



DATE: June 25, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (CUP10-00010) FOR THE RENEWAL OF AN EXISTING STAND ALONE WIRELESS COMMUNICATIONS FACILITY LOCATED AT 4039 AVENIDA DE LA PLATA – AMERICAN TOWER CORP. @ 4039 AVENIDA DE LA PLATA – APPLICANT: CHANNEL LAW GROUP**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Adopt Planning Commission Resolution No. 2012-P25 approving Conditional Use Permit (CUP10-00010) with findings and conditions of approval attached herein.
- (2) Confirm issuance of an Article 19, Section 15301, Class 1 (a), Existing Facilities, Categorical Exemption; and,

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The subject site is within a Rancho Del Oro Planned Unit Industrial District (PD-1) and is located at 4039 Avenida de la Plata. The 2.6-acre site contains an existing 35,856-square foot industrial building built in 1986. The existing building is currently vacant and was occupied by a faux tree business (Treescapes), which specializes in the development of faux trees for professional atmospheres and mono trees for the cellular facilities. The property exist with four separate stand alone cellular mono-mine faux trees for AT&T Mobility, Cricket Communications, Sprint Nextel, and the subject American Tower facility. All four of the cellular facilities have been approved under conditional use permits as follows: American Tower C-19-99 approved under Resolution 2000-P03, Sprint Nextel C-51-00 under Resolution 2001-P33, Cingular/AT&T C-22-03 under Resolution 2004-P37, and Cricket Communications C-3-06 & C-39-06 under Resolution 2007-P26.

The site is surrounded by light industrial uses in all directions, most of which consist of office and lab testing uses, with the exception of the Titleist golf manufacturing and testing facility to the west. All properties around the site are zoned Rancho Del Oro Planned Industrial District (PD-1) and within the Rancho Del Oro Industrial technology development.

Project Description: The project application is comprised of a conditional use permit.

Conditional Use Permit CUP10-00010:

To allow the continued operation of an existing telecommunication facility concealed entirely within an existing 75-foot faux mono-pine cellular tower, pursuant to Article 3904 of the Oceanside Zoning Ordinance.

American Tower is proposing to operate and maintain a wireless telecommunication facility consisting of nine panel antennas and a pre-fabricated telecommunications equipment shelter. Currently the branches of the mono-pine extend six feet out from the pole, leaving the antennas exposed. The applicant proposes to revise the antenna brackets with shorter mounting equipment and place the new antennas within antennas socks that shall mimic the pine needles and braches. The proposed screening enhancements shall allow the antennas to be further screened from public view. American tower is also proposing to plant a live pine tree in the compound area adjacent to the existing mono-pine. The proposed pine tree could reach the heights of 60-80 feet when fully grown and shall help screen the mono-pine from public view.

The project is subject to the following Ordinances, City policies, and the State of California Government Code:

1. General Plan
2. Zoning Ordinance
3. State of California Government Code 65850
4. State of California Government Code 65964

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is Commercial. The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

Land Use Element

Goal 2.726: Communication Systems

Objective: 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 to surrounding land uses and/or natural features.
- C. The City shall require the consolidation and joint-use of communication facilities and structures whenever possible.

American Tower is proposing to maintain, operate, revise, and provide additional screening for the antennas of an existing 75-foot tall mono-pine telecommunication facility. The existing nine antennas will be removed and set on a newly revised mounting bracket that shall set the antennas further inside the faux tree. The proposed antenna socks, which would mimic the pine branches, would provide additional screening.

The existing mono-pine is located at a substantial distance from public streets (Avenida de la Plata and Oceanside Boulevard) and located at least a mile from any residence and would not result in any visual impacts to them. The proposed live pine tree will provide additional screening for the existing mono-pine telecommunication tower.

The project site is consistent with the objectives of the General Plan policies regarding visual conformity to surrounding land uses and features while still providing communication, broadcast, and subscription services to the public. The project is conditioned to comply with specific requirements pertaining to its appearance and maintenance. This ensures that the project will be compatible with the site and surrounding land uses.

Article 39 of the Zoning Ordinance and recently approved California Government Code Section 65850.6 encourage the installation of a co-user facility. As such, the resolution includes project specific conditions for the future installation of a co-user communication facility.

2. Zoning Ordinance Compliance

This project is located in a Rancho Del Oro Planned Unit Industrial District. The underlying land use is Industrial. The existing mono-pine cellular tower would not be increased and would meet the height requirements specified in the original approval (C-19-99.)

3. State of California Government Code 65850

California State Government Code 65850.6(b) states that a city shall not unreasonably limit the duration of any permit for a communication facility. Limits of less than 10 years are presumed to be unreasonable absent public safety reasons or substantial land use reasons. The proposed site has been given a 10-year limit with conditions that assure the City of Oceanside has the ability to request technology and aesthetic analysis of the site if they are found to be necessary.

4. State of California Government Code 65964

California State Government Code 65964 requires the adoption of *co-user* communication facility requirements when approving a *stand-alone* communication facility application. Therefore, staff recommends that the requirements for future co-user communication facilities be specified with the adoption of the Stand-Alone Communication Facility.

DISCUSSION

Issue: *Land use compatibility with surrounding neighborhood.*

Recommendation: The following table identifies land uses on adjacent properties:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	Industrial	PD-1	Industrial office
North	Industrial	PD-1	Industrial office
East	Industrial	PD-1	Industrial office
South	Industrial	PD-1	Industrial office
West	Industrial	PD-1	Industrial office with a golf course test facility

The wireless telecommunication facility at this location will be compatible with surrounding land uses. The location of the antennas within the mono-pine tower will be completely screened from public view with the proposed antenna socks mimicking branches of a tree.

The proposed Radio Frequency report ensures that the location of the proposed antennas at the subject height of 75 feet will not result in any health issues or interference with other communication facilities in the area.

The facility has been comprehensively designed and conditioned to ensure a high quality cell tower, which will not impact public views.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Article 19, Section 15301. Existing Facilities, Class 1 (a), of the California Environmental Quality Act.

PUBLIC NOTIFICATION

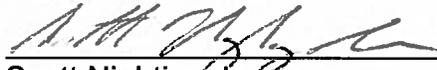
Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties. As of June 25, 2012 no communication regarding the request had been received.

SUMMARY

The proposed Conditional Use Permit, as conditioned, is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. 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:

- Confirm issuance of Article 19, Section 15301.Existing Facilities, Class 1 (a),
Categorical Exemption and Adopt Planning Commission Resolution No.
2012-P25 approving Conditional Use Permit CUP10-00010 with findings and
conditions of approval attached herein.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



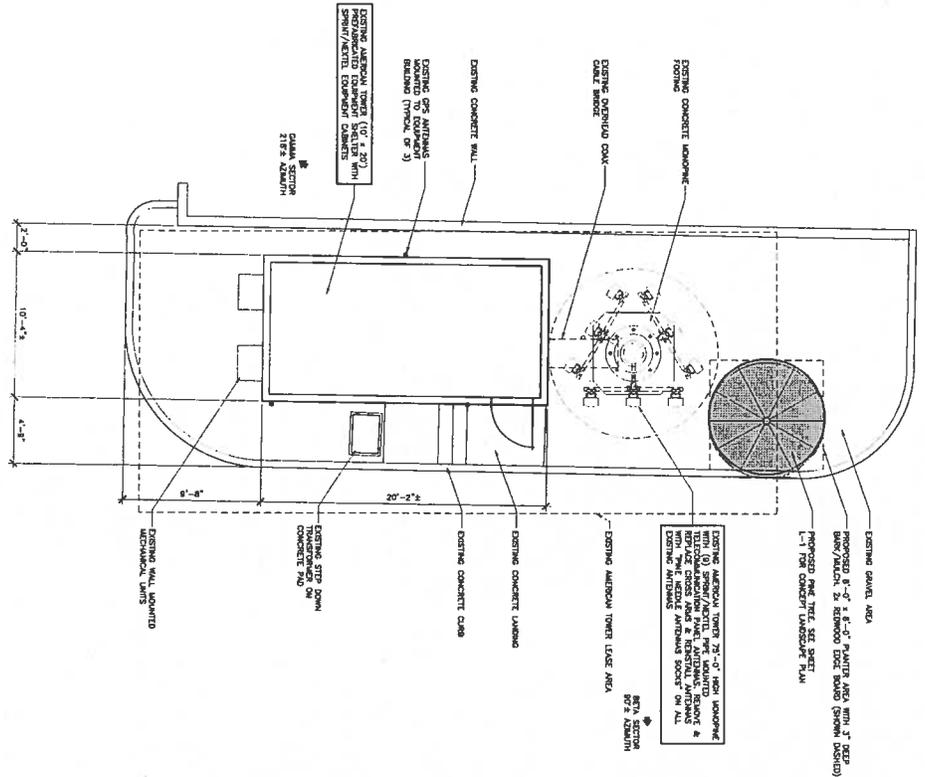
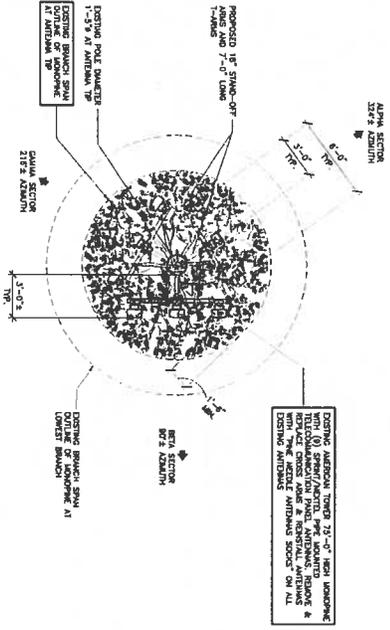
Jerry Hittleman
City Planner

JH/SN/fil

Attachments:

1. Site Plan and Elevations
2. Planning Commission Resolution No. 2012-P25
3. Planning Commission Resolution No. 2000-P03
4. RF Study
5. Coverage Map
6. Photos – Simulation & Existing

ANTENNA PLAN



ENLARGED SITE PLAN



BOOTH & SUAREZ
ARCHITECTURE & PLANNING
1000 WEST GARDEN STREET, SUITE 100
COSTA MESA, CALIFORNIA 92626

PREPARED FOR
AMERICANTOWER CORPORATION
2201 RUIRO DRIVE, SUITE 340
IRVINE, CA 92612

APPROVALS

DATE	DATE

PROJECT NAME
OCEAN HILL

PROJECT NUMBER
SITE # CA-302058

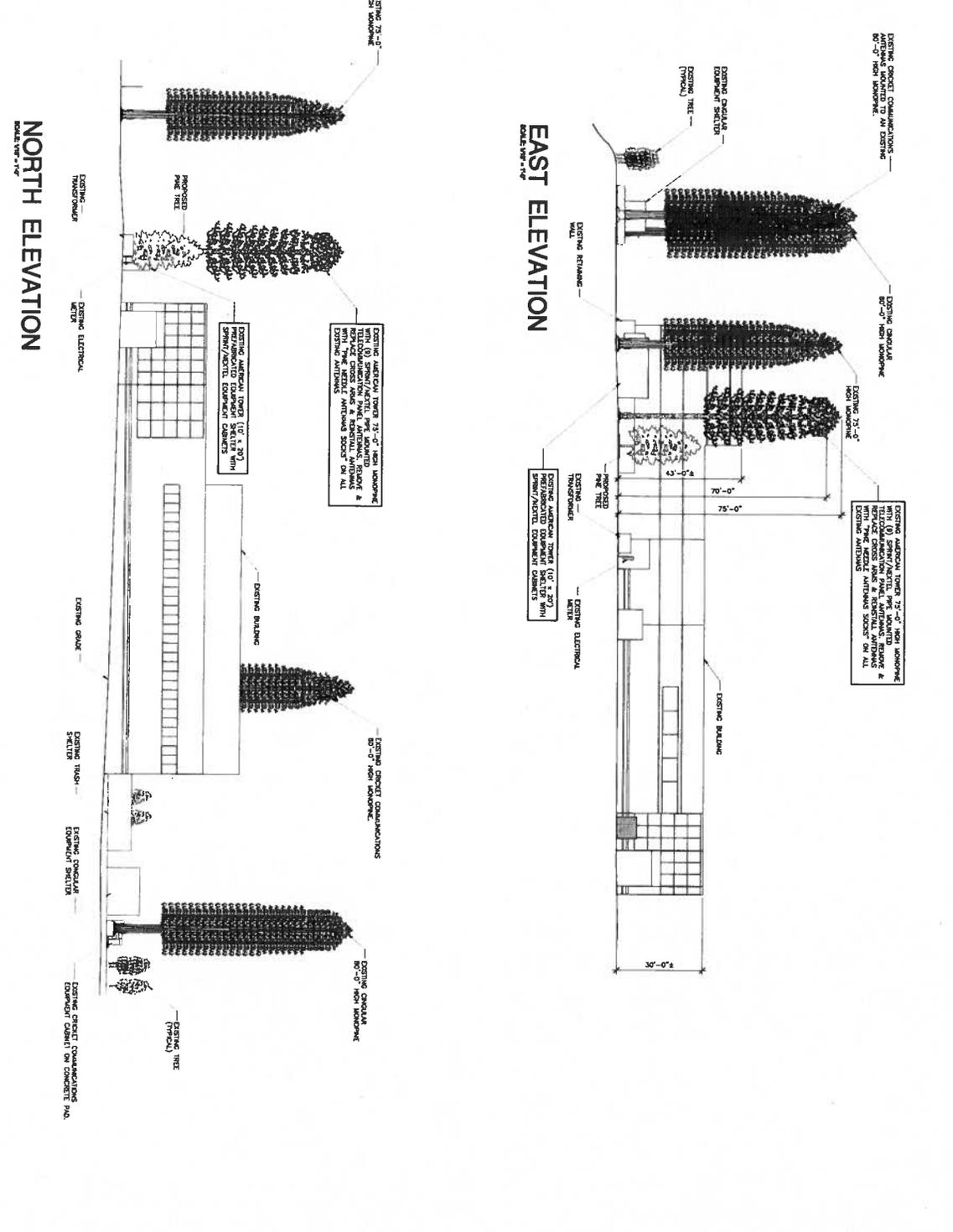
4039 AVENIDA DE LA PLAYA
OCCASION, CA 92056
SAN DIEGO COUNTY

DRAWING DATES

02/11/10	2D REVISION (a)
01/12/10	2D REVISION (a)
01/09/10	2D REVISION #1 (a)
01/09/10	2D REVISION #2 (a)
06/19/12	2D REVISION #1 (a)

SHEET TITLE
ENLARGED SITE PLAN

PROJECT: AmericanTower 011804\01180411.dwg
SHEET: 11
A-1



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

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

BOOTH & SUAREZ ARCHITECTURE
2201 DUPONT DRIVE, SUITE 340
IRVINE, CA 92612

AMERICANTOWER CORPORATION
2201 DUPONT DRIVE, SUITE 340
IRVINE, CA 92612

APPROVALS

DATE	DATE

PROJECT INFORMATION

PROJECT NAME	DATE
OCEAN HILL	
PROJECT NUMBER	DATE
SITE # CA-302058	
4039 AVENUE DE LA PLATA	
OCEAN HILL	
SAN DIEGO COUNTY	

DRAWING DATES

02/11/16	2D REVISED (ca)
01/12/16	2D REVISED (ca)
07/22/15	CITY COMMENTS (ca)
06/12/15	2D REVISED (ca)
06/11/12	2D REVISED #1 (0)

SHEET TITLE

EXTERIOR ELEVATIONS

A-3

PROJECT: Amendment 1, 01/16/16, 01/16/15.dwg

1 PLANNING COMMISSION
2 RESOLUTION NO. 20112-P25

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: CUP10-00010
8 APPLICANT: American Tower Corp.
9 LOCATION: 4039 Avenida de la Plata

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 a Conditional Use Permit under the provisions of
14 Articles 11, 39 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

15 renewal and minor revisions to an existing wireless telecommunications facility, consisting
16 of nine panel antennas concealed within a 75-foot tall faux mono-pine and associated
17 equipment concealed within an existing equipment shelter located at 4039 Avenida de la
18 Plata;

19 on certain real property described in the project description.

