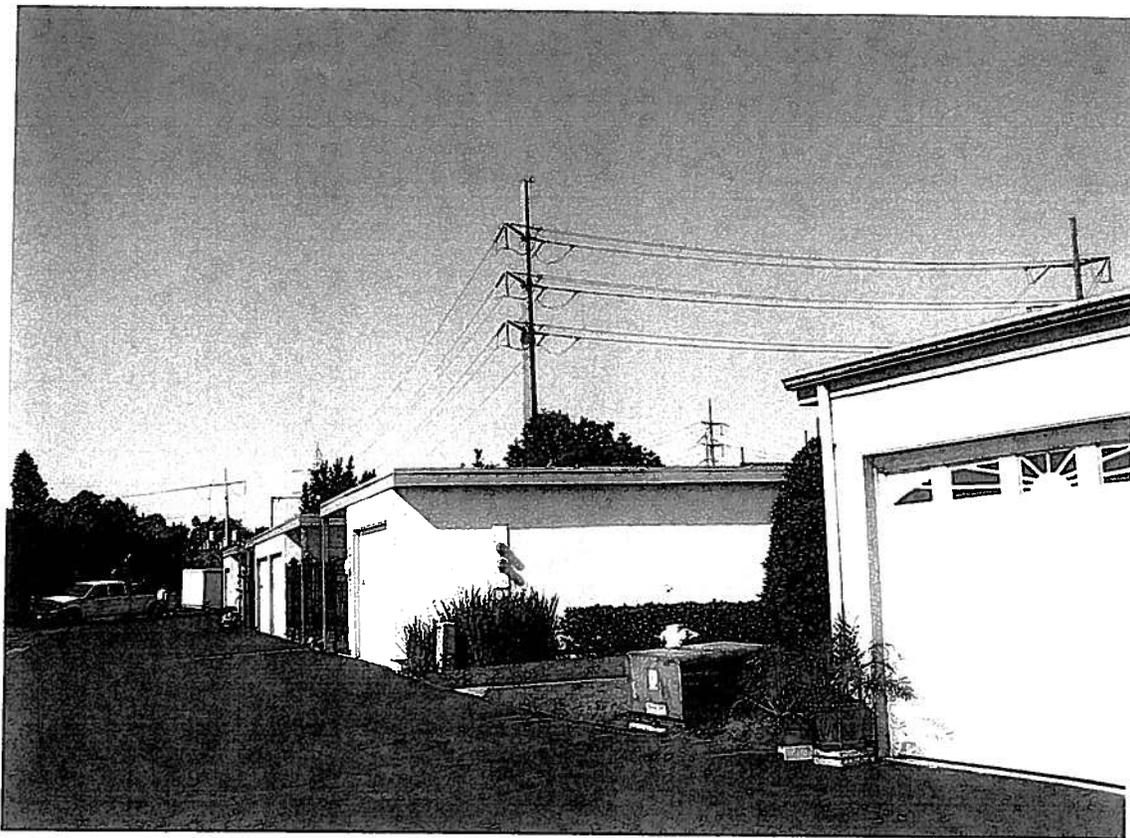
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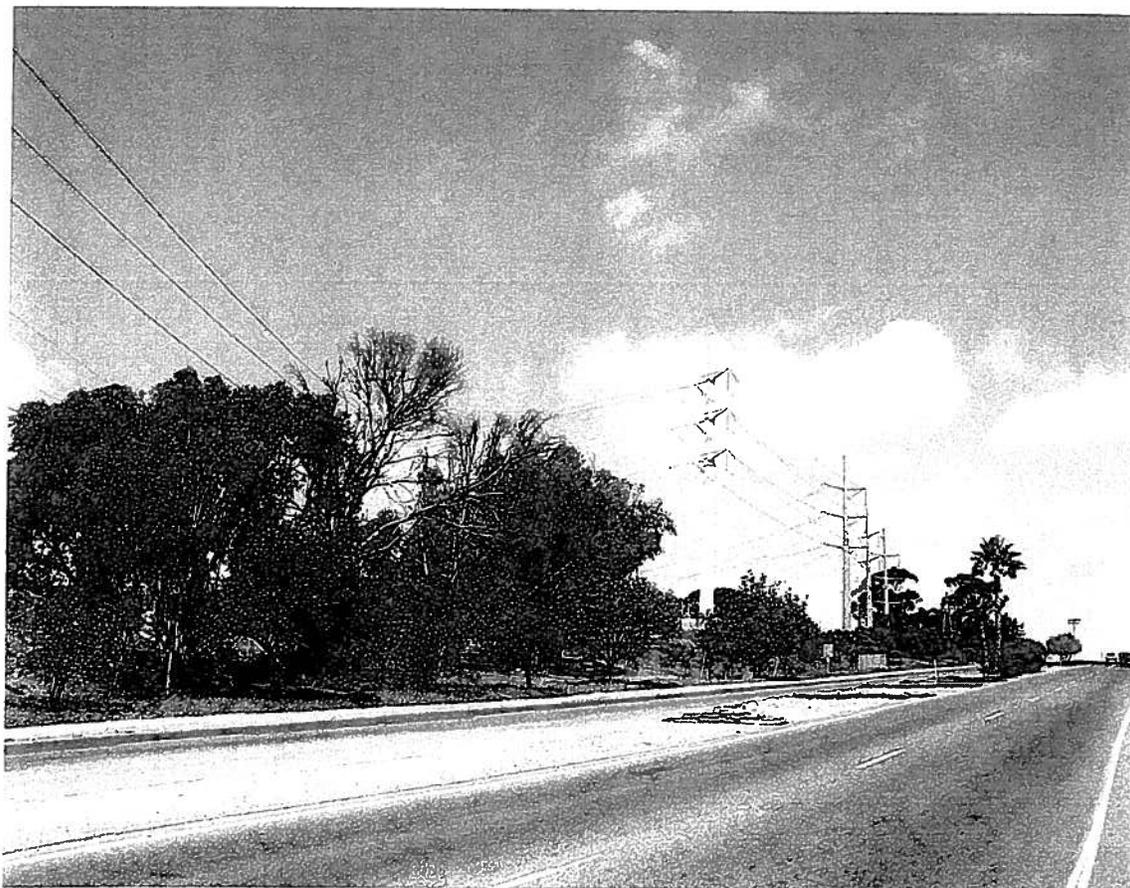
LOOKING WEST TOWARD SUBJECT PROPERTY FROM PEAR TREE LANE