20 WHEREAS, the Planning Commission, after giving the required notice, did on the 25th day
21 of June, 2012 conduct a duly advertised public hearing as prescribed by law to consider said
22 application;

23 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
24 Guidelines thereto; this project is categorically exempt from CEQA per Class 1 Section 15301
25 "Existing Facilities."

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

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

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

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

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

9 FINDINGS:

10 For the Conditional Use Permit:

- 11 1. The proposed renewal and improvements to the existing wireless telecommunications
12 (telecom) facility are consistent with the objectives of the Zoning Ordinance and the
13 purposes of the Rancho Del Oro Industrial Plan Unit Development district in which the
14 subject site is located. As per Oceanside Zoning telecom Ordinance facilities, defined as
15 major utilities, are permitted within Planned Unit Industrial districts through approval of
16 a Conditional Use Permit. The proposed project would utilize an existing and approved
17 telecommunication facility consisting of nine antennas concealed within an existing 75-
18 foot tall mono-pine.
- 19 2. The proposed location of the conditional use and the proposed conditions under which it
20 would be operated or maintained will be consistent with the General Plan. The proposed
21 telecommunication facility will not be detrimental to the public health, safety or welfare
22 of persons residing or working in the vicinity; and will not be detrimental to properties
23 or improvements in the vicinity or to the general welfare of the City. The proposed
24 facility will comply with federal standards for maximum public exposure to radio
25 frequency emissions, as determined by a radio frequency emissions report prepared by a
26 licensed engineer and validated through third-party expert review. The proposed
27 facilities will comply with all applicable building and safety standards intended to ensure
28 the structural integrity of the attendant structure. Electrical equipment will be safely
29 housed within a locked equipment shelter, accessible only to qualified personnel. Noise

1 emitted by the proposed facility will be within parameters established by the Oceanside
2 Municipal Code.

3 3. The proposed conditional use will comply with the provisions of the Zoning Ordinance
4 and General Commercial District in which the property is located, including any specific
5 condition required for the proposed conditional use in the commercial district in which it
6 is located.

7 4. The placement and construction of the proposed telecommunication facility within the
8 proposed location is necessary for the provision of wireless services to City residents,
9 businesses, and their owners, customers, guests or other persons traveling in or about the
10 City, as determined by gap coverage analysis furnished by the applicant.

11 5. The proposal to conceal the nine antennas within the revised antenna socks attached to the
12 shorten mounting poles and brackets within an existing 75-foot tall mono-pine is designed
13 to protect views from public streets, and will not have an undue adverse impact on scenic
14 views, or other natural or man-made resources. The proposed telecommunication facility
15 will be sufficiently screened and camouflaged to mitigate any off-site visual impacts.

16 6. The applicant has demonstrated that a significant gap in signal coverage would exist if the
17 facility was not in operation, and the continued operation of the facilities would help
18 constitute the least intrusive means of closing the significant gap in coverage.

19 7. The proposal meets all applicable requirements of Article 39 of the Oceanside Zoning
20 Ordinance.

21 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve
22 Conditional Use Permit (CUP10-00010) subject to the following conditions:

23 **Building:**

24 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
25 Building Division plan check.

26 2. The granting of approval under this action shall in no way relieve the applicant/project
27 from compliance with all State and local building codes.

28 3. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
29 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
other such lights may be utilized and shall be shown on building and electrical plans.

1 4. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
2 plans.

3 5. Setbacks and Type of Construction must comply with UBC Table 5-A. Allowable area
4 must be shown to comply with Chapter 5 of the UBC.

5 6. The developer shall monitor, supervise and control all building construction and supportive
6 activities so as to prevent these activities from causing a public nuisance, including, but not
7 limited to, strict adherence to the following:

8 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
9 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
10 work that is not inherently noise-producing. Examples of work not permitted on
11 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
12 producing nature. No work shall be permitted on Sundays and Federal Holidays
13 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
14 Christmas Day) except as allowed for emergency work under the provisions of the
15 Oceanside City Code Chapter 38 (Noise Ordinance).

16 b) The construction site shall be kept reasonably free of construction debris as
17 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
18 approved solid waste containers shall be considered compliance with this
19 requirement. Small amounts of construction debris may be stored on-site in a neat,
20 safe manner for short periods of time pending disposal.

Fire:

21 7. Cell sites are required to have a final inspection by the Fire Department.

22 8. Fire Department Plan Review will require the quantity of lead acid batteries proposed.

23 In addition, the electrolyte volume will need to be provided for the batteries.

24 9. Stationary Storage Battery Systems having an electrolyte capacity of more than 50
25 gallons for flooded lead acid, nickel cadmium and valve regulated lead acid, or 1,000
26 pounds for lithium-ion, used for facility standby power, emergency power or
27 uninterrupted power supplies shall comply with Section 608 of the California Fire Code
28 current edition, and Table 608.1.

29

1 **Planning:**

- 2 10. This Conditional Use Permit shall expire on June 25, 2014, unless implemented as
3 required by the Zoning Ordinance.
- 4 11. This Conditional Use Permit approves only the telecom facility and associated
5 improvements as shown on the plans and exhibits presented to the Planning Commission
6 for review and approval. No deviation from these approved plans and exhibits shall occur
7 without Planning Division approval. Substantial deviations shall require a revision to the
8 Conditional Use Permit or a new Conditional Use Permit.
- 9 12. The telecom facilities shall be erected, operated and maintained in compliance with Article
10 39 of the Oceanside Zoning Ordinance.
- 11 13. Within 30 calendar days following the installation of the telecom facilities, the applicant
12 shall provide FCC documentation to the City Planner indicating that the facilities have
13 been inspected and tested in compliance with FCC standards. Such documentation shall
14 include the make and model (or other identifying information) of the equipment tested, the
15 date and time of the inspection, the methodology used to make the determination, the name
16 and title of the person(s) conducting the tests, and a certification that the equipment is
17 properly installed and working within applicable FCC standards.
- 18 14. Co-location of telecom facilities pursuant to Article 39 of the Oceanside Zoning Ordinance
19 shall be required whenever feasible.
- 20 15. Any proposed new signs shall be in conformance with the Oceanside Sign Ordinance
21 Guidelines and shall be submitted to the Planning Division.
- 22 16. A covenant or other recordable document approved by the City Attorney shall be prepared
23 by the applicant and recorded prior to the issuance of building permits. The covenant shall
24 provide that the property is subject to this resolution, and shall generally list the conditions
25 of approval.
- 26 17. Prior to the issuance of building permits, compliance with the applicable provisions of the
27 City's anti-graffiti ordinance (Ordinance No. 93-19/Section 20.25 of the City Code) shall
28 be 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
recorded in the form of a covenant affecting the subject property.

- 1 18. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification's provision shall run with the life of the project
4 and shall be recorded as a covenant on the property.
- 5 19. Failure to meet any conditions of approval for this development shall constitute a violation
6 of the Conditional Use Permit.
- 7 20. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
8 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
9 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
10 annul an approval of the City, concerning Conditional Use Permits CUP10-00010. The
11 City will promptly notify the applicant of any such claim, action or proceeding against
12 the city and will cooperate fully in the defense. If the City fails to promptly notify the
13 applicant of any such claim action or proceeding or fails to cooperate fully in the
14 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
15 harmless the City.
- 16 21. The CUP shall be limited to an operational term of 10 years since the day of the
17 expiration of this date, expiring on June 25, 2022. However, the Conditional Use Permit
18 may be revised or renewed in accordance with the provisions of the Zoning Ordinance.
19 The application for Conditional Use Permit revision shall also be evaluated against the
20 existing land use policies and any site area and neighborhood changes.
- 21 22. Unless expressly waived, all current zoning standards and City ordinances and policies in
22 effect at the time building permits are issued are required to be met by this project. The
23 approval of this project constitutes the applicant's agreement with all statements in the
24 Description and Justification, Management Plan and other materials and information
25 submitted with this application, unless specifically waived by an adopted condition of
26 approval.
- 27 23. This Conditional Use Permit shall be called for review by the Planning Commission if
28 complaints are filed and verified as valid by the Code Enforcement Office concerning the
29 violation of any of the approved conditions or assumptions made by the application.

1 24. Upon one year of operation of said facility an "Existing Conditions and Operations Report"
2 shall be prepared and submitted to the City Planner documenting the existing facilities and
3 current total Radio Frequency emissions a the site to verify that the site/facility is operating
4 as it was permitted and is within FCC Regulations. This submittal is subject to Article 39
5 of the City of Oceanside Zoning Ordinance. If the site is not operating in compliance with
6 FCC Regulations the City Planner shall be notified immediately and operations shall cease
7 until the issue is corrected.

8 25. If compliance with condition of approval #24 has been achieved, an "Existing Conditions
9 and Operation's Report" shall be prepared and submitted to the City Planner on an annual
10 basis documenting the existing facilities and current total Radio Frequency emissions at the
11 site to verify that the site/facility is operating as it was permitted and is within the current
12 FCC Regulations. This submittal is subject to Article 39 of the City of Oceanside Zoning
13 Ordinance. If the site is not operating in compliance with FCC Regulations the City
14 Planner shall be notified immediately and operations shall cease until the issue is corrected.

15 26. Landscaping through out the site shall be maintained and kept in good condition. All
16 landscaped areas on-site in need of replenishment, shall be replanted and reviewed by the
17 City Planner prior to approval of a final building permit.

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1 27. The applicant will ensure that the panel and GPS antennas are camouflaged from public
2 view to the maximum extent feasible without signal interference, through the use of state-
3 of-the-art screening materials consistent with the facility.

4 PASSED AND ADOPTED Resolution No. 2012-P25 on June 25, 2012 by the following vote,
5 to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10 _____
11 Tom Rosales, Chairperson
12 Oceanside Planning Commission

13 ATTEST:

14 _____
15 Jerry Hittleman, Secretary

16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2012-P25.
18

19 Dated: June 25, 2012
20

21 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees
22 may be required as stated herein:
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24 _____ Date: _____
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PLANNING COMMISSION
RESOLUTION NO. 00-P03

A RESOLUTION OF THE PLANNING
COMMISSION OF THE CITY OF OCEANSIDE,
CALIFORNIA APROVING A CONDITIONAL
USE PERMIT FOR CERTAIN REAL PROPERTY
IN THE CITY OF OCEANSIDE

APPLICATION NO: C-19-99
APPLICANT: Nextel Communications
LOCATION: 4039 Avenida de la Plata

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

WHEREAS, there was filed with this Commission a verified petition on the
forms prescribed by the Commission requesting a Conditional Use Permit under the
provisions of Article 41 of the Zoning Ordinance of the City of Oceanside to permit
the following:

a communications tower, approximately 75 feet in overall height, and
designed to replicate the appearance of a pine tree;

on certain real property legally described as shown on EXHIBIT "A" attached hereto
and incorporated herein by reference thereto.

WHEREAS, the Planning Commission, after giving the required notice, did on
the 24th day of January 2000 conduct a duly advertised public hearing as prescribed
by law to consider said application.

WHEREAS, the Planning Commission finds that the establishment of the
proposed communication facility is exempt from the requirements of environmental
review pursuant to the provisions of the California Environmental Quality Act.

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, pursuant to Government 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;

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

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

5 For the Conditional Use Permit:

- 6 1. From the distant view perspectives, structures and trees surround the location
7 of the communication facility within an existing industrial park. These
8 physical features effectively mitigate view impacts from the primary view
9 corridors. The communication facility is designed to replicate the appearance
10 of an actual pine tree, which effectively supplements the project's visual
11 mitigation and renders the facility to be visually conforming to the surrounding
12 land forms. As such, the project site is consistent with the objectives of the
13 effective zoning regulations.
- 14 2. The proposed location and operation of the communication facility, under the
15 applied land use conditions, are consistent with the effective land use policies
16 and would not be detrimental the public health or general welfare of persons
17 residing or working in the area.
- 18 3. The approved project is conditioned to comply with specific requirements
19 pertaining to its appearance and maintenance of its visual mitigation for
20 sustained conformation with the surrounding landforms.

21 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
22 hereby APPROVE of Conditional Use Permit (C-19-99) subject to the following
23 conditions:

24 Building:

- 25 1. Applicable Building Codes and Ordinances shall be based on the date of
26 submittal for Building Department plan check.
2. The granting of approval under this action shall in no way relieve the applicant
 from compliance with all State and local building codes.
3. Site development, parking, access into buildings and building interiors shall
 comply with Part 2, Title 24, CCR (Disabled Access - Nonresidential buildings
 - D.S.A.).
4. Application for Building Permit will not be accepted for this project until plans
 indicate that they have been prepared by a licensed design professional
 (Architect and Engineer). The design professional's name, address, phone
 number; State license number and expiration date shall be printed in the title
 block of the plans.

Engineering:

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

1
2 6. The developer shall monitor, supervise and control all construction and
3 construction-supportive activities, so as to prevent these activities from
4 causing a public nuisance, including but not limited to, insuring strict
5 adherence to the following:

6 a) Removal of dirt, debris and other construction material deposited on
7 any public street no later than the end of each working day.

8 b) All building and construction operations, activities and deliveries shall
9 be restricted to Monday through Friday, from 7:00 A.M. to 6:00 P.M.,
10 unless otherwise extended by the City.

11 c) The construction site shall accommodate the parking of all motor
12 vehicles used by persons working at or providing deliveries to the site.

13 Violation of any condition, restriction or prohibition set forth in this resolution
14 shall subject the development plan to further review by the Planning
15 Commission. This review may include revocation of the development plan,
16 imposition of additional conditions and any other remedial action authorized by
17 law.

18 Fire:

19 7. Plans shall be reviewed and approved by the Fire Prevention Bureau prior to
20 the issuance of building permits.

21 Planning:

22 8. This Conditional Use Permit is granted for the following use only: a
23 communication facility approximately 75 feet in overall height and consisting
24 of multiple directional panel antennas and ancillary ground equipment shelter.
25 The approved facility is designed to replicate the appearance of an actual pine
26 tree in accordance with the approved plans. Any change in the use or
expansion of the activities beyond that which is approved by the Planning
Commission will require a revision to the Conditional Use Permit or a new
Conditional Use Permit.

9. This Conditional Use Permit shall be called for review by the Planning
Commission if complaints are filed and verified as valid by the Planning
Director or the Code Enforcement Officer concerning the violation of any of
the approved conditions or the project assumptions demonstrated under the
application approval.

10. This Conditional Use Permit shall expire on January 24, 2002 unless
implemented as required by the Zoning Ordinance.

11. The Conditional Use Permit shall be limited to a term of 5 years. However,
the CUP may be revised (changed) to effect a renewal in accordance with the
provisions of the Zoning Ordinance. The application for CUP revision shall
also be evaluated against the existing land use policies and any site area and
neighborhood changes.

- 1 12. Prior to the transfer of ownership and/or operation of the use, the owner shall
2 provide a written copy of the application, staff report, and resolution for the
3 project to the new owner and or operator. The notification requirement shall
4 run with the life of the project.
- 5 13. Failure to meet any conditions of approval for this development shall
6 constitute a violation of the Conditional Use Permit.
- 7 14. Unless expressly waived, all current zoning standards and City ordinances and
8 policies in effect at the time building permits are issued are required to be met
9 by this project. The approval of this project constitutes the applicant's
10 agreement with all statements in the project Description and Justification and
11 other materials and information submitted with this application, unless
12 specifically waived by an adopted condition of approval.
- 13 15. A covenant or other recordable document approved by the City Attorney shall
14 be prepared by the applicant and recorded prior to the issuance of building
15 permits. The covenant shall provide that the property is subject to this
16 Resolution, and shall generally list the conditions of approval.
- 17 16. This project is subject to the provisions of Chapter 20 of the City Code
18 (Section 20.25 et seq.) pertaining to obligations for the removal of graffiti at
19 the approved facility.
- 20 17. Upon one year of facility operation, and upon any change-out of facility
21 equipment, the permittee(s) shall provide to the Planning Director a statement
22 of radio-frequency radiation output and output compliance with the limitations
23 of governing licensing authorities.
- 24 18. The permittee(s) shall exercise a good-faith effort to incorporate the best
25 available equipment technology to effect a reduction in the visual presence of
26 the approved antenna and facility equipment. The change-out and retrofit of
equipment shall be conducted by the permittee(s) after such equipment
becomes available and exhibits common use at similar facilities. Upon the
City's request and discretion, the permittee(s) shall be required to provide an
independently prepared technical analysis demonstrating compliance with this
condition. The permittee(s) inability to demonstrate the use of current
technologies may be grounds for the revocation of the CUP.
- 19 19. The permittee(s) shall exercise a good-faith effort to cooperate with other
20 communication providers and services in the operation of a co-user facility,
21 provided such shared usage does not impair the operation of the approved
22 facility. Upon the City's request and discretion, the permittee(s) shall provide
23 an independently prepared technical analysis to substantiate the existence of
24 any practical technical prohibitions against the operation of a co-use facility.
25 The permittee(s)' non-compliance with this requirement may be grounds for
26 the revocation of the CUP.
20. The approved communication facility shall be subject to, and governed by,
any and all licensing authority by any governmental agency having jurisdiction.
The City's local approval of a communication facility shall not exempt the
permittee(s) from any such pre-emptive regulations.

1 21. The final design, aesthetic devices, and construction of the facility shall be in
2 accordance with the plans representing the approved project and shall
3 generally replicate and maintain the appearance of an actual pine tree. In
4 addition, the final construction plans shall demonstrate consistency with the
5 plans and other exhibit materials approved by the Planning Commission.
6 These requirements shall be shown and demonstrated on the plans submitted
7 for building permits and shall be reviewed and approved by the Planning
8 Director prior to the issuance of building permits.

9 22. The exterior finish of the equipment shelter shall be textured, colored, and
10 accented to match the appearance of the primary building on the site. In
11 addition, the entire outdoor facility on the east side of the property shall be
12 screened from view as to the following:

13 a) A wood fence, with a minimum height of 6 feet, shall be constructed
14 along the eastern property line from the driveway entry gate to the rear
15 property line.

16 b) A minimum of six (6) 24-inch box sized pine trees shall be installed
17 along the eastern property line and at the existing non-landscaped
18 points along that area

19 c) The outdoor facility access gate shall be screen with a metallic or wood
20 screen material.

21 The final screening materials and locations of supplemental tree planting shall
22 be reviewed and approved by the Planning Director prior to their installation or
23 construction. In addition, final building inspection shall be contingent upon
24 the completion of these site improvements.

25 23. The replicated pine tree antenna tower shall incorporate specific applications
26 to replicate the appearance of an actual pine tree "trunk". Such applications
may include cladding, texturing, coloration, etc. The extent of trunk
replication shall at least match the height of the surrounding screen fencing
for the outdoor facility. The final design, extent, and method of trunk
replication shall be to the satisfaction of the Planning Director and shall be
approved by the Planning Director prior the issuance of a building permit.

27 24. The extent of replicated pine tree branches and foliage, from the top to the
28 bottom of the facility, shall be in accordance with the project elevation
29 drawings.

30 25. Any apparent inconsistency resulting from the construction of the approved
31 facility shall be a basis for a call for the review of the CUP.

32 26. The existing and new supplemental trees surrounding the facility shall be
33 maintained in perpetuity as visual mitigation for the life of the approved
34 facility. These trees shall be maintained in at least their existing number and
35 allowed to reach full mature heights, provided such mature growth does not
36 unduly inhibit the operation of the approved facility. The permittee and any
successors shall ultimately be responsible for the maintenance of such visual
mitigation. Any lack of maintenance of visual mitigation depicted and
represented within the application materials shall be a basis for a call for
review of the CUP.

1 27. Upon termination of the approved facility use, the permittee shall be
2 responsible to remove the entire facility from the premises.

3 Water Utilities:

4 28. The developer shall be responsible for developing all water and sewer facilities
5 necessary to this property. Any relocation of water or sewer lines is the
6 responsibility of the developer.

7 PASSED and ADOPTED on this 24th day of January, 2000 by the following
8 vote, to wit:

9 AYES: Barrante, Hartley, Akin, Bockman, Schaffer, Miller
10 and Staehr

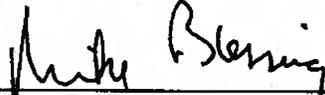
11 NAYES: None

12 ABSENT: None

13 ABSTAIN: None

14 
George Barrante, Chairman

15 ATTEST:

16 
Mike Blessing, Secretary

17 I, MIKE BLESSING, Secretary of the Oceanside Planning Commission, hereby certify
18 that this is true and correct copy of Resolution No. 00-P03.

19 Dated: Jan 24, 2000

20 MIKE BLESSING, Secretary
21 OCEANSIDE PLANNING COMMISSION
22
23
24
25
26

**American Tower Corporation on
behalf of Sprint Nextel
Site ID – 302058 (ACUP 11-00001)
Site Name – Ocean Hill
Site Compliance Report**

**4039 Avenida de La Plata
Oceanside, CA 92056
San Diego County**

Site visit date: October 27, 2010
Site survey by: Scott Hoy

Latitude: N33-12-28.44
Longitude: W117-17-46.68
Structure Type: Monopine

Report generated date: June 17, 2011
Report by: Scott Hoy
Customer Contact: James Kelly

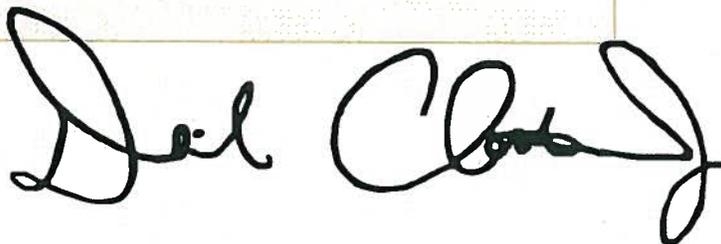
Received

JUN 20 2011

Planning Division

**Sprint Nextel is Compliant based on FCC Rules
and Regulations.**

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**David Charles Cotton, Jr.
Registered Professional Engineer (Electrical)
State of California, 18838, Expires 30-Jun-2013
Date: 2011-Jun-17**



**American Tower Corporation
on behalf of Sprint Nextel
302058 - Ocean Hill
Radio Frequency (RF) Site Compliance Report**



4039 Avenida de La Plata, Oceanside, CA 92056



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1 Executive Summary

American Tower Corporation on behalf of Sprint Nextel has contracted with Sitesafe, Inc. (Sitesafe), an independent Radio Frequency (RF) regulatory and engineering consulting firm, to determine whether the communications site, 302058 - Ocean Hill, located at 4039 Avenida de La Plata, Oceanside, CA, is in compliance with Federal Communication Commission (FCC) Rules and Regulations for RF emissions.

Sitesafe's field personnel visited 302058 - Ocean Hill on October 27, 2010. This report contains a detailed summary of the RF environment at the site including:

- site compliance determination;
- photographs of the site;
- diagram of the site;
- inventory of the make / model of all transmitting antennas found on the site (where possible);
- record of any Maximum Permissible Exposure ("MPE") measurements taken on the site, as applicable; and
- theoretical MPE based on modeling.

This report addresses exposure to radio frequency electromagnetic fields in accordance with the FCC Rules and Regulations for all individuals, classified in two groups, "Occupational or Controlled" and "General Public or Uncontrolled." This **site is compliant** with the FCC rules and regulations, as described in OET Bulletin 65.

During our field visit, Sitesafe documented the presence and location of signs and barriers. This document specifically addresses compliance of Sprint Nextel transmitting facilities independently and in relation to all collocated transmitting facilities, which together constitute the RF environment at the site.

If you have any questions regarding RF safety and regulatory compliance, please do not hesitate to contact Sitesafe's Customer Support Department at (703) 276-1100.

2 Regulatory Basis

2.1 FCC Rules and Regulations

In 1996, the Federal Communication Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 ("OET Bulletin 65"), *Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields*, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

FCC regulations define two separate tiers of exposure limits: Occupational or "Controlled environment" and General Public or "Uncontrolled environment". The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to *accessible* areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

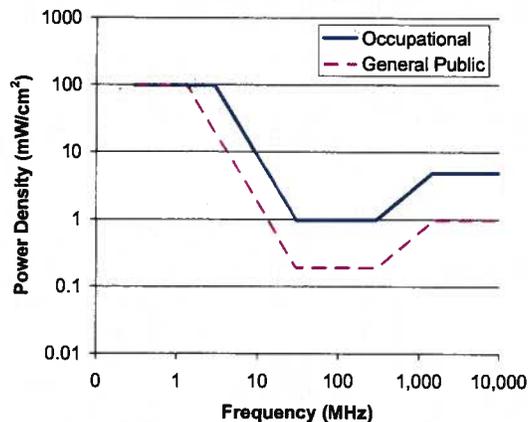
Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:

FCC Limits for Maximum Permissible Exposure (MPE)
Plane-wave Equivalent Power Density





Limits for Occupational/Controlled Exposure (MPE)

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

Limits for General Population/Uncontrolled Exposure (MPE)

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time E ² , H ² or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz *Plane-wave equivalent power density

2.2 OSHA Statement

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

- (a) Each employer –
 - (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
 - (2) shall comply with occupational safety and health standards promulgated under this Act.
- (b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lock Out Tag Out procedure aimed to control the unexpected energization or start up of machines when maintenance or service is being performed.



3 Site Compliance

3.1 Site Compliance Statement

Upon evaluation of the cumulative RF emission levels from all operators at this site, and a thorough review of site access procedures, RF hazard signage and visible antenna locations, Sitesafe has determined that:

This **site is compliant** with the FCC rules and regulations, as described in OET Bulletin 65.

Sprint Nextel is predicted to contribute **greater than 5%** of the maximum permissible exposure (MPE) based on theoretical modeling using parameters supplied by the client. A detailed explanation of the 5% rule can be found in the Definition section of Appendix B.

The compliance determination is based on General Public MPE levels due to theoretical modeling and/or physical measurements, RF signage placement, and the level of restricted access to the antennas at the site. Measurements have also been performed to validate the assumptions used in our theoretical modeling of this site.

Modeling is used for determining compliance and the percentage of MPE contribution. Measurements provide a view of MPE percentage levels at the site at the time of Sitesafe's visit and are used to validate modeling results.

3.2 Actions for Site Compliance

Based on common industry practice and our understanding of FCC and OSHA requirements, this section provides a statement of recommendations for site compliance. RF alert signage recommendations have been proposed based on existing measurements and theoretical analysis of MPE levels. Sitesafe has documented the locations of any RF signs and barriers that are required for compliance. Barriers can consist of locked doors, fencing, railing, rope, chain, paint striping or tape, combined with RF alert signage.

This site is compliant with the FCC rules and regulations. However, because Sprint Nextel is predicted to contribute greater than 5% of the maximum permissible exposure (MPE), *should the site be subsequently deemed non-compliant for any reason, any wireless operator(s) who contribute greater than 5% of the maximum permissible energy would be jointly liable for bringing the site into compliance.*



4 Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

General Maintenance Work: Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

Training and Qualification Verification: All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a workers understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet based courses).

Physical Access Control: Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

RF Signage: Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

Assume all antennas are active: Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

Maintain a 3 foot clearance from all antennas: There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

Site RF Emissions Diagram: Section 5 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.

5 Analysis

5.1 RF Emissions Diagram

The RF diagram(s) below display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as proscribed in OET Bulletin 65 and assumptions detailed in Appendix B.

The key at the bottom of each diagram indicates if percentages displayed are referenced to FCC Occupational or General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are below 5% of the MPE limits.
- Green represents areas predicted to be between 5% and 20% of the MPE limits.
- Yellow represents areas predicted to be between 20% and 100% of the MPE limits.
- Red areas indicated predicted levels greater than 100% of the MPE limits.

General Population diagrams are specified when an area is accessible to the public; i.e. personnel that do not meet Occupational or RF Safety trained criteria, could gain access.

If trained occupational personnel require access to areas that are delineated as Red or above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.

The key at the bottom also indicates the level or height of the modeling with respect to the main level. The origin is typically referenced to the main rooftop level, or ground level for a structure without access to the antenna level. For example:

Average from 0 feet above to 6 feet above origin

and

Average from 20 feet above to 26 feet above origin

The first indicates modeling at the main rooftop (or ground) level averaged over 6 feet. The second indicates modeling at a higher level (possibly a penthouse level) of 20 feet averaged over 6 feet.

Abbreviations used in the RF Emissions Diagrams

PH=##'	Penthouse at ## feet above main roof
M##	Measurement ## taken during a site visit

As discussed in Section 5, site measurement locations for spatial average measurements collected at the time of Sitesafe's visit have been added to the RF



emissions diagram. While the theoretical modeling represents worst case MPE levels based on the assumption(s) detailed above, the measurement data is a snapshot of MPE levels at the time of our visit, and dependent on transmitter duty cycle, system implementation and emissions from other RF sources at nearby antenna sites.