LOOKING WEST TOWARD SUBJECT PROPERTY FROM PEAR BLOSSOM AVENUE



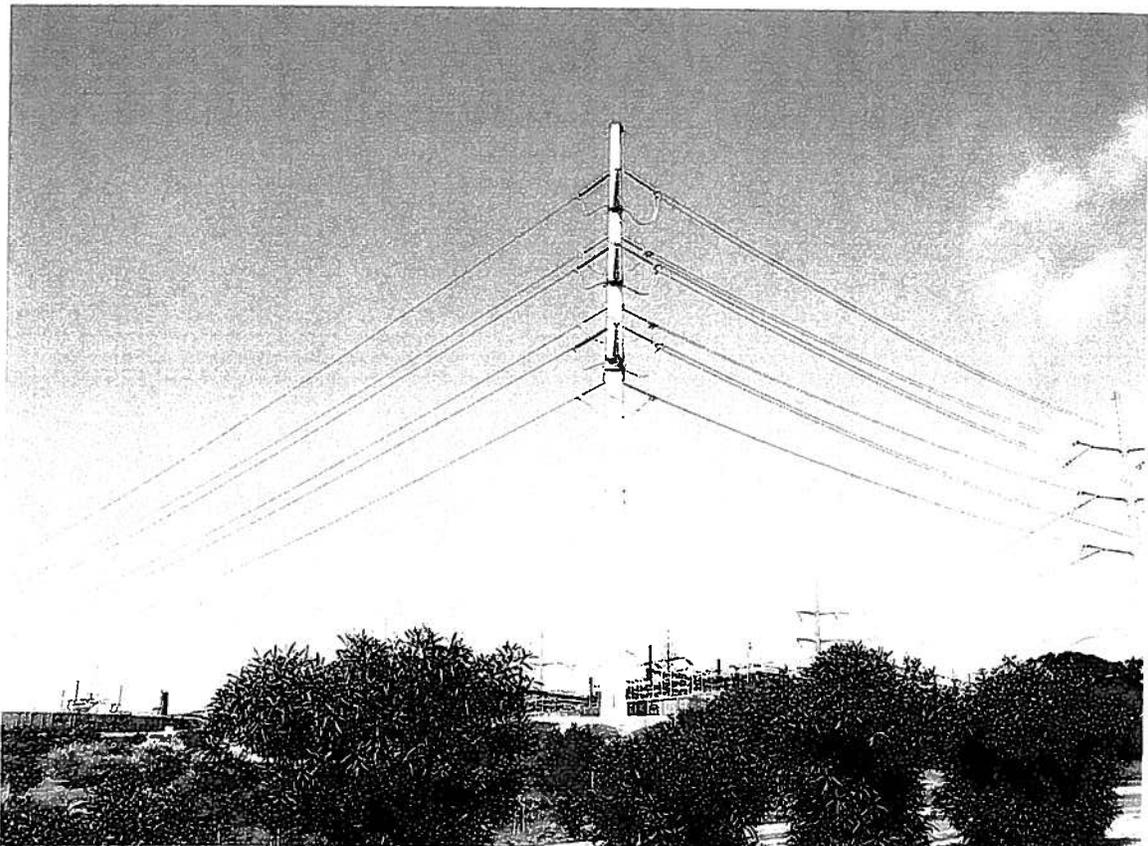
LOOKING WEST TOWARD SUBJECT PROPERTY FROM PEAR BLOSSOM DRIVE



LOOKING NORTHWEST TOWARD SUBJECT PROPERTY FROM EL CAMINO REAL



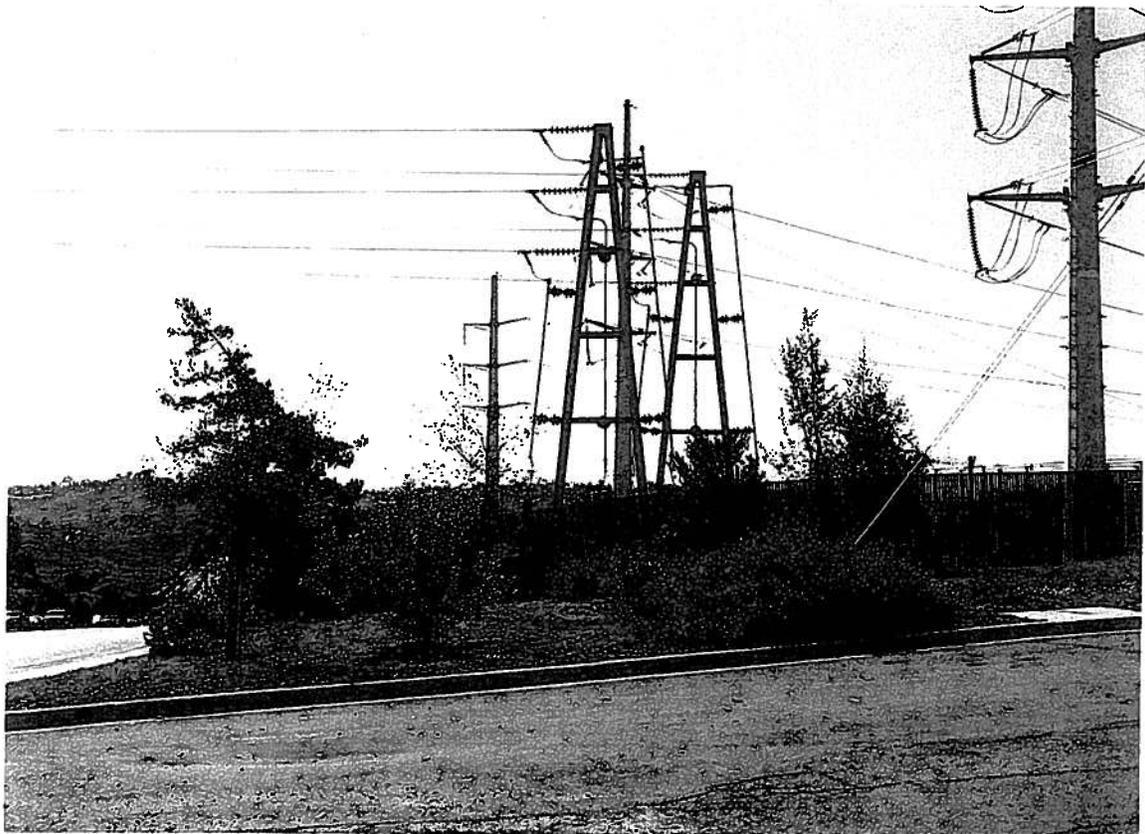
LOOKING WEST TOWARD SUBJECT PROPERTY FROM EL CAMINO REAL



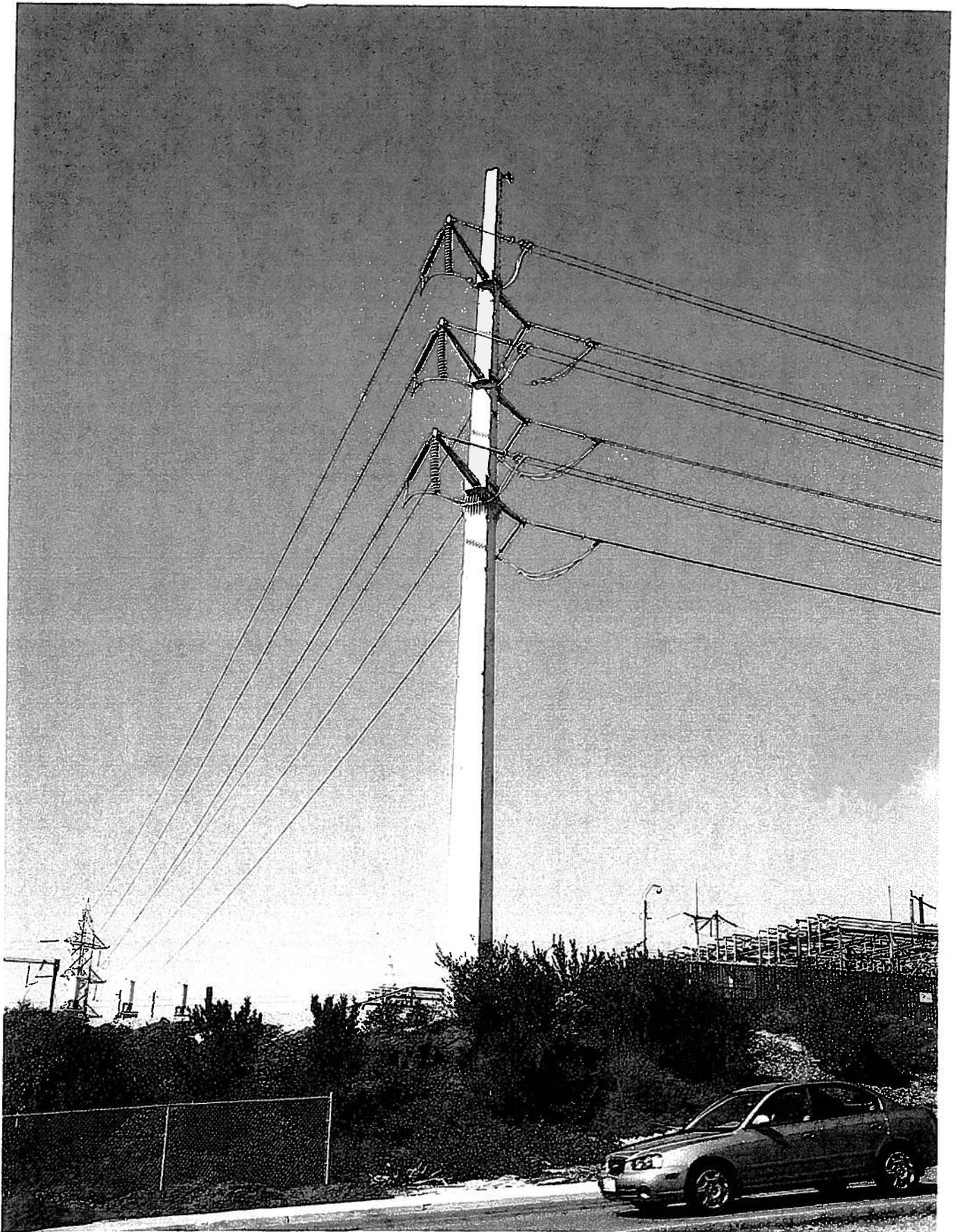
LOOKING WEST TOWARD SUBJECT PROPERTY FROM EL CAMINO REAL



LOOKING WEST TOWARD SUBJECT PROPERTY FROM EL CAMINO REAL



LOOKING SOUTH TOWARD SUBJECT PROPERTY FROM EL CAMINO REAL AND ACCESS ROAD



LOOKING NORTHWEST TOWARD SUBJECT PROPERTY FROM EL CAMINO REAL

1 PLANNING COMMISSION
2 RESOLUTION NO. 2008-P60

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 CONDITIONAL USE PERMIT ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: C-56-05
8 APPLICANTS: Sprint-Nextel
9 LOCATION: 801 El Camino Real, SDG&E Substation

10 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
11 RESOLVE AS FOLLOWS:

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting Conditional Use Permits under the provisions of
14 Articles 16, 30, and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

15 a stand-alone communication facility consisting of three antennas mounted to an existing
16 SDG&E steel pole and an ancillary 260 square-foot equipment shelter;
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 6th day
19 of October, 2008 conduct a duly advertised public hearing as prescribed by law to consider said
20 application;

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; this project has been found to be categorically exempt per Article 19 Section
23 15303 "new construction or conversion of small structures;"

24 WHEREAS, there is hereby imposed on the subject development project certain fees,
25 dedications, reservations and other exactions pursuant to state law and city ordinance;

26 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that
27 the project is subject to certain fees, dedications, reservations and other exactions as provided
28 below:

29 //////////////

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<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Vista

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law;