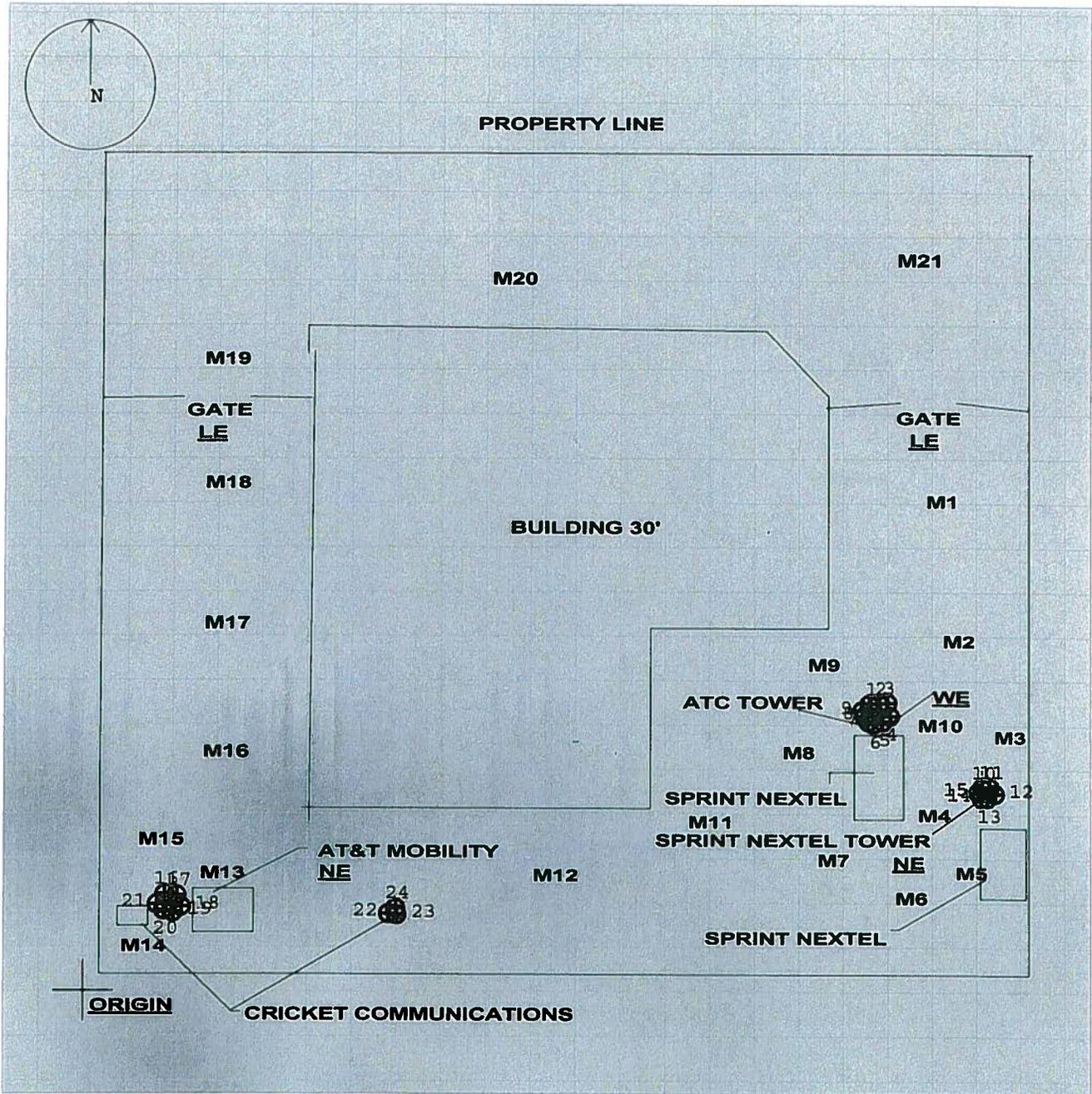
Additional Information in the RF Emissions Diagrams Key

The RF Emission Diagram provides indications of RF signage, barriers and locked doors. The table below lists the abbreviations used to indicate locked doors, signs and barriers:

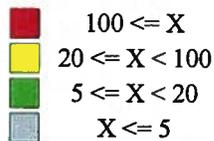
Table 1: RF Signage and Barrier Key					
RF Signage			Barriers		
Type	Existing Location	Recommended Location	Type	Existing Location	Recommended Location
Notice	NE	NR	Locked Door	LE	LR
Caution	CE	CR	Fencing	RE	RR
Warning	WE	WR	Rope Chain		
Info Sign	IE		Paint Stripes		

As discussed in Section 5, site measurements collected at the time of Sitesafe's visit have been added to the RF Emission diagrams. While the software modeling represents theoretical MPE levels based on the assumptions detailed above, the site measurement data is a snapshot of MPE levels, and dependent on transmitter duty cycle, system implementation and emissions from other RF sources at nearby antenna sites.

RF Emissions Diagram for: Ocean Hill Revision Ground Level



% of FCC Public Exposure Limit
Average from 0 feet above to 6 feet above origin



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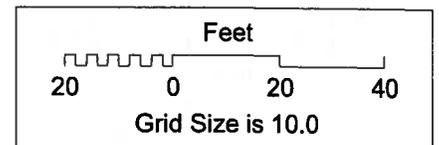
 Site Name: Ocean Hill Revision

Sitesafe Inc. assumes no responsibility for modeling results not verified by Sitesafe personnel.

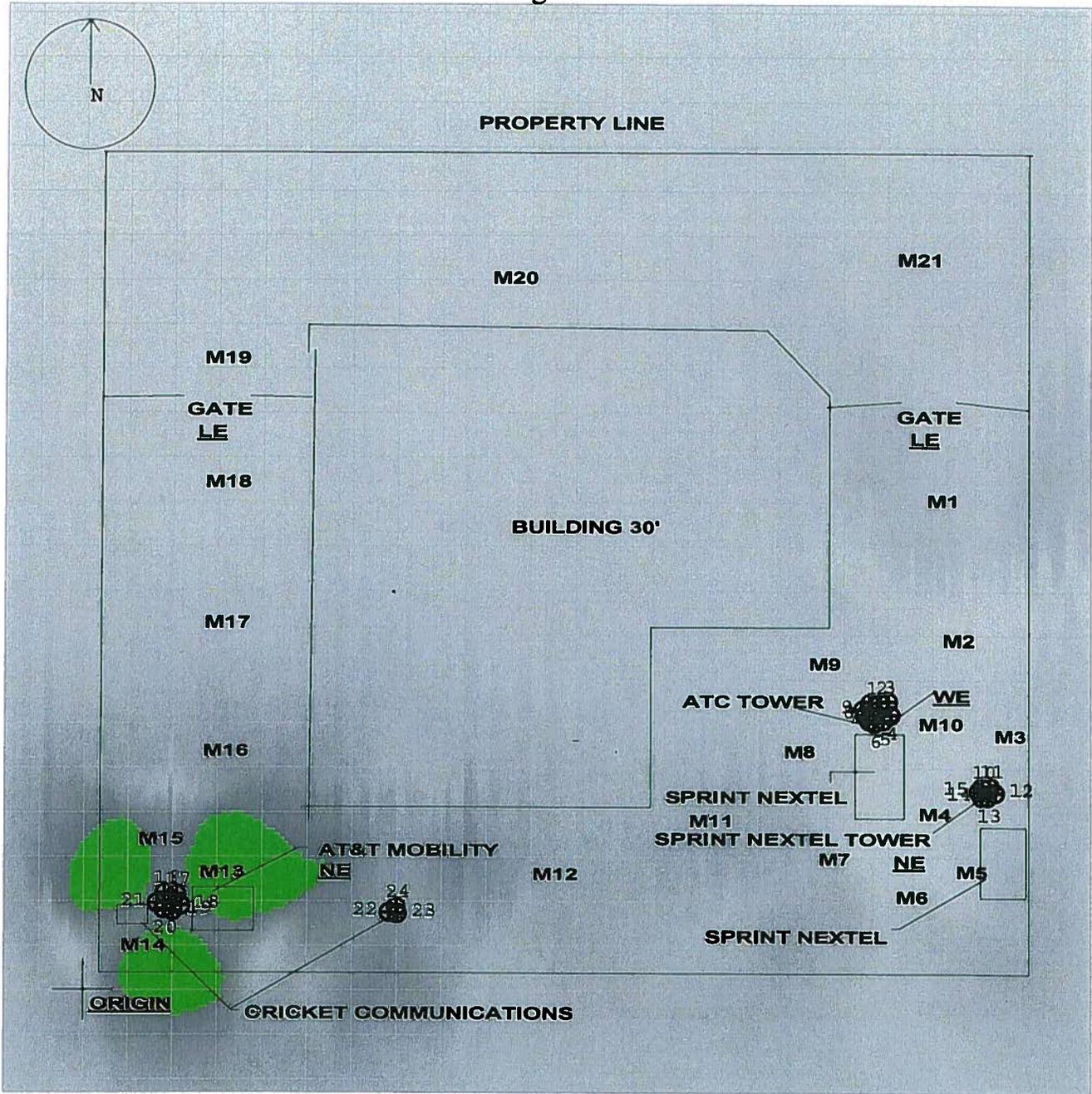
 Contact Sitesafe Inc. for modeling assistance (703) 278-1100.

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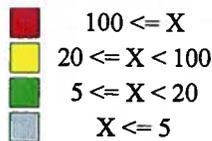
 6/17/2011



RF Emissions Diagram for: Ocean Hill Revision Building Level 30'

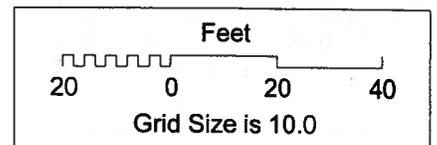


% of FCC Public Exposure Limit
Average from 30 feet above to 36 feet above origin

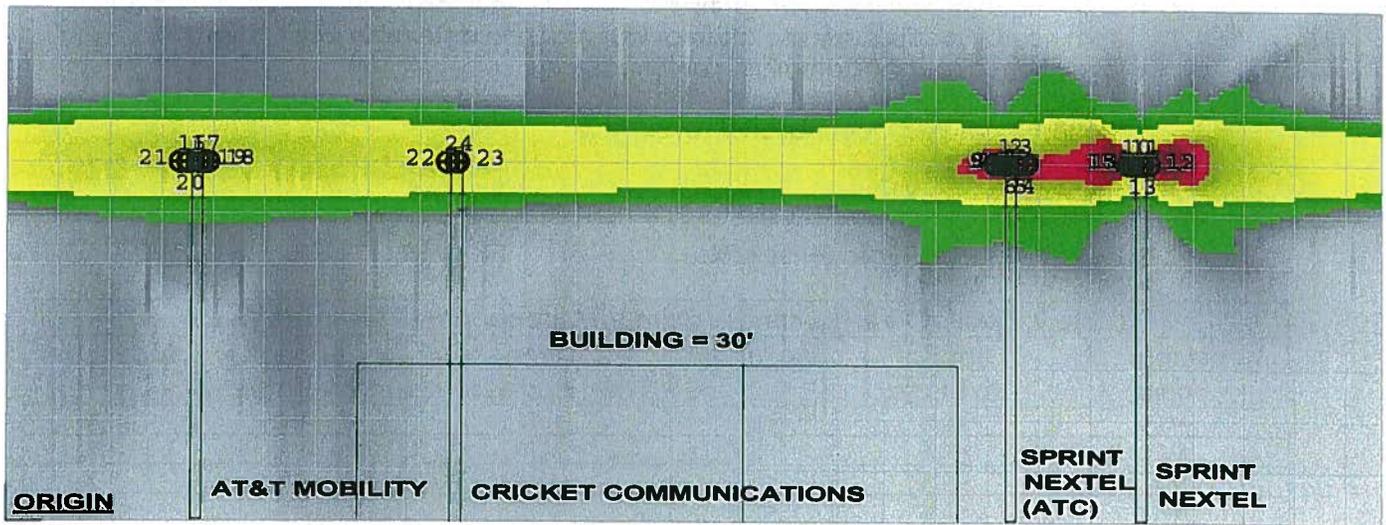


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 Site Name: Ocean Hill Revision

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RF Emissions Diagram for: Ocean Hill Revision Elevation View



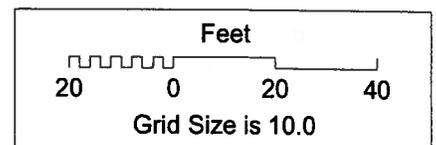
% of FCC Public Exposure Limit

Individual Points

- $100 \leq X$
- $20 \leq X < 100$
- $5 \leq X < 20$
- $X \leq 5$


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 Site Name: Ocean Hill Revision

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 5/17/2011





5.2 Site Measurements

This section provides a summary of the measurements collected at the site. Actual measurements locations at which these data points were collected are included in the RF emission diagram provided in Section 6 of this report. Two types of measurements were collected at each measurement location: maximum (peak) and spatial average. The spatial average measurement consists of a collection of ten (10) measurements within a ten (10) second time interval taken from zero (0) to six (6) feet in height. The purpose of this measurement technique is to identify the average power density over the dimensions of a typical human body.

Table 2 below contains all the measurements collected from accessible areas located at the site at the time of Sitesafe's visit. Whenever possible, measurements are taken in front of the antenna in the transmitting direction. However, because of the antenna configuration at this site, specific emissions could not be discerned from nearby facilities, and no attempt was made to determine power density levels from a specific transmitting antenna.

Highest Measured Occupational Level: <1%

This value is equal to:

Highest General Public Level: <5%.

Measurements Points	Spatial Average	Maximum	Measurements Points	Spatial Average	Maximum
M1	<1 %	<1 %	M12	<1 %	<1 %
M2	<1 %	<1 %	M13	<1 %	<1 %
M3	<1 %	<1 %	M14	<1 %	<1 %
M4	<1 %	<1 %	M15	<1 %	<1 %
M5	<1 %	<1 %	M16	<1 %	<1 %
M6	<1 %	<1 %	M17	<1 %	<1 %
M7	<1 %	<1 %	M18	<1 %	<1 %
M8	<1 %	<1 %	M19	<1 %	<1 %
M9	<1 %	<1 %	M20	<1 %	<1 %
M10	<1 %	<1 %	M21	<1 %	<1 %
M11	<1 %	<1 %			

RF meters and probes have been calibrated and used according to the manufacturer's specifications. Measurements provide a view of the MPE percentage levels at the site at the time of Sitesafe's site visit and are used to validate modeling results. Theoretical modeling is used for determining compliance and the percentage of MPE contributions.

An RF Emission diagram has been included in section 5 of this document. All measurement locations are identified in this diagram. The locations of measurements in the RF Emission diagram can be cross referenced with Table 2 (above) to determine the actual spatial average and maximum measurement value per location.

6 Site Audit

6.1 Site Access Procedures

A site visit was conducted on October 27, 2010 at approximately 11:00 AM. The weather conditions were Sunny with a temperature of 70 degrees. At that time, a diagram of the site was verified, obtained or produced containing the locations of all visible antennas, RF signs and access points on site. These antennas were recorded and photographed. The antenna make(s)/model(s) and centerlines were verified where possible.

The following information was gathered regarding site access at the facility.

Site access gate was locked or restricted at the time of the site visit.

RF Advisory signage was posted at all site access points.



Figure 1: Base of Sprint Nextel Monopine



6.2 Antenna Inventory

The Antenna Inventory shows all transmitting antennas at the site. This inventory was verified on site, and was utilized by Sitesafe to perform theoretical modeling of RF emissions. The inventory coincides with the site diagrams in this report, identifying each antenna's location at 302058 - Ocean Hill. The antenna information collected includes the following information:

- Licensee or wireless operator name
- Frequency or frequency band
- Transmitter power – Effective Radiated Power ("ERP"), or Equivalent Isotropic Radiated Power ("EIRP") in Watts
- Antenna manufacturer make, model, and gain

For other carriers at this site, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information with regard to carrier, their FCC license and/or antenna information was not available nor could it be secured while on site. Equipment, antenna models and nominal transmit power were used for modeling, based on past experience with radio service providers.