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020;

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

WHEREAS, the documents or other material which constitute the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Planning Division, 300 North Coast Highway, Oceanside, California 92054.

WHEREAS, studies and investigations made by this Commission and in its behalf reveal the following facts:

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1 FINDINGS:

2 For Conditional Use Permit C-56-05:

- 3 1. The proposed location of the stand-alone communication facility is in accord with the
4 objectives of the Zoning Ordinance, including Articles 16 and 30, and the purposes of
5 the PS District in which SDG&E Substation is located. The project has been designed
6 and specifically conditioned to comply with the site requirements of Articles 16 and 30.
- 7 2. The proposed location of the stand-alone communication facility and the proposed
8 conditions under which it would be constructed, operated, and maintained will be
9 consistent with the General Plan, including Land Use Element goals and objective
10 2.726. The stand-alone communication facility will not be detrimental to the public
11 health, safety or welfare of persons residing or working in or adjacent to the
12 neighborhood of such use. The stand-alone communication facility will not be
13 detrimental to properties or improvements in the vicinity or to the general welfare of the
14 City. The proposal supports General Plan community development goals to provide for
15 the efficient and aesthetic functioning of communication systems within the City.
- 16 3. The proposed stand-alone communication facility will comply with the provisions of the
17 Zoning Ordinance, including Sections 1630 and 3025 and has been designed to comply
18 with development standards set forth by Sections 1630 and 3025. The use has been
19 conditioned and designed to comply with the requirements for the operation and
20 maintenance of a stand-alone communication facility. The antennas are mounted to an
21 existing SDG&E steel pole and will be effectively disguised by the surrounding
22 environment and utility land use.

23 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
24 approve Conditional Use Permit C-56-05 subject to the following conditions:

24 Building:

- 25 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
26 Building Division plan check (Currently the 2007 California Building Code).
- 27 2. The granting of approval under this action shall in no way relieve the applicant/project
28 from compliance with all State and Local building codes.
- 29

- 1 3. Site development, parking, and the amphitheater shall comply with the State's Disabled
2 Accessibility Regulations (2007 C.B.C. Chapter 11B).
- 3 4. The building plans for this project are required by State law to be prepared by a licensed
4 architect or engineer and must comply with this requirement prior to submittal for
5 building plan review.
- 6 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the
7 property shall be underground (City Code Sec. 6.30).
- 8 6. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
9 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
10 other such lights may be utilized and shall be shown on building and electrical plans.
- 11 7. The developer shall monitor, supervise and control all building construction and
12 supporting activities so as to prevent these activities from causing a public nuisance,
13 including, but not limited to, strict adherence to the following:
- 14 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
15 p.m. Monday through Friday from 7:00 a.m. to 6:00 p.m. for work that is not
16 inherently noise-producing. No work shall be permitted on Sundays and Federal
17 Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving
18 Day, Christmas Day) except as allowed for emergency work under the provisions
19 of the Oceanside City Code Chapter 38 (Noise Ordinance). Work on Saturday is
20 prohibited, unless otherwise approved by County of San Diego Department of
21 General Services.
- 22 b) The construction site shall be kept reasonably free of construction debris as
23 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
24 approved solid waste containers shall be considered compliance with this
25 requirement. Small amounts of construction debris may be stored on-site in a neat,
26 safe manner for short periods of time pending disposal.
- 26 8. A separate unique address will be required to facilitate utility releases.
- 27 9. A soils report, structural calculations, and energy calculations must be submitted at the
28 time that the plans are submitted to the Building Division.
- 29

1 10. The plans submitted must meet all requirements of the recently adopted 2007 California
2 Building Code, California Mechanical Code, and California Electrical Code.

3 **Fire:**

4 11. Cell sites are required to have a final inspection by the Fire Department.

5 12. Fire Department Plan Review will require the quantity of lead acid batteries proposed.
6 In addition, the electrolyte volume will need to be provided for the batteries. Please
7 indicate the amounts on the plans.

8 13. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
9 approval prior to the issuance of building permits.

10 **Engineering:**

11 14. If the project involves demolition of an existing structure or surface improvements, the
12 grading plans shall be submitted and erosion control plans be approved by the City
13 Engineer prior to the issuance of a demolition permit. No demolition shall be permitted
14 without an approved erosion control plan.

15 15. All right-of-way alignments, street dedications, exact geometrics and widths shall be
16 dedicated and improved as required by the City Engineer.

17 16. Design and construction of all improvements shall be in accordance with standard plans,
18 specifications of the City of Oceanside and subject to approval by the City Engineer.

19 17. The approval of the project shall not mean that closure, vacation, or abandonment of any
20 public street, right-of-way, easement, or facility is granted or guaranteed to the
21 applicant. The applicant is responsible for applying for all closures, vacations, and
22 abandonments as necessary. The application(s) shall be reviewed and approved or
23 rejected by the City of Oceanside under separate process(es) per codes, ordinances, and
24 policies in effect at the time of the application.

25 18. Prior to the issuance of a grading permit, the developer shall notify and host a
26 neighborhood meeting with all of the area residents located within 300 feet of the
27 project site, and residents of property along any residential streets to be used as a "haul
28 route", to inform them of the grading and construction schedule, haul routes, and to
29 answer questions.

- 1 19. The developer shall monitor, supervise and control all construction and construction-
2 supportive activities, so as to prevent these activities from causing a public nuisance,
3 including but not limited to, insuring strict adherence to the following:
- 4 a) Dirt, debris and other construction material shall not be deposited on any public
5 street or within the City's stormwater conveyance system.
- 6 b) All grading and related site preparation and construction activities shall be limited
7 to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering
8 related construction activities shall be conducted on Saturdays, Sundays or legal
9 holidays unless written permission is granted by the City Engineer with specific
10 limitations to the working hours and types of permitted operations. All on-site
11 construction staging areas shall be as far as possible (minimum 100 feet) from any
12 existing residential development. Because construction noise may still be intrusive
13 in the evening or on holidays, the City of Oceanside Noise Ordinance also
14 prohibits "any disturbing excessive or offensive noise which causes discomfort or
15 annoyance to reasonable persons of normal sensitivity."
- 16 20. The construction site shall accommodate the parking of all motor vehicles used by
17 persons working at or providing deliveries to the site.
- 18 21. A haul route shall be obtained at least 7 days prior the start of hauling operations and
19 must be approved by the City Engineer. Hauling operations shall be 8:00 a.m. to 3:30
20 p.m. unless approved otherwise.
- 21 22. A traffic control plan shall be prepared according to the City traffic control guidelines
22 and be submitted to and approved by the City Engineer prior to the start of any work
23 within open City rights-of-way. Traffic control during construction of streets that have
24 been opened to public traffic shall be in accordance with construction signing, marking
25 and other protection as required by the Caltrans Traffic Manual and City Traffic Control
26 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
27 approved otherwise.
- 28 23. Approval of this development project is conditioned upon payment of all applicable
29 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside
City Code. All drainage fees, traffic signal fees and contributions, highway

1 thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and
2 deposits shall be paid prior to recordation of the map or the issuance of any building
3 permits, in accordance with City Ordinances and policies. The applicant shall also be
4 required to join into, contribute, or participate in any improvement, lighting, or other
5 special district affecting or affected by this project.

6 24. Sight distance requirements at the project driveway or street shall conform to the corner
7 sight distance criteria as provided by S.D.R.S.D. DS-20A and or DS-20B.

8 25. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
9 construction of the project, shall be repaired or replaced as directed by the City
10 Engineer.

11 26. Grading and drainage facilities shall be designed and installed to adequately
12 accommodate the local stormwater runoff and shall be in accordance with the City's
13 Engineers Manual and as directed by the City Engineer.

14 27. The applicant shall obtain any necessary permits and clearances from all public agencies
15 having jurisdiction over the project due to its type, size, or location, including but not
16 limited to the US Army Corps of Engineers, California Department of Fish & Game, US
17 Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
18 (including N.P.D.E.S.), San Diego County Health Department, prior to the issuance of
19 grading permits.

20 28. The approval of the project shall not mean that proposed grading or improvements on
21 adjacent properties (including any City properties/right-of-way or easements) is granted
22 or guaranteed to the developer. The developer is responsible for obtaining permission
23 to grade to construct on adjacent properties.

24 29. Prior to any grading of any part of the tract or project, a comprehensive soils and
25 geologic investigation shall be conducted of the soils, slopes, and formations in the
26 project. All necessary measures shall be taken and implemented to assure slope
27 stability, erosion control, and soil integrity. No grading shall occur until a detailed
28 grading plan, to be prepared in accordance with the Grading Ordinance and Zoning
29 Ordinance, is approved by the City Engineer.

1 30. This project shall provide year-round erosion control including measures for the site
2 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
3 control plan, designed for all proposed stages of construction, shall be reviewed, secured
4 by the applicant with cash securities and approved by the City Engineer.

5 31. A precise grading plan shall be prepared, reviewed, secured and approved prior to the
6 issuance of any building permits. The plan shall reflect all pavement, flatwork,
7 landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
8 footprints of all structures, walls, drainage devices and utility services. Parking lot
9 striping and any on-site traffic calming devices shall be shown on all Precise Grading
10 and Private Improvement Plans.