The following antenna inventory and representative photographs, on this and the following page, were obtained or verified during the site visit and were utilized to create the site model diagrams:

Table 3: Antenna Inventory												
Ant #	Operated By	TX Freq (MHz)	ERP (Watts)	Antenna Gain (dBD)	Az (Deg)	Antenna Model	Ant Type	Len (ft)	Horizontal Half Power Beamwidth (Deg)	Location		
										X	Y	Z
1	Sprint Nextel (ATC Tower)	862	90	11.20	340	EMS FV90-11-05A2	Panel	4	90	176'	65'	70'
2	Sprint Nextel (ATC Tower)	862	90	11.20	340	EMS FV90-11-05A2	Panel	4	90	178'	65'	70'
3	Sprint Nextel (ATC Tower)	862	90	11.20	340	EMS FV90-11-05A2	Panel	4	90	180'	65'	70'
4	Sprint Nextel (ATC Tower)	862	90	11.20	60	EMS FV90-11-05A2	Panel	4	90	181'	62'	70'
5	Sprint Nextel (ATC Tower)	862	90	11.20	60	EMS FV90-11-05A2	Panel	4	90	179'	61'	70'
6	Sprint Nextel (ATC Tower)	862	90	11.20	60	EMS FV90-11-05A2	Panel	4	90	177'	60'	70'
7	Sprint Nextel (ATC Tower)	862	198	11.20	180	EMS FV90-11-05A2	Panel	4	90	176'	61'	70'
8	Sprint Nextel (ATC Tower)	862	198	11.20	180	EMS FV90-11-05A2	Panel	4	90	175'	62'	70'
9	Sprint Nextel (ATC Tower)	862	198	11.20	180	EMS FV90-11-05A2	Panel	4	90	174'	63'	70'
10	Sprint Nextel (Sprint Tower)	1900	1000	15.76	0	Jaybeam PCSA065-13-2	Panel	4	65	201'	48'	70'
11	Sprint Nextel (Sprint Tower)	1900	1000	15.76	0	Jaybeam PCSA065-13-2	Panel	4	65	202'	48'	70'
12	Sprint Nextel (Sprint Tower)	1900	1000	15.76	120	Jaybeam PCSA065-13-2	Panel	4	65	206'	44'	70'
13	Sprint Nextel (Sprint Tower)	1900	1000	15.76	120	Jaybeam PCSA065-13-2	Panel	4	65	205'	43'	70'
14	Sprint Nextel (Sprint Tower)	1900	1000	18.10	240	ANDREW 950G65VTZE-M	Panel	4	90	199'	44'	70'
15	Sprint Nextel (Sprint Tower)	1900	1000	18.10	240	ANDREW 950G65VTZE-M	Panel	4	90	199'	45'	70'
16	AT&T Mobility	850/1900	750/1000	16.00/18.00	0	Generic Panel	Panel	4	120/100	18'	22'	70'
17	AT&T Mobility	850/1900	750/1000	16.00/18.00	0	Generic Panel	Panel	4	120/100	21'	22'	70'
18	AT&T Mobility	850/1900	750/1000	16.00/18.00	120	Generic Panel	Panel	4	120/100	22'	19'	70'
19	AT&T Mobility	850/1900	750/1000	16.00/18.00	120	Generic Panel	Panel	4	120/100	20'	18'	70'
20	AT&T Mobility	850/1900	750/1000	16.00/18.00	240	Generic Panel	Panel	4	120/100	18'	18'	70'
21	AT&T Mobility	850/1900	750/1000	16.00/18.00	240	Generic Panel	Panel	4	120/100	17'	19'	70'
22	Cricket Communications	1900	2000	18.00	0	Generic Panel	Panel	4	120	70'	19'	70'

Table 3: Antenna Inventory

Ant #	Operated By	TX Freq (MHz)	ERP (Watts)	Antenna Gain (dBd)	Az (Deg)	Antenna Model	Ant Type	Len (ft)	Horizontal Half Power Beamwidth (Deg)	Location		
										X	Y	Z
23	Cricket Communications	1900	2000	18.00	120	Generic Panel	Panel	4	120	70'	17'	70'
24	Cricket Communications	1900	2000	18.00	240	Generic Panel	Panel	4	120	68'	17'	70'

NOTE: X, Y and Z indicate relative position of the antenna to the origin location on the site, displayed in the model results diagram. Specifically, the Z reference indicates antenna height above the main site level unless otherwise indicated. ERP values provided by the client and used in the modeling may be greater than are currently deployed. For other carriers at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to carrier, their FCC license and/or antenna information was not available nor could it be secured while on site. Equipment, antenna models and nominal transmit power were used for modeling, based on past experience with radio service providers.

6.3 Site Pictures

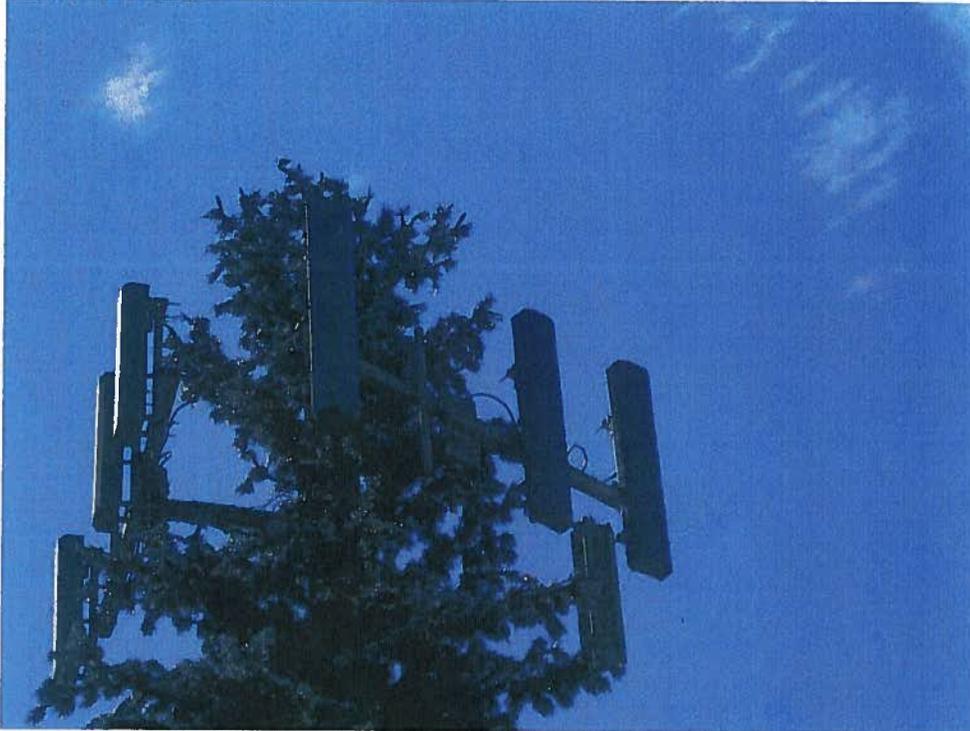


Figure 2: Sprint Nextel Alpha Sector Antennas #1 through #3 (ATC Tower)



Figure 3: Sprint Nextel Beta Sector Antennas #4 through #6 (ATC Tower)



Figure 4: Sprint Nextel Gamma Sector Antennas #7 through #9 (ATC Tower)

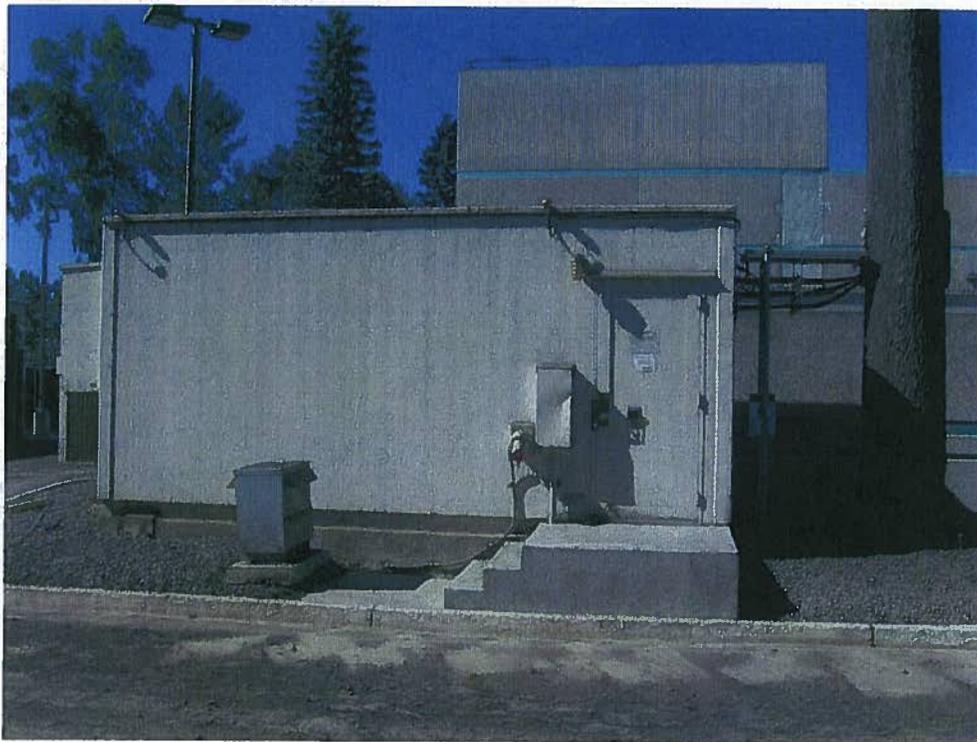


Figure 5: Sprint Nextel Equipment

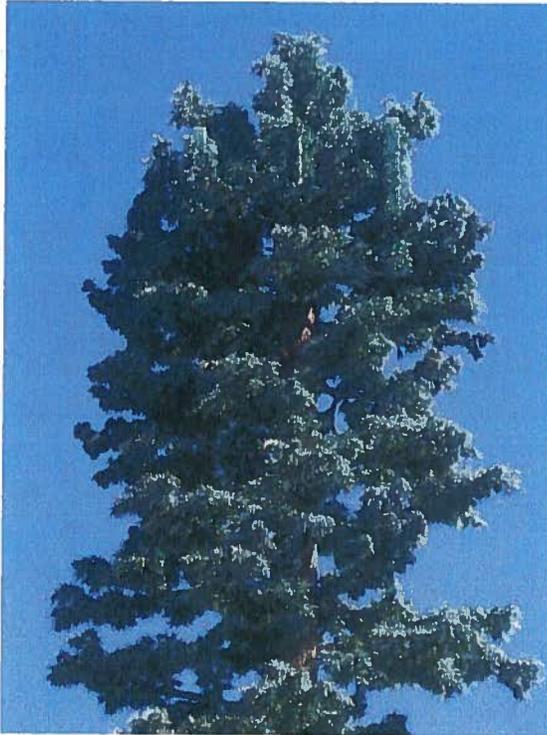


Figure 6: Overview of Sprint Nextel Antennas #10 through #15 (Sprint Tower)

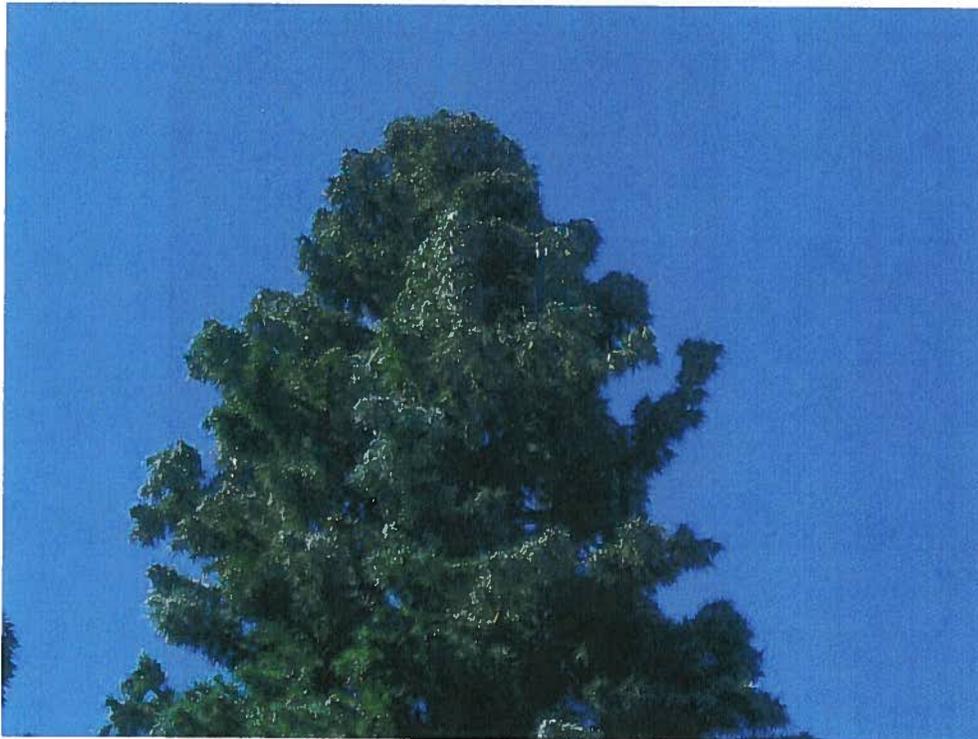


Figure 7: AT&T Mobility Antennas #16 through #21



Figure 8: Cricket Communications Antennas #22 through #24

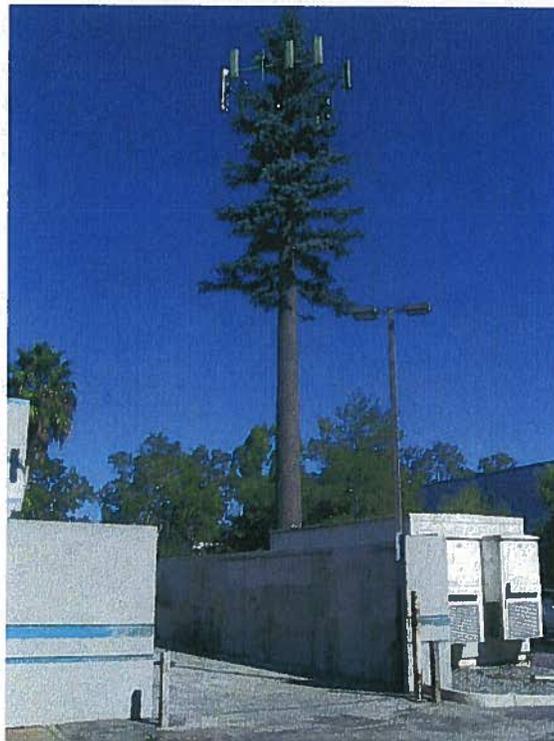


Figure 9: Overview of ATC Monopine

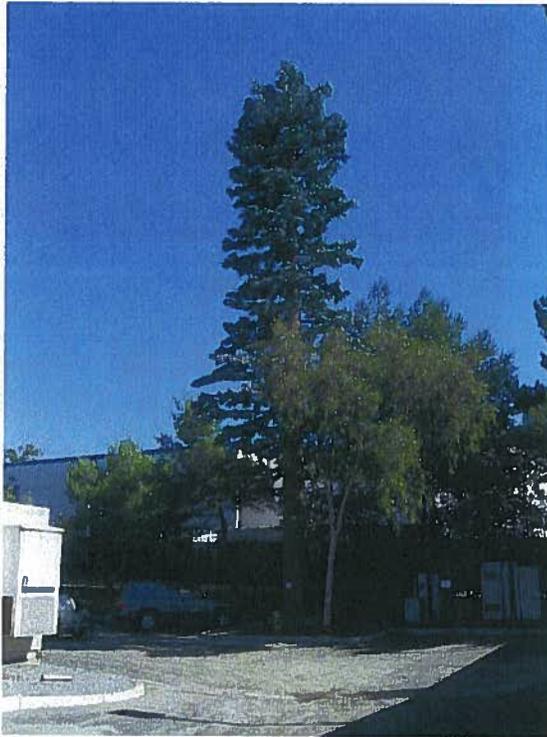


Figure 10: Overview of Sprint Nextel Monopine

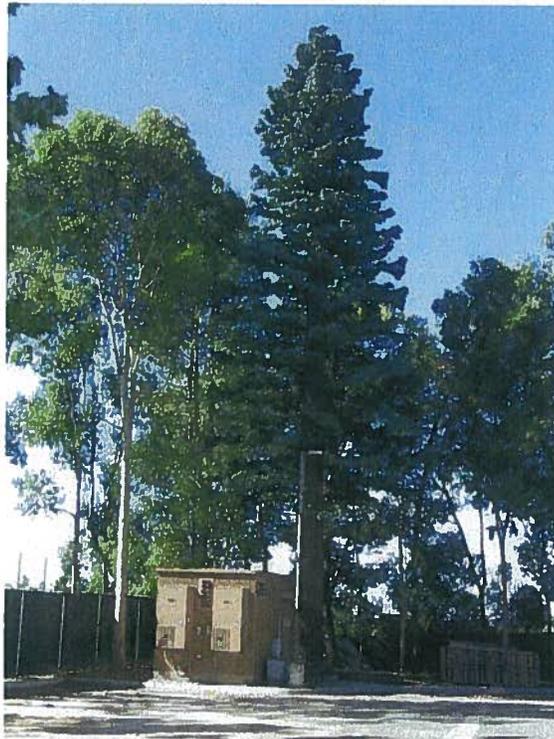


Figure 11: Overview of AT&T Mobility Monopine

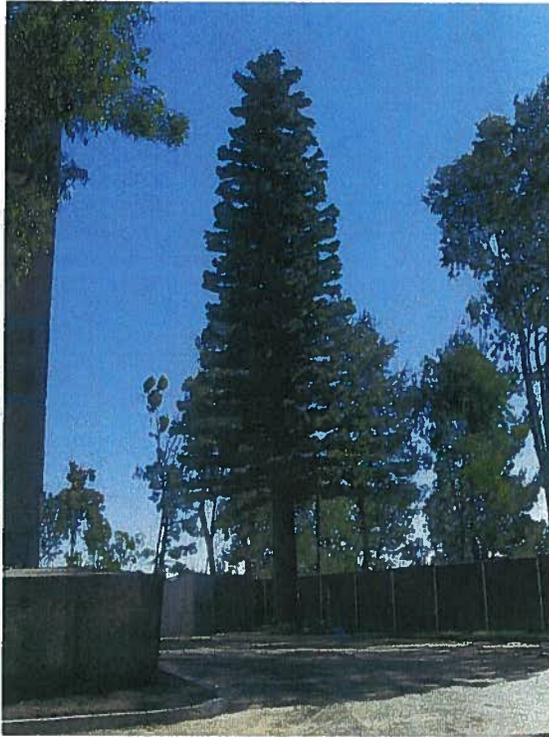


Figure 12: Overview of Cricket Communications Monopine



7 Field Technician Certification

I, Scott Hoy, state:

That I am an employee of Sitesafe, Inc., in Arlington, Virginia, which provides RF compliance services to clients in the wireless communications industry; and

That I have successfully completed RF Safety Awareness training, am aware of the hazards and, therefore, can be exposed to RF fields classified for "Occupational" exposure;

That I am familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio-frequency Radiation; and

That I have been trained in the proper use of measurement equipment, and have successfully completed Sitesafe training in policy, procedure and proper site measurement and modeling; and

That I performed survey measurements of the RF environment at the site identified as 302058 - Ocean Hill on October 27, 2010 at 11:00 AM in order to determine where there might be electromagnetic energy that is in excess of both the Controlled Environment and Uncontrolled Environment levels; and

That the survey measurements were performed with measurement equipment, model HI-2200 field intensity meter (serial number 00052430) and model C300 field intensity probe, (serial number 00083374) calibrated on 8/26/2008; and

That I have prepared this Site Compliance Report and believe it to be true and accurate to the best of my knowledge and based on data gathered.

By: Scott Hoy



8 Engineer Certification

The professional engineer whose seal appears on the cover of this document hereby certifies and affirms that:

I am registered as a Professional Engineer in the jurisdiction indicated in the professional engineering stamp on the cover of this document; and

That I am an employee of Sitesafe, Inc., in Arlington, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio-frequency Radiation; and

That survey measurements of the site environment of the site identified as 302058 - Ocean Hill have been performed in order to determine where there might be electromagnetic energy that is in excess of both the Controlled Environment and Uncontrolled Environment levels; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Scott Hoy.

June 17, 2011



Appendix A – Statement of Limiting Conditions

Sitesafe field personnel visited the site and collected data with regard to the RF environment. Sitesafe will not be responsible for matters of a legal nature that affect the site or property. The property was visited under the premise that it is under responsible ownership and management and our client has the legal right to conduct business at this facility.

Due to the complexity of some wireless sites, Sitesafe performed this visit and created this report utilizing best industry practices and due diligence. Sitesafe cannot be held accountable or responsible for anomalies or discrepancies due to actual site conditions (i.e., mislabeling of antennas or equipment, inaccessible cable runs, inaccessible antennas or equipment, etc.) or information or data supplied by American Tower Corporation, the site manager, or their affiliates, subcontractors or assigns.

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, observed during the survey of the subject property or that Sitesafe became aware of during the normal research involved in performing this survey. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data provided by a second party and physical data collected by Sitesafe, the physical data will be used.



Appendix B – Assumptions and Definitions

General Model Assumptions

In this site compliance report, it is assumed that all antennas are operating at **full power at all times**. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The site has been modeled with these assumptions to show the maximum RF energy density. Sitesafe believes this to be a worst-case analysis, based on best available data. Areas modeled to predict emissions greater than 100% of the applicable MPE level may not actually occur, but are shown as a worst-case prediction that could be realized real time. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

Thus, at any time, if power density measurements were made, we believe the real-time measurements would indicate levels below those depicted in the RF emission diagram(s) in this report. By modeling in this way, Sitesafe has conservatively shown exclusion areas – areas that should not be entered without the use of a personal monitor, carriers reducing power, or performing real-time measurements to indicate real-time exposure levels.

Use of Generic Antennas

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.



Definitions

5% Rule – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible taking corrective actions to bring the site into compliance.

Compliance – The determination of whether a site is safe or not with regards to Human Exposure to Radio Frequency Radiation from transmitting antennas.

Decibel (dB) – A unit for measuring power or strength of a signal.

Duty Cycle – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

Effective (or Equivalent) Isotropic Radiated Power (EIRP) – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

Effective Radiated Power (ERP) – In a given direction, the relative gain of a transmitting antenna with respect to the maximum directivity of a half wave dipole multiplied by the net power accepted by the antenna from the connecting transmitter.

Gain (of an antenna) – The ratio of the maximum intensity in a given direction to the maximum radiation in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antennas as compared to an omni directional antenna.

General Population/Uncontrolled Environment – Defined by the FCC, as an area where RFR exposure may occur to persons who are **unaware** of the potential for exposure and who have no control of their exposure. General Population is also referenced as General Public.

Generic Antenna – For the purposes of this report, the use of "Generic" as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of antenna models to select a worst case scenario antenna to model the site.

Isotropic Antenna – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.



Maximum Measurement – This measurement represents the single largest measurement recorded when performing a spatial average measurement.

Maximum Permissible Exposure (MPE) – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.

Occupational/Controlled Environment – Defined by the FCC, as an area where Radio Frequency Radiation (RFR) exposure may occur to persons who are **aware** of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

OET Bulletin 65 – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of Radio Frequency radiation on Humans. The guideline was published in August 1997.

OSHA (Occupational Safety and Health Administration) – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit www.osha.gov.

Radio Frequency Radiation – Electromagnetic waves that are propagated from antennas through space.

Spatial Average Measurement – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy an average sized human body will absorb while present in an electromagnetic field of energy.

Transmitter Power Output (TPO) – The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.



Appendix C – Rules & Regulations

Explanation of Applicable Rules and Regulations

The FCC has set forth guidelines in OET Bulletin 65 for human exposure to radio frequency electromagnetic fields. Specific regulations regarding this topic are listed in Part 1, Subpart I, of Title 47 in the Code of Federal Regulations. Currently, there are two different levels of MPE - General Public MPE and Occupational MPE. An individual classified as Occupational can be defined as an individual who has received appropriate RF training and meets the conditions outlined below. General Public is defined as anyone who does not meet the conditions of being Occupational. FCC and OSHA Rules and Regulations define compliance in terms of total exposure to total RF energy, regardless of location of or proximity to the sources of energy.

It is the responsibility of all licensees to ensure these guidelines are maintained at all times. It is the ongoing responsibility of all licensees composing the site to maintain ongoing compliance with FCC rules and regulations. Individual licensees that contribute less than 5% MPE to any total area out of compliance are not responsible for corrective actions.

OSHA has adopted and enforces the FCC's exposure guidelines. A building owner or site manager can use this report as part of an overall RF Health and Safety Policy. It is important for building owners/site managers to identify areas in excess of the General Population MPE and ensure that only persons qualified as Occupational are granted access to those areas.

Occupational Environment Explained

The FCC definition of Occupational exposure limits apply to persons who:

- are exposed to RF energy as a consequence of their employment;
- have been made aware of the possibility of exposure; and
- can exercise control over their exposure.

OSHA guidelines go further to state that persons must complete RF Safety Awareness training and must be trained in the use of appropriate personal protective equipment.

In order to consider this site an Occupational Environment, the site must be controlled to prevent access by any individuals classified as the General Public. Compliance is also maintained when any non-occupational individuals (the General Public) are prevented from accessing areas indicated as Red or Yellow in the attached RF Emissions diagram. In addition, a person must be aware of the RF environment into which they are entering. This can be accomplished by an RF Safety Awareness class, and by appropriate written documentation such as this Site Compliance Report.

All American Tower Corporation employees who require access to this site must complete RF Safety Awareness training and must be trained in the use of appropriate personal protective equipment.

Appendix D – General Safety Recommendations

The following are *general recommendations* appropriate for any site with accessible areas in excess of 100% General Public MPE. These recommendations are not specific to this site. These are safety recommendations appropriate for typical site management, building management, and other tenant operations.

1. All individuals needing access to the main site (or the area indicated to be in excess of General Public MPE) should wear a personal RF Exposure monitor, successfully complete proper RF Safety Awareness training, and have and be trained in the use of appropriate personal protective equipment.
2. All individuals needing access to the main site should be instructed to read and obey all posted placards and signs.
3. The site should be routinely inspected and this or similar report updated with the addition of any antennas or upon any changes to the RF environment including:
 - adding new antennas that may have been located on the site
 - removing of any existing antennas
 - changes in the radiating power or number of RF emitters
4. Post the appropriate **NOTICE**, **CAUTION**, or **WARNING** sign at the main site access point(s) and other locations as required. Note: Please refer to RF Exposure Diagrams in Appendix B, to inform everyone who has access to this site that beyond posted signs there may be levels in excess of the limits prescribed by the FCC. The signs below are examples of signs meeting FCC guidelines.



5. Ensure that the site door remains locked (or appropriately controlled) to deny access to the general public if deemed as policy by the building/site owner.
6. For a General Public environment the four color levels identified in this analysis can be interpreted in the following manner:
 - Areas indicated as Gray are at 5% of the General Public MPE limits or below. This level is safe for a worker to be in at any time.
 - Green represents areas predicted to be between 5% and 20% of the General Public MPE limits. This level is safe for a worker to be in at any time.



- Yellow represents areas predicted to be between 20% and 100% of the General Public MPE limits. This level is safe for a worker to be in at any time.
- Red areas indicated predicted levels greater than 100% of the General Public MPE limits. This level is not safe for the General Public to be in.

7. For an Occupational environment the four color levels identified in this analysis can be interpreted in the following manner:

- Areas indicated as Gray are at 5% of the Occupational MPE limits or below. This level is safe for a worker to be in at any time.
- Green represents areas predicted to be between 5% and 20% of the Occupational MPE limits. This level is safe for a worker to be in at any time.
- Yellow represents areas predicted to be between 20% and 100% of the Occupational MPE limits. Only individuals that have been properly trained in RF Health and Safety should be allowed to work in this area. This is not an area that is suitable for the General Public to be in.
- Red areas indicated predicted levels greater than 100% of the Occupational MPE limits. This level is not safe for the Occupational worker to be in for prolonged periods of time. Special procedures must be adhered to such as lock out tag out procedures to minimize the workers exposure to EME.

8. Use of a Personal Protective Monitor: When working around antennas, Sitesafe strongly recommends the use of a Personal Protective Monitor (PPM). Wearing a PPM will properly forewarn the individual prior to entering an RF exposure area.

Keep a copy of this report available for all persons who must access the site. They should read this report and be aware of the potential hazards with regards to RF and MPE limits.

Additional Information

Additional RF information is available by visiting both www.Sitesafe.com and www.fcc.gov/oet/rfsafety. OSHA has additional information available at: <http://www.osha-slc.gov/SLTC/radiofrequencyradiation>.

To: City of Oceanside
Planning Division
300 N Coast Hwy
Oceanside, CA 92054

Re: 4039 Avenida de la Plata; CUP 10-00010

Date: June 15, 2011

1. This letter has been prepared in response to third party peer review of RF Emission Report #520001-0600 prepared by Mestre Greve Associates. The project consists of an existing mono-tree owned and managed by American Tower Corporation ("ATC") located at 4039 Avenida de la Plata, Oceanside, CA. A revised report has been commissioned in response to the comments received by Mestre Greve Associates (see attached report).

2. As a means of clarification, it is worth noting that there are four wireless communications facilities on the subject parcel owned by (1) Sprint, (2) AT&T, (3) Cricket, and (4) American Tower Corporation. The ATC communications facility has one tenant (SprintNextel) and hosts SprintNextel's iDEN antennas. There is also a separate mono-tree on the parcel which is owned by SprintNextel and hosts SprintNextel's CDMA antennas. The previous RF Emission Report indicated a "Clearwire" collocation project. ATC included the data for the Clearwire collocation on its previous RF Emission report merely because it was aware of the project and the City had requested a cumulative RF Emission Report. However, the Clearwire project is NOT part of ATC's application and is completely separate. The project at issue consists of the existing equipment and includes no new additions, per information from SprintNextel and ATC. The previous report included proposed antennas from Clearwire which will not be installed on ATC's mono-tree. The changes to the attached report also answer additional concerns from the third party review. Finally, the RF diagrams verify that the site remains compliant with FCC guidelines.

3. If you have any questions regarding the revised report, please contact me at dcotton@sitesafe.com or 719-434-0700.

Received

JUN 20 2011

Planning Division



David Charles Cotton, Jr.
Registered Professional Engineer (Electrical)
State of California, 18838, Expires 30-Jun-2013
Date: 2011-Jun-17

Scott Nightingale

From: jamie@jamiethall.com on behalf of Jamie T. Hall <jamie.hall@channellawgroup.com>
Sent: Friday, June 17, 2011 4:04 PM
To: Scott Nightingale
Cc: Jim Kelly (James)
Subject: Revised RF Emission Report for American Tower Corp. @ 4039 Avenida De La Plata; CUP 10-00010; APN: 162-503-28-00
Attachments: Letter re Submittal of Revised Report, 06.17.11.pdf; Ocean Hill-302058-2011-0617 Revised.PE.pdf; Ocean Hill Revision Letter, 06.15.11.PE.pdf

Dear Scott:

American Tower Corporation ("ATC") has commissioned a revised Radio Frequency ("RF") Emissions Report in response to the comments received from the City's third party reviewer (Mestre Greves). Attached please find a short cover letter prepared by the RF Engineering firm (Sitesafe) retained by ATC for this project along with a revised RF Emission Report. ATC looks forward to working with the City of Oceanside to process the above referenced permit. I may be contacted at 310-982-1760 or jamie.hall@channellawgroup.com if you have any questions.