11 32. Landscaping plans, including plans for the construction of walls, fences or other
12 structures at or near intersections, must conform to intersection sight distance
13 requirements. Landscape and irrigation plans for disturbed areas must be submitted to
14 the City Engineer prior to the issuance of a preliminary grading permit and approved by
15 the City Engineer prior to the issuance of occupancy permits. Frontage and median
16 landscaping shall be installed prior to the issuance of any certificates of occupancy.
17 Any project fences, sound or privacy walls and monument entry walls/signs shall be
18 shown on, bonded for and built from the landscape plans. These features shall also be
19 shown on the precise grading plans for purposes of location only. Plantable, segmental
20 walls shall be designed, reviewed and constructed by the grading plans and
21 landscaped/irrigated through project landscape plans. All plans must be approved by
22 the City Engineer and a pre-construction meeting held, prior to the start of any
23 improvements.

24 33. The drainage design on the project is conceptual only. The final design shall be based
25 upon a hydrologic/hydraulic study to be approved by the City Engineer during final
26 engineering. All drainage picked up in an underground system shall remain
27 underground until it is discharged into an approved channel, or as otherwise approved
28 by the City Engineer. All public storm drains shall be shown on City standard plan and
29 profile sheets. All storm drain easements shall be dedicated where required. The

1 applicant shall be responsible for obtaining any off-site easements for storm drainage
2 facilities.

3 34. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
4 disposed of in accordance with all state and federal requirements, prior to stormwater
5 discharge either off-site or into the City drainage system.

6 35. The development shall comply with all applicable regulations established by the United
7 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
8 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
9 stormwater discharge and any regulations adopted by the City pursuant to the
10 N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file
11 a Notice of Intent with the State Water Resources Control Board to obtain coverage
12 under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with
13 Construction Activity and may be required to implement a Storm Water Pollution
14 Prevention Plan (S.W.P.P.P.) concurrent with the commencement of grading activities.
15 S.W.P.P.P.s include both construction and post construction pollution prevention and
16 pollution control measures and identify funding mechanisms for post construction
17 control measures. The developer shall comply with all the provisions of the Clean
18 Water Program during and after all phases of the development process, including but
19 not limited to: mass grading, rough grading, construction of street and landscaping
20 improvements, and construction of dwelling units. The applicant shall design the
21 Project's storm drains and other drainage facilities to include Best Management
22 Practices to minimize non-point source pollution, satisfactory to the City Engineer.

23 36. Upon acceptance of any fee waiver or reduction by the applicant, the entire project will
24 be subject to prevailing wage requirements as specified by Labor Code section
25 1720(b)(4). The applicant shall agree to execute a form acknowledging the prevailing
26 wage requirements prior to the granting of any fee reductions or waivers.

27 37. The applicant shall provide a copy of the title cover page of either an approved
28 S.W.M.P. or Runoff Assessment Report (R.A.R.) with the first engineering submittal
29 package. If the project triggers the City's stormwater requirements but no approved
stormwater document (S.W.M.P. or R.A.R.) exists, the appropriate document shall be

1 submitted for review and approval by the Public Works Department. The R.A.R. or
2 S.W.M.P. shall be prepared by the applicant's Civil Engineer. All stormwater
3 documents shall comply with the latest edition of submission requirements.

4 38. Landscape plans, shall be prepared to the satisfaction of County of San Diego
5 Department of Parks and Recreation and shall meet the criteria of the City of Oceanside
6 Landscape Guidelines and Specifications for Landscape Development, Water
7 Conservation Ordinance No. 91-15, Engineering criteria, City code and ordinances,
8 including the maintenance of such landscaping, shall be reviewed and approved by the
9 City Engineer prior to the issuance of building permits. Landscaping shall be installed
10 prior to the issuance of Building Permits. Landscaping shall not be installed until bonds
11 have been posted, fees paid, and plans signed for final approval. The following special
12 landscaping requirements shall be required prior to plan approval:

- 13 a) Final landscape plans shall accurately show placement of all plant material such as
14 but not limited to trees, shrubs, and groundcovers.
- 15 b) The applicant's Landscape Architect shall verify utility, sewer, storm drain
16 easement and place planting locations accordingly to meet City of Oceanside
17 requirements.
- 18 c) All required landscape areas shall be maintained by the County of San Diego
19 Department of Parks and Recreation. The landscape areas shall be maintained per
20 City of Oceanside requirements.
- 21 d) Proposed landscape species shall be native or naturalized to fit the site and meet
22 climate changes indicative to their planting location. The selection of plant
23 material shall also be based on cultural, aesthetic, and maintenance considerations.
24 In addition proposed landscape species shall be low water users as well as meet all
25 Fire Prevention Bureau requirements.
- 26 e) All planting areas shall be prepared with appropriate soil amendments, fertilizers,
27 and appropriate supplements based upon a soils report from an agricultural
28 suitability soil sample taken from the site.
- 29 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
from the sun, evapotranspiration and run-off. All the flower and shrub beds shall

1 be mulched to a 3” depth to help conserve water, lower the soil temperature and
2 reduce weed growth.

3 g) The shrubs shall be allowed to grow in their natural forms. All landscape
4 improvements shall follow the City of Oceanside Guidelines.

5 h) Proposed screening shrub Ceanothus ‘Joyce Coulter’ – California Lilac – at one-
6 gallon size has a tendency to die out too quickly as opposed to some other
7 screening shrubs. An alternate screening shrub shall be proposed to be 5-gallon in
8 size that is more rugged, hardy, and has more longevity for this location.

9 i) Proposed grove trees Quercus agrifolia – Coast Live Oak – are an excellent choice
10 for this application. Unfortunately, Coast Live Oak is a slow growing tree and will
11 take awhile to grow into the ‘grove’ as proposed from 15-gallon container stock.
12 Coast Live Oak shall be upgraded to be planted as 24” box trees.

13 j) Root barriers shall be installed adjacent to all paving surfaces, where a paving
14 surface is located within six feet of a tree’s trunk. Root barriers shall extend five
15 feet in each direction from the centerline of the trunk, for a total distance of 10
16 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the
17 tree’s root ball is unacceptable.

18 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
19 obtain the City Planner’s approval for these items in the conditions or application
20 stage prior to 1st submittal of working drawings.

21 l) For the planting and placement of trees and their distances from hardscape and
22 other utilities and or structures, the landscape plans shall follow the City of
23 Oceanside’s Tree Planting Distances and Spacing Standards.

24 m) An automatic irrigation system shall be installed to provide coverage for all
25 planting areas shown on the plan. Low precipitation equipment shall provide
26 sufficient water for plant growth with a minimum water loss due to water run-off.

27 n) Irrigation systems shall use high quality, automatic control valves, backflow
28 preventers, controllers and other necessary irrigation equipment. All components
29 shall be of non-corrosive material. All drip systems shall be adequately filtered
and regulated per the manufacturer’s recommended design parameters.

- 1 o) All irrigation improvements shall follow the City of Oceanside Guidelines and
2 Water Conservation Ordinance.
- 3 p) The landscape plans shall match all plans affiliated with the project.
- 4 q) Landscape plans shall comply with Biological and/or Geotechnical reports, as
5 required, shall match the grading and improvement plans, comply with S.W.M.P.
6 Best Management Practices and meet the satisfaction of the City Engineer.
- 7 r) Existing landscaping on and adjacent to the site shall be protected in place and
8 supplemented or replaced to meet the satisfaction of the City Engineer.

9 39. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
10 and within any adjoining public parkways shall be permanently maintained by the
11 owner, his assigns or any successors-in-interest in the property. The maintenance
12 program shall include: a) normal care and irrigation of the landscaping b) repair and
13 replacement of plant materials c) irrigation systems as necessary d) general cleanup of
14 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure
15 to maintain landscaping shall result in the City taking all appropriate enforcement
16 actions including but not limited to citations.

17 40. In the event that the conceptual landscape plan (CLP) does not match the conditions of
18 approval, the resolution of approval shall govern.

19 **Planning:**

20 41. The Conditional Use Permit C-56-05 is granted for the following: the construction and
21 operation of a stand-alone communication facility, subject to the conditions adopted
22 herein. The stand-alone communication facility shall consist of three antenna mounted to
23 an existing SDG&E steel pole. The top of the antennas shall not exceed 41 feet above the
24 existing grade. The equipment shelter shall not exceed 260 square feet in area and eight
25 feet in height.

26 42. Appropriate building permits shall be obtained prior to the construction, replacement, or
27 repair of the communication facility. Appropriate building permits shall be obtained
28 prior to the replacement of any approved antennas.
29

- 1 43. The conditional use permit shall be limited to a term of 10 years. However, the
2 conditional use permit may be renewed in accordance with the provisions of the Zoning
3 Ordinance.
- 4 44. Conditional Use Permit C-56-05 shall lapse two years after the effective date of
5 approval unless implemented as provided in Section 4108.A of the Zoning Ordinance.
- 6 45. Conditional Use Permit C-56-05 shall be called for review by the Planning Commission
7 if complaints are filed and verified as valid by the City Planner or the Code
8 Enforcement Officer concerning the violation of any of the approved conditions or the
9 project assumptions demonstrated under the application approval. Any apparent
10 inconsistency resulting from the construction of the approved facility shall be a basis for
11 a call for the review of the Conditional Use Permit.
- 12 46. The validity of Conditional Use Permit C-56-05 shall not be affected by changes in
13 ownership or tenants.
- 14 47. Conditional Use Permit C-56-05 shall lapse if the exercise of rights granted by it is
15 discontinued for six consecutive months.
- 16 48. Conditional Use Permit C-56-05 that are exercised in violation of a condition of
17 approval or a provision of the Zoning Ordinance may be revoked, as provided in Section
18 4706. Failure to meet any conditions of approval for this development shall constitute a
19 violation of the Conditional Use Permit.
- 20 49. A request for changes in conditions of approval for a use permit or a change to the
21 approved plans that would affect a condition of approval shall be treated as a new
22 application. The City Planner may waive the requirements for a new application if the
23 changes requested are minor, do not involve substantial alterations or addition to the
24 plan or the conditions of approval, and are consistent with the intent of the project's
25 approval or otherwise found to be in substantial conformance.
- 26 50. Conditional Use Permit C-56-05 may be revised or renewed in accordance with the
27 provisions of the Zoning Ordinance. The application for Conditional Use Permit
28 revision or renewal shall also be evaluated against the existing land use policies and any
29 site area and neighborhood changes.

1 51. A single equipment shelter shall house all ancillary equipment associated with the
2 operation of any communication facility. The use of this structure shall not result in
3 noise levels that exceed local municipal code requirements. The structure shall be
4 constructed as shown on the plans and exhibits presented to the Planning Commission
5 for their review and approval and as described in the following detail:

- 6 a) All necessary mechanical equipment shall be located within this structure.
- 7 b) There may be a total of 2 GPS antennas associated with this site. Any GPS
8 antenna installed shall not exceed eight feet in height and shall not be visible from
9 the exterior facade of the structure.
- 10 c) The peak of the equipment shelter shall not exceed eight feet above the existing
11 grade.
- 12 d) Air condition units and other computer equipment shall operate within the noise
13 limits set forth by the City of Oceanside Municipal Codes, Chapter 38.
- 14 e) Use of a generator is not proposed. Emergency power supply is a gel pack battery
15 source and is not a flammable liquid source. No generator or hook up shall be
16 permitted without a revision to the use permit.

17 52. Prior to the transfer of ownership and/or operation of the stand-alone communication
18 facility, the owner and/or operator shall provide a written copy of the application, staff
19 report, and resolution for the project to the new owner and/or operator. The notification
20 requirement shall run with the life of the project.

21 53. Unless expressly waived, all current zoning standards and City ordinances and policies
22 in effect at the time building permits are issued are required to be met by this project.
23 The approval of this project constitutes the applicant's agreement with all statements in
24 the project Description and Justification and other materials and information submitted
25 with this application, unless specifically waived by an adopted condition of approval.

26 54. Prior to the issuance of building permits, compliance with the applicable provisions of
27 the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be
28 reviewed and approved by the Planning Division. These requirements, including the
29 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be

1 noted on the Landscape Plan and shall be included in the applicant's amendment to their
2 lease.

3 55. Upon termination of the approved communication facility use, the permittee and or
4 tenant and or property owner shall be responsible to removing the entire facility from
5 the premises and repairing the site to its original condition.

6 56. The colors of the exterior surfaces of the structures shall be tones compatible with the
7 surrounding landscape and not bright, glossy, or otherwise visually out of character with
8 the natural setting.

9 57. The proposed equipment shelter shall be low-lying and have a maximum height of eight
10 feet. The communication facility structures shall blend with the surrounding natural
11 landscape. As such, the appearance of the facilities shall not detract from the views of
12 the natural lands.

13 **Water:**

14 58. The developer will be responsible for developing all water and sewer utilities necessary
15 to develop the property. Any relocation of water and/or sewer utilities is the
16 responsibility of the developer and shall be done by an approved licensed contractor at
17 the developer's expense.

18 59. The following conditions shall be met prior to the approval of engineering design plans.
19 No trees, structures or building overhang shall be located within any water or
20 wastewater utility easement.

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1 60. The following conditions shall be met prior to the approval of engineering design plans.
2 If landscaping is required as part of this development and the intent is to connect to the
3 existing separate irrigation system for this system, then an agreement letter between the
4 developer and the property owner shall be provided to the Water Utilities Department
5 indicating the property owner's permission for an irrigation service tie-in.