Sincerely,

Jamie T. Hall
Channel Law Group, LLP
207 E. Broadway, Suite 201
Long Beach, CA 90802
Direct: (310) 982-1760
Fax: (562) 394-1940
Email: jamie.hall@channellawgroup.com
Website: www.channellawgroup.com

Received
JUN 20 2011
Planning

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**American Tower Corporation • Base Station No. CA-302058 "Ocean Hill"
4039 Avenida De La Plata • Oceanside, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by American Tower Corporation, a provider of wireless and broadcast towers, to evaluate its existing base station (Site No. CA-302058 "Ocean Hill") located at 4039 Avenida De La Plata in Oceanside, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar exposure limits. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Approx. Frequency	Occupational Limit	Public Limit
Point-to-Point ("microwave")	5-23,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Broadband Radio ("BRS")	2,600	5.00	1.00
Advanced Wireless ("AWS")	2,100	5.00	1.00
Personal Communication ("PCS")	1,950	5.00	1.00
Cellular Telephone	870	2.90	0.58
Specialized Mobile Radio ("SMR")	855	2.85	0.57
Long Term Evolution ("LTE")	700	2.33	0.47
[most restrictive frequency range]	30-300	1.00	0.20

General Facility Requirements

Antennas for base station use are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this



**American Tower Corporation • Base Station No. CA-302058 "Ocean Hill"
4039 Avenida De La Plata • Oceanside, California**

means that it is generally not possible for exposure conditions to approach the FCC limits without being physically very near the antennas.

Site Description

The Ocean Hill site was visited by Mr. David Kelly, a qualified field technician contracted by Hammett & Edison, Inc., during normal business hours on April 15, 2010, a non-holiday weekday. There were observed four tall poles, configured to resemble pine trees, sited in the parking lot of the light industrial complex located at 4039 Avenida De La Plata in Oceanside. Mounted on the poles were directional panel antennas for use by Sprint Nextel, AT&T Mobility, and Cricket. Explanatory warning signs* had been posted on transmitter buildings near the base of the poles.

Measurement Results

The measurement equipment used was a Narda Radiation Meter Type EMR 300 with Type 18 Isotropic Electric Field Probe (Serial No. F-0034). The meter and probe were under current calibration by the manufacturer. The maximum observed power density level for a person anywhere at ground near the site was 0.00032 mW/cm², which is 0.16% of the most restrictive public limit. The three-dimensional perimeter of RF levels equal to the public exposure limit did not reach any publicly accessible areas.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the wireless telecommunications facility operated by American Tower Corporation located at 4039 Avenida De La Plata in Oceanside, California, as configured and operating at the time of the visit, complies with the FCC guidelines limiting public exposure to radio frequency energy and, therefore, does not for this reason cause a significant impact on the environment.

* Warning signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (*e.g.*, a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required.



American Tower Corporation • Base Station No. CA-302058 "Ocean Hill"
4039 Avenida De La Plata • Oceanside, California

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2011. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



William F. Hammett
William F. Hammett, P.E.

March 21, 2010



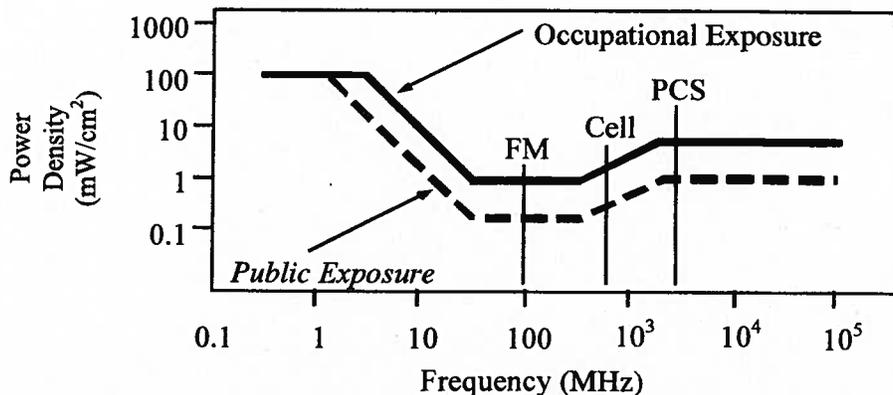
HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields (f is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√f	<i>1.59√f</i>	√f/106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.





Coverage Plots for CA6410

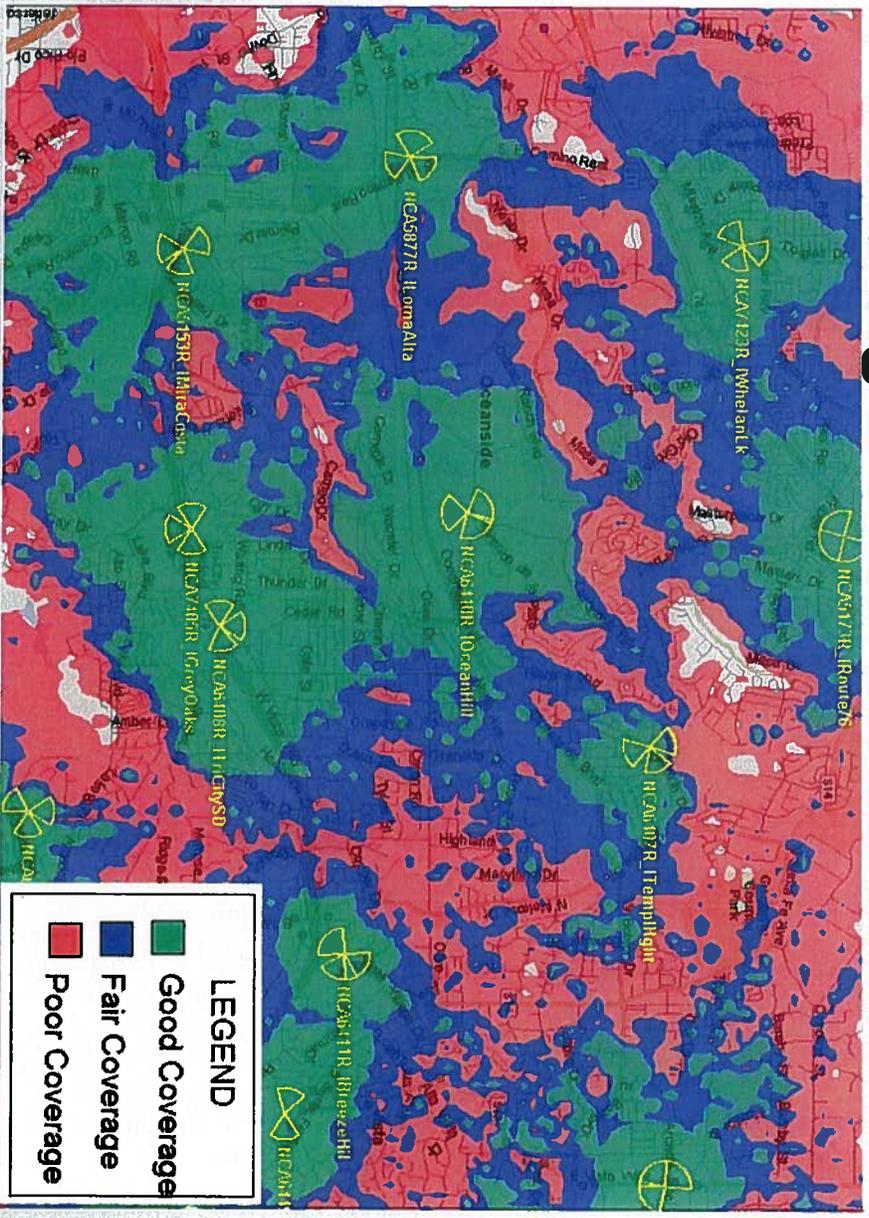
Received
AUG 4 2010
Planning Division

Welcome to Now. Population: 49 million.
Right now, the tools, skills and knowledge of over 30,000 more people are available to the Now Network™.
Sprint has added Ericsson to its service team, making our best-ever network even better for getting what you want in real time.



*Based on a survey of 100,000 consumers. For more information, visit www.sprint.com. ©2009 Sprint Nextel. All rights reserved.

Coverage without CA6410



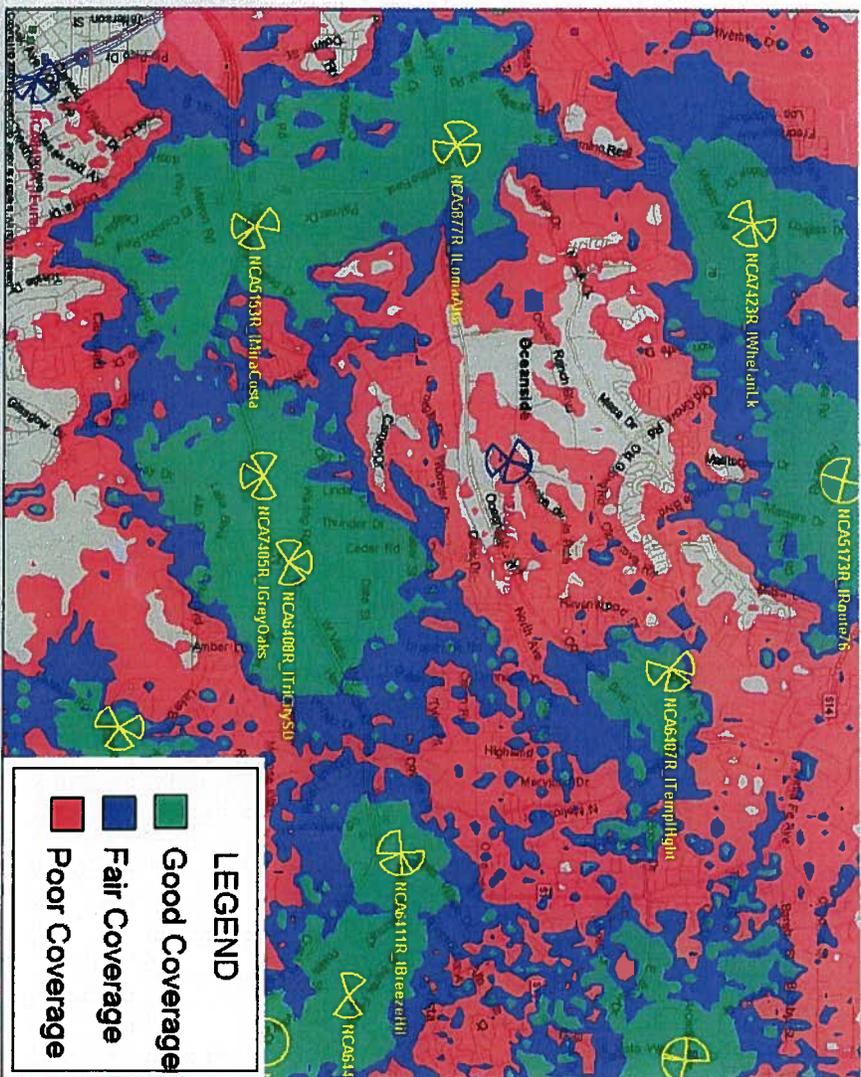
LEGEND

■	Good Coverage
■	Fair Coverage
■	Poor Coverage

Sprint + **ERICSSON**
 TAKING YOU FORWARD

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Coverage with CA6410



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AMERICANTOWER

CA-302058
OCEAN HILL

4039 AVENIDA DE LA PLATA OCEANSIDE CA 92056



VIEW 1



LOCATION

©2011 Google Maps



EXISTING



PROPOSED

LOOKING SOUTH FROM AVENIDA DE LA PLATA

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



AMERICAN TOWER

CA-302058

OCEAN HILL

4039 AVENIDA DE LA PLATA OCEANSIDE CA 92056



ASesims.com
877.9AE.sims

VIEW 2



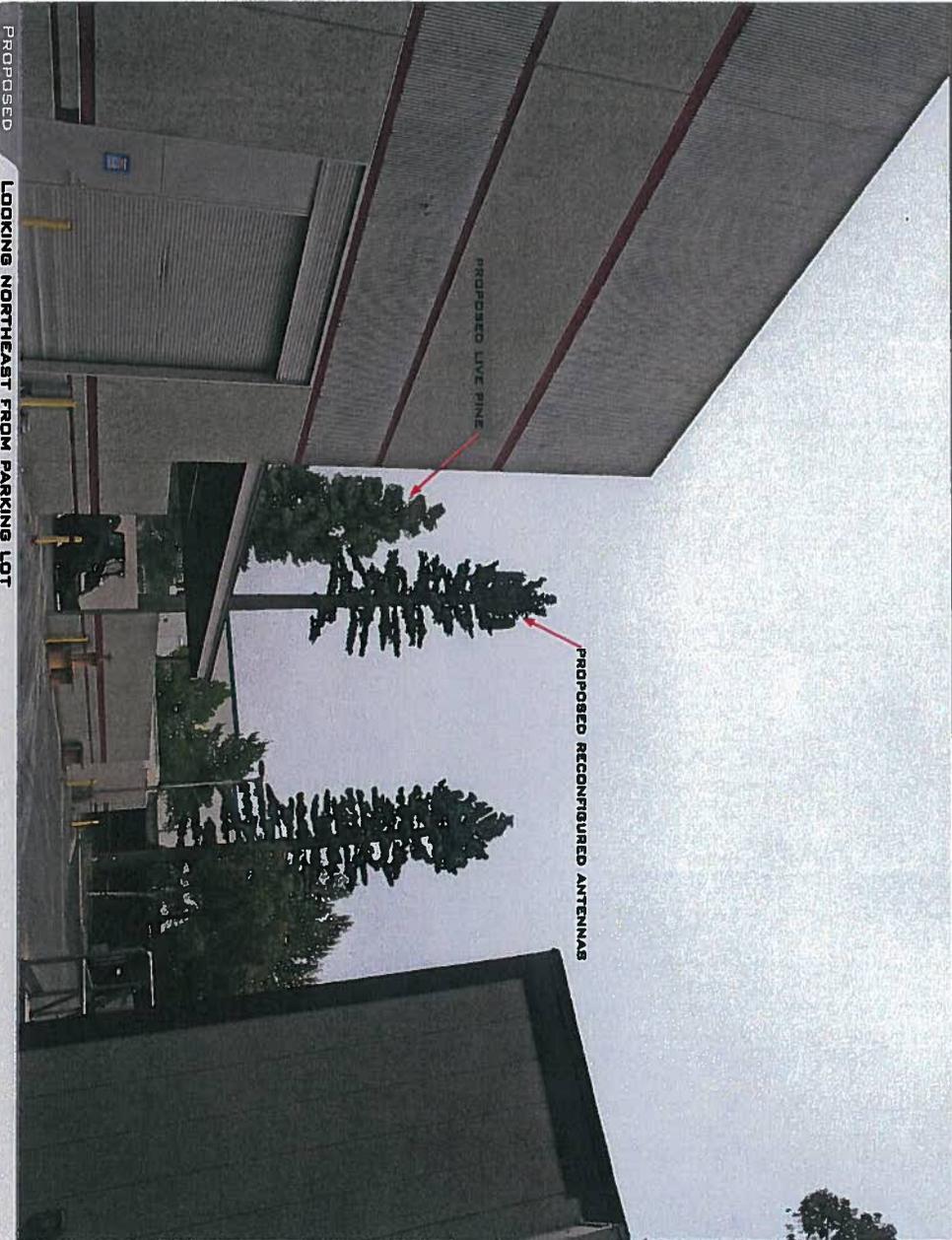
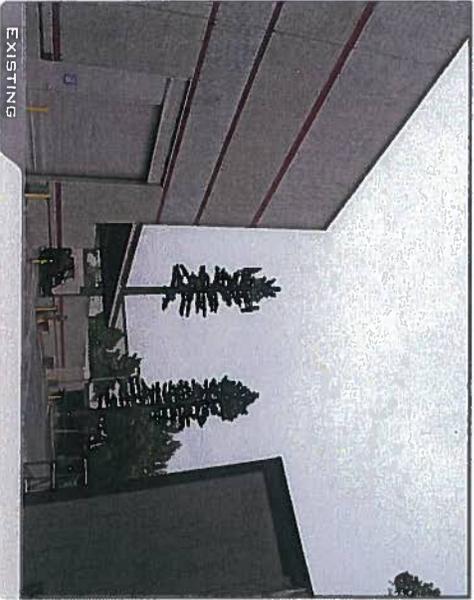
PROPOSED
LOOKING SOUTHWEST FROM ADJACENT PARKING LOT