6 PASSED AND ADOPTED Resolution No. 2008-P60 on October 6, 2008 by the
7 following vote, to wit:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

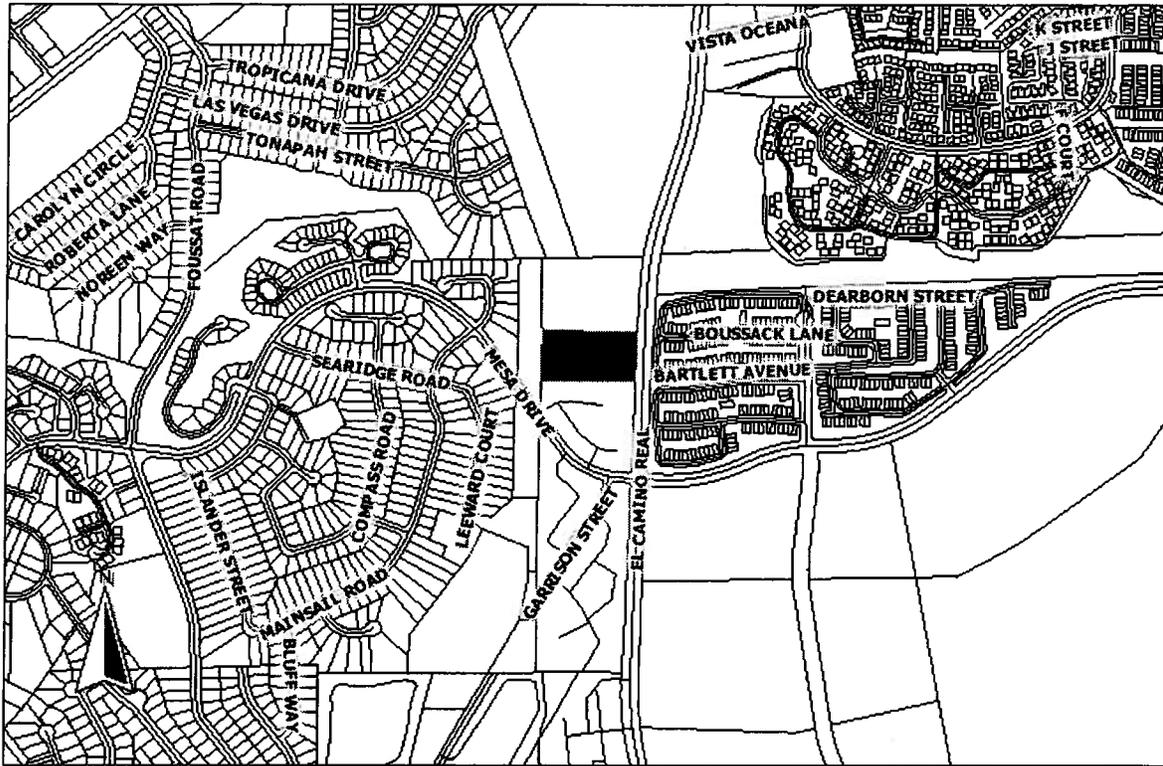
12
13 _____
14 Claudia Troisi, Chair
15 Oceanside Planning Commission

16 ATTEST:

17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2008-P60.

21
22 Dated: October 6, 2008
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Fire Number: C-56-05

Applicant: Sprint-Nextel

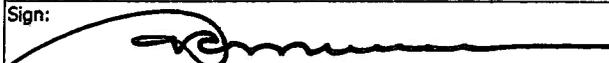
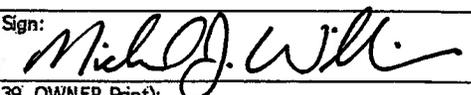
Description:

CONDITIONAL USE PERMIT (C-56-05) for the construction and operation of a stand-alone communication facility. The project is located at 801 El Camino Real and situated within the PS (Public Semi-Public) District, and the Loma Alta Neighborhood. – **SPRINT @ SDG&E SUBSTATION**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054 (760) 435-3520

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				ACCEPTED	BY
				SN 11/23/2005	
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT Sprint, PCS		2. STATUS Applicant		GPA	
3. ADDRESS 2650 Camino del Rio N., Ste. 100 San Diego, CA 92108		4. PHONE/FAX 619-220-7805		MASTER/SP.PLAN	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Doug Munson				ZONE CH.	
6. ADDRESS PO Box 55 Poway, CA 92074		7. PHONE/FAX 760-390-7727		TENT. MAP	
PART II - PROPERTY DESCRIPTION				PAR. MAP	
8. LOCATION 801 El Camino Real			9. SIZE 295 sq. ft.		
10. GENERAL PLAN CI-Civic Inst.	11. ZONING PS-Public Space	12. LAND USE Semi-Public	13. ASSESSOR'S PARCEL NUMBER 162-020-10		
PART III - PROJECT DESCRIPTION				DEV. PL.	
14. GENERAL PROJECT DESCRIPTION Sprint proposes to install a three sector installation with one antenna per sector supported on an existing SDG&E monopole with associated radio and power equipment within a six foot high chain link fence surrounded by landscaping. <i>REV - 4/10/08, 6/26/08</i>					
15. PROPOSED GENERAL PLAN Same	16. PROPOSED ZONING Same	17. PROPOSED LAND USE Same	18. NO. UNITS N/A	19. DENSITY N/A	
20. BUILDING SIZE N/A	21. PARKING SPACES N/A	22. % LANDSCAPE N/A	23. % LOT COVERAGE N/A		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS	
26. 300-FT. RADIUS MAP		27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE	
28. ENVIRONMENTAL ASSESSMENT		29. PLOT PLANS		32. OTHER	
PART V - SIGNATURES					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print): Doug Munson		34. DATE 9-27-05		37. OWNER (Print) SDG&E	
Sign: 				38. DATE 9-27-05	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			Sign: 		
35. APPLICANT (Print):		36. DATE		39. OWNER (Print): MICHAEL J. WILLIAMS	
Sign:				40. DATE 2/4/06	
Sign:			Sign:		

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**PROJECT DESCRIPTION, SITE JUSTIFICATION
AND CONDITIONAL USE PERMIT FINDINGS
FOR
SPRINT PCS INSTALLATION
IN THE 800 BLOCK OF EL CAMINO REAL
SDG&E SUB-STATION**

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PROJECT DESCRIPTION

Sprint PCS proposes to install three new panel antennas on an existing one hundred thirty-six foot tall SDG&E monopole used to support high voltage transmission lines. The antennas will be flushed mounted to the support structure in order for the top of the antenna to be forty-one feet above grade.

The radio and power equipment will be located within a proposed enclosure located southwest of the subject monopole. The enclosure will be a total of twenty feet, two inches long, fifteen feet eight inches wide. The enclosure will consist of a six-foot high chain link fence.

Landscaping is proposed around the enclosure and will consist of twenty-four inch box toyons at eight feet on center.

The radio and power equipment will be connected to the antennas via an underground conduit, which will leave the shelter in a northeasterly direction to the enclosure and intersect the base of the SDG&E monopole.

The radio and power equipment will be connected to power and telco via a trench, which will run southwesterly from the enclosure along the south side of the existing access road then turn northwesterly along Mesa Drive. The utility trench will then continue across Mesa drive and intersect than existing SDG&E utility pole.

SITE JUSTIFICATION

The first step of determining a wireless telecommunication site is to determine the need. This is done through two processes.