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



CA-302058
OCEAN HILL
4039 AVENIDA DE LA PLATA OCEANSIDE CA 92056

VIEW 3



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

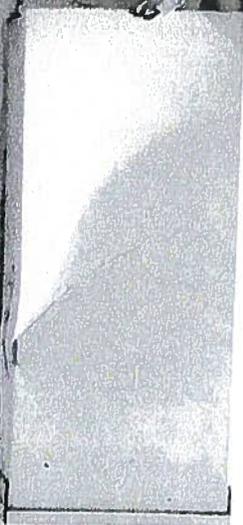








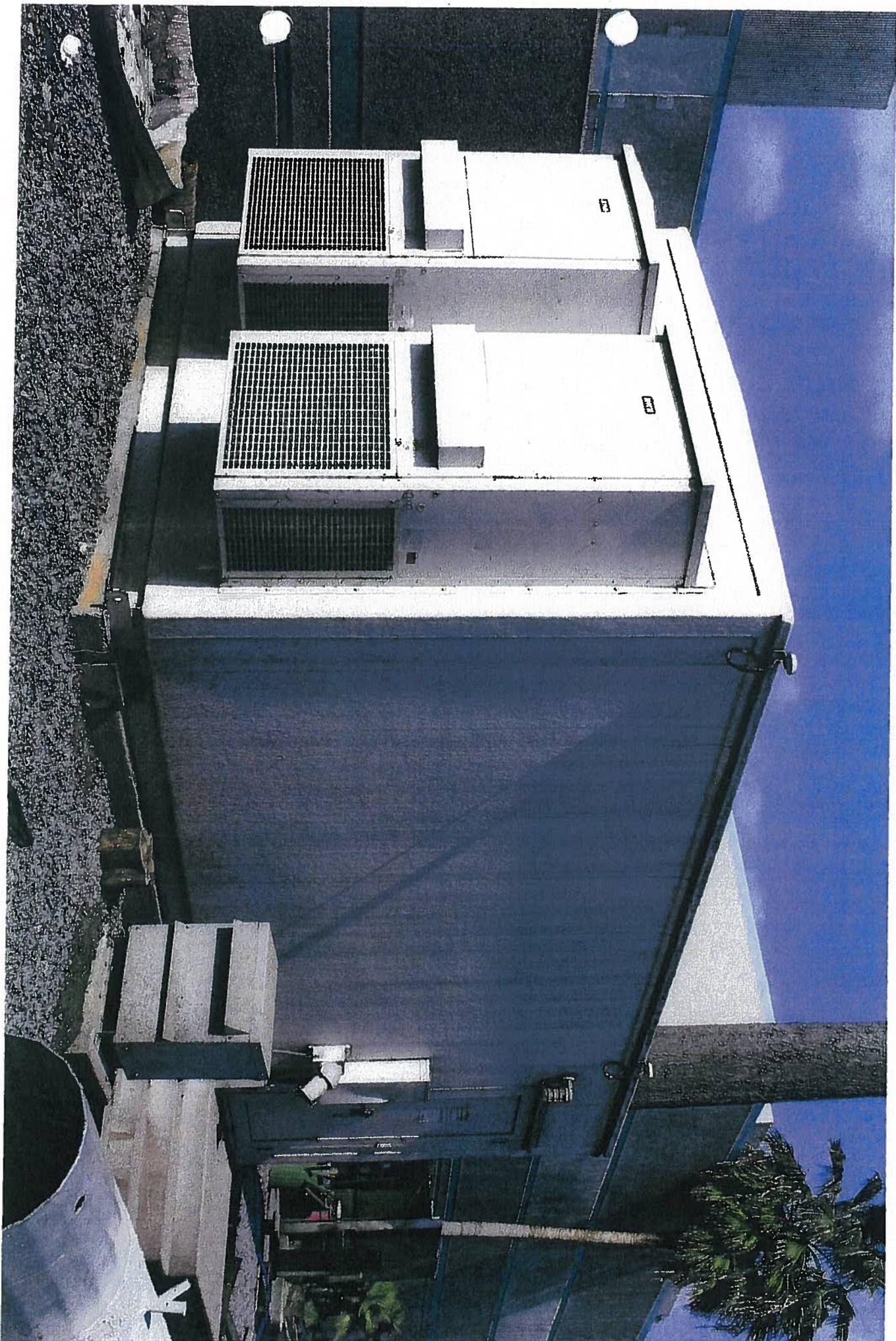
Small rectangular label or sign in the upper right corner of the door frame.



NOTICE

NOTICE
This door is locked at all times. No one is to enter without the proper key. If you have a key, you must use it. If you do not have a key, you must call the person in charge of the door. If you have a problem, call the person in charge of the door. If you have a problem, call the person in charge of the door.

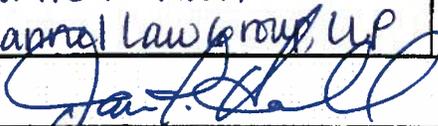




RECEIVED

APR 28 2010

5/4/10

 <p>Application for Public Hearing Community Development Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p>			STAFF USE ONLY	
			ACCEPTED BY OFFICE OF OCEANSIDE DEVELOPMENT SERVICES	
Please Print or Type All Information			HEARING	
PART I - APPLICANT INFORMATION			GPA	
1. APPLICANT American Tower Corp.		2. STATUS Lessee		MASTER/SP.PLAN
3. ADDRESS 2201 Dupont Drive, #340 Irvine, CA 92612		4. PHONE/FAX/E-mail (949) 442-6400 Ph (949) 474-7260 fax		ZONE CH.
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Jamie T. Hall - Channel Law Group, LLP			TENT. MAP	
6. ADDRESS 207 E. Broadway, Suite 201 Long Beach, CA 90802		7. PHONE/FAX/E-mail (310) 982-1160 Ph (562) 394-1940 fax		PAR. MAP
PART II - PROPERTY DESCRIPTION			DEV. PL.	
8. LOCATION 4039 Avenida de la Plata			C.U.P. CUP10-00010	
9. SIZE 2.57 Acres			VARIANCE	
10. GENERAL PLAN Industrial - RDO		11. ZONING PD-1 RDO		COASTAL
12. LAND USE Industrial - S-1-S4		13. ASSESSOR'S PARCEL NUMBER 162-503-28		
PART III - PROJECT DESCRIPTION				
14. GENERAL PROJECT DESCRIPTION CUP C-19-99 Renewal for existing American Tower Wireless Telecommunications facilities including existing 75'-0" high monopine w/ 12 pipe mounted telecommunication panel antennas; existing prefab. telecommunication equip. shelter.				
15. PROPOSED GENERAL PLAN No change		16. PROPOSED ZONING No change		17. PROPOSED LAND USE Telecommunic. Facility
18. NO. UNITS N/A		19. DENSITY N/A		
20. BUILDING SIZE 32,400 sq. ft.		21. PARKING SPACES No change		22. % LANDSCAPE No change
23. % LOT COVERAGE or FAR 16.3%				
PART IV - ATTACHMENTS				
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		26. TITLE REPORT
27. NOTIFICATION MAP & LABELS		28. ENVIRONMENTAL INFO FORM		29. PLOT PLANS
30. FLOOR PLANS AND ELEVATIONS		31. CERTIFICATION OF POSTING		32. OTHER (See attachment for required reports)
PART V - SIGNATURES				
33. APPLICANT OR REPRESENTATIVE (Print): Jamie T. Hall Channel Law Group, LLP		34. DATE 2/22/10		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).
Sign: 		35. OWNER (Print): Kuhn Family Trust		
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		36. DATE 2-26-2010		Sign: 

Attachment – Part IV

24. DESCRIPTION AND JUSTIFICATION

American Tower proposes a fifteen (15) year renewal of Conditional Use Permit C-19-99 for an existing wireless communications facility (“Facility”) pursuant to the State of California’s law regarding wireless communications facilities (a.k.a. SB 1627). The Facility is located at 4039 Avenida de la Plata on property that is approximately 2.6 acres in total area. The Facility is approximately 75 feet and is designed as a stealth monopine in an effort to replicate the appearance of a pine tree, mitigate any significant visual impacts and blend with the existing environment.

The Facility provides wireless voice and data communication services for residents, businesses and visitors in the City of Oceanside. Specifically, the Facility provides services to customers of Sprint/Nextel. Continuity of Nextel’s services relies on the subject facility, and consequently renewal of Conditional Use Permit C-19-99 is necessary to allow for continued communications service.

The existing communications facility is sited on property that has three (3) other communications facilities. Significantly, all of the existing wireless facilities on the property have been designed as monopines as well in an effort to blend with the existing environment and maintain land use compatibility. Further, over the years a number of real pine trees have been planted along with the property lines to give the existing wireless facilities a more realistic appearance. Indeed, pursuant to Condition No. 22(b) in CUP C-19-99, Nextel planted a number of trees along the eastern property line. Accordingly, both staff and the Planning Commission concluded in 2000 that “the combination of realistic tree simulation, coupled with the existence of mature trees and property development within the industrial park, and together with the supplemental tree and fence screening on the property, will adequately mitigate any potential view impact from the near and distance view perspectives.” Finally, the facility serves as a co-location site for wireless carriers who are seeking to enter the market and/or upgrade equipment.

The existing communications facility authorized pursuant to C-19-99 includes:

- Existing 75-0” monopine
- Existing 9 pipe-mounted telecommunications panel antennas
- Existing overhead cable bridge between shelter and monopine
- Existing pre-fabricated telecommunications equipment shelter

Collocation Capability

As the drawings indicate, there is room on the existing facility for additional antennas. The exact RAD centers for these additional antenna arrays cannot be identified because RAD centers are determined by the network configuration requirements of the collocating carrier and/or entity. However, as long as there is at least a 10-foot clearance between the RAD centers of existing

antennas and the RAD centers of any new sets of antennas, the new antennas can be mounted on the Facility.

Conditional Use Permit Findings

Pursuant to Section 4105 of the Oceanside Zoning Ordinance, the following evidence is submitted as proof in support of the following statements for variances and conditional use permits:

(a) That the proposed location of the use is in accordance with the objectives of this ordinance and the purposes of the district in which the site is located.

Section 3025 D. of the Oceanside Zoning Ordinance specifies that a communications facilities may be installed and operated within any zoning district subject to applicable categorical standards and processes. In accordance with Section 3025 D. 3, this proposal, as a stand alone communications facility, may be approved by the Planning Commission through a public hearing conditional use permit process.

(b) That 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; 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.

Safety of telecommunications facilities is ensured by the Federal Communications Commission, who regulates wireless antenna radio signals. In 1996, the FCC adopted wireless antenna guidelines that set safe human exposure limits for radio-frequency energy that must not be exceeded and compliance with these standards ensures public safety.

The existing communications facility, authorized pursuant to C-19-99, includes an existing 75-0" high lattice tower, existing panel antennas attached to the existing monopine, an existing overhead cable bridge between the shelter and the tower, and an existing prefabricated shelter. The existing communications facility is sited on property that has three (3) other communications facilities. Significantly, all of the existing wireless facilities on the property have been designed as monopines as well in an effort to blend with the existing environment and maintain land use compatibility. Further, over the years a number of real pine trees have been planted along with the property lines to give the existing wireless facilities a more realistic appearance. Indeed, pursuant to Condition No. 22(b) in CUP C-19-99, Nextel planted a number of trees along the eastern property line. Accordingly, both staff and the Planning Commission concluded in 2000 that "the combination of realistic tree simulation, coupled with the existence of mature trees and property development within the industrial park, and together with the supplemental tree and fence screening on the property, will adequately mitigate any potential view impact from the near and distance view perspectives." Moreover, staff concluded in 2000 that "the proposed facility would conform visually to the surrounding landforms and poses no significant visual impacts to the community." Finally, the facility serves as a co-location site for wireless carriers who are seeking to enter the market and/or upgrade equipment. In sum, because the subject Facility employees effective screening mechanisms (i.e. monopine stealth technology), it does not represent a detriment to properties or improvements in the vicinity, or the general welfare of the city.

(c) That the proposed condition 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 will be located.

The existing wireless communication facility is subject to review through the conditional use permit process, and by the Oceanside Planning Commission's approval to renew CUP C-19-99, and any conditions attached, the subject facility will comply with the City of Oceanside's Zoning Ordinance.

Application Information – Part I

1. APPLICANT

American Tower Corporation

2. STATUS

Lessee. American Tower Corporation is a tower management company and provider of telecommunications services.

3. ADDRESS

2201 Dupont Drive #340, Irvine, CA 92612

4. PHONE

(949) 442-6400

5. APPLICANT'S REPRESENTATIVE

Jamie T. Hall
Channel Law Group, LLP
Attorney for American Tower Corporation

6. ADDRESS

207 E. Broadway, Suite 201
Long Beach, CA 90802

7. PHONE

Office : 310-982-1760
Fax: 562-394-1940
Cell: 512-619-4645
e-mail: jamie.hall@channellawgroup.com

Property Description – Part II

8. LOCATION

The existing facility is located at 4039 Avenida de la Plata.

9. SIZE

The project size property is approximately 2.6 acres in total area and is developed with a 32,000 square-foot industrial building.

10. GENERAL PLAN

Industrial - RDO

11. ZONING

PD-1 (Planned Development 1-Rancho Del Oro)

12. LAND USE

Industrial; S-1-84

13. ASSESSOR'S PARCEL NUMBER

162-503-28

Property Description – Part III

14. GENERAL PROJECT DESCRIPTION

Renewal of Conditional Use Permit C-19-99 for an existing stand-alone wireless communication facility.

15. PROPOSED GENERAL PLAN

No changes to the General Plan

16. PROPOSED ZONING

No changes to the zoning

17. PROPOSED LAND USE

Communications Facility

18. NUMBER OF UNITS

N/A

19. DENSITY

N/A

20. BUILDING SIZE

32,000 square feet

21. PARKING SPACES

No change

22. PERCENTAGE LANDSCAPING

Numerous mature trees sited on the property.

23. PERCENTAGE LOT COVERAGE

Approximately 16.3%

Channel Law Group, LLP

207 E. BROADWAY
SUITE 201
LONG BEACH, CA 90802

Phone: (310) 982-7197
Fax: (562) 394-1940
www.channellawgroup.com

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

ROBERT JYSTAD
JULIAN K. QUATTLEBAUM, III *
JAMIE T. HALL **
CHARLES McLURKIN

*ALSO Admitted in Colorado
**ALSO Admitted in Texas

June 15, 2012

VIA PERSONAL DELIVERY

Mr. Scott Nightingale
City of Oceanside, Planning Department
300 North Coast Highway
Oceanside, CA 92054

**Re: American Tower Corp. @ 4039 Avenida De La Plata;
(CUP 10-00010; APN: 162-503-28-00)**

Dear Scott:

Based on our discussions regarding the American Tower Corporation ("ATC") mono-pine located at 4039 Avenida De La Plata, ATC has revised the project to incorporate visual mitigation measures that further conceal the nine (9) antennas located on the faux tree. Currently, the branches of the mono-pine extend approximately 