- 1) The carrier determines there is a need based on the location of the sales of the handsets and user addresses either work or home. Additionally, the carrier receives calls from users complaining of dropped calls or low coverage.
- 2) The radio frequency team determines a need by use of their design tool, which will show an area of low coverage. Additionally, the technicians at the switch may determine the capacity is overloaded within a given area.

Once the need has been determined the radio frequency engineers review the data supplied by the design tool. They have to take into account the design of the surrounding sites so as to

not interfere with those sites or to optimize those sites so that the new site will not interfere with the existing signal.

The radio frequency engineers submit a search ring to the site acquisition team. This search ring is a set of parameters that must be met in order for the site to be acceptable based on the theoretical design. The search ring has a varied radius and may be elliptical in shape. The site acquisition team must find an acceptable site within the search ring that meets the design criteria.

The design criteria include location, height, and lack of clutter such as buildings and vertical landscape, and ability to see into the coverage objective area.

The site acquisition team gravitates toward zoning in the search ring that is commensurate to the installation of the facility such as commercial and industrial type zoning. The team also looks for existing structures to support the antenna system so as to limit the visual impact within any view shed.

The search ring for this proposed facility consists of only residentially zoned property. None of the preferred zones exist within this geographical area.

This site was chosen because of its ability to see the coverage area, existing access and existing vertical elements.

No other sites were reviewed as the remainder of the search ring has been identified as residentially zoned.

CONDITIONAL USE PERMIT FINDINGS

- A) The proposed location of the use is in accord with the objectives of the City of Oceanside Zoning Ordinance and the purposes of the district in which the site is located. The proposed use is an approved use within the underlying zone for the subject property subject to the conditions set forth by said ordinance and approval of the Planning Commission of the proposed Conditional Use Permit.

- B) The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

The utilization of the existing SDG&E steel tower is consistent with the general plan preference of limiting additional vertical elements except where necessary. By placing the radio and power equipment into the existing bank and screening it from the offsite view is also consistent with the general plan's preference for new construction to be consistent with the community character. Additionally, the use of

materials and colors consistent with the existing buildings onsite helps reduce the visual impact of the proposed project.

The General Plan designation for the subject property allows for the proposed use subject to the conditions set for in the City's Zoning Ordinance.

- C) The proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.

All conditions set forth as a part of the approval process will be accepted and adhered to during the construction and continued use of the subject property for the conditioned use.



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Site Name: SAN LUIS REY SUBSTATION

Cascade #: SD55XC002 B

Letter of Authorization

In order to determine the viability and permit the use of a wireless antenna facility on the real property ("Property") at the address stated below, the undersigned authority hereby grants, consents, and agrees with Sprint Communications Inc. and its authorized agents (collectively "Sprint Communications") to the following:

Owner or authorized agent consents that Sprint Communications may make and file applications for the proposed wireless facility on the Property to such local, state, and federal governmental entities whose approval may be necessary for this type of use. Submittals and approvals including zoning applications, variances, land use descriptions, and other submittals maybe necessary for this type of use.

No obligation on SDG&E's part is created by the execution of this Letter of Authorization. This Letter of Authorization expires MARCH 1, 2008.

San Diego Gas & Electric, Property Owner

Electric Steel Pole Structure (Z 524990)

By: Jeff Sykes

Title: SR/LAND MANAGEMENT REPRESENTATIVE

Date: 11/26/2007

Property Address: 801 EL CAMINO REAL, OCEANSIDE

APN: 162-020-10

SBE: 141-37-29



Site Name: SAN LUIS REY SUBSTATION

Cascade #: SD55XC002 B

Letter of Authorization

In order to determine the viability and permit the use of a wireless antenna facility on the real property ("Property") at the address stated below, the undersigned authority hereby grants, consents, and agrees with Sprint PCS and its authorized agents (collectively "Sprint PCS") to the following:

Owner or authorized agent consents that Sprint PCS may make and file applications for the proposed wireless facility on the Property to such local, state, and federal governmental entities whose approval may be necessary for this type of use. Submittals and approvals including zoning applications, variances, land use descriptions, and other submittals maybe necessary for this type of use.

No obligation on SDG&E's part is created by the execution of this Letter of Authorization. This Letter of Authorization expires **SEPTEMBER 1, 2006.**

San Diego Gas & Electric, Property Owner

Electric Tower Structure Owner (Z 524990)

By: *Mich. J. Will.*

Title: LAND MANAGEMENT REPRESENTATIVE

Date: 2/07/06

Property Address: 801 EL CAMINO REAL, OCEANSIDE

APN: 162-020-10

SBE: 141-37-29

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Exhibit "A"

All that certain real property situated in the County of San Diego, State of California, described as follows:

That certain portion of the Northeast Quarter of the Northeast Quarter of Section 19, Township 11 South, Range 4 West, San Bernardino Meridian, in the City of Oceanside, County of San Diego, State of California, according to United States Government Survey approved December 27, 1870, particularly described as follows:

Beginning at a point on the West line of said Northeast Quarter of the Northeast Quarter of said Section 19, distant thereon South $0^{\circ}18'07''$ West, 460.01 feet from the Northwest corner of said Northeast Quarter of Northeast Quarter, said Point of Beginning being also the Southwest corner of that certain portion of said Northeast Quarter of Northeast Quarter conveyed to San Diego Gas & Electric Company by George A. Manning and Dell W. Manning by Deed recorded in Book 1110, Page 223 of Official Records of said County of San Diego; thence from said Point of Beginning, North $87^{\circ}27'37''$ East along the South line of said portion of the Northeast Quarter of Northeast Quarter conveyed to San Diego Gas & Electric Company, a distance of 644.48 feet to the center line of the County Road as shown on the Plat of Road Survey No. 626 filed in the Office of the County Surveyor of said San Diego County; thence South $1^{\circ}37'17''$ West along said center line 325.46 feet; thence South $87^{\circ}27'37''$ West along a line parallel with the South line of said portion conveyed to San Diego Gas & Electric Company, a distance of 636.98 feet to the West line of said Northeast Quarter of Northeast Quarter of said Section 19; thence North $0^{\circ}18'07''$ East along said West line, a distance of 325.00 feet to the Point of Beginning.

Assessor's Parcel Number: **162-020-10-00**



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** Sprint Nextel
2. **ADDRESS:** 5761 Copley Drive, San Diego, CA 92111
3. **PHONE NUMBER:** (760) 250-7544
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Juliana von Hacht, Associate Planner
6. **PROJECT TITLE:** C-56-05 Sprint at SDG&E Substation
7. **DESCRIPTION:** Consideration of a conditional use permit for the construction and operation of a stand-alone communication facility. The project is located at 801 El Camino Real and situated within the PS District and the Loma Alta Neighborhood.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes the demolition of an existing single-family dwelling. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section _____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class 3, New Construction or conversion of small structures, pursuant to Section 15303
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: 6-Oct-2008

Juliana von Hacht, Associate Planner

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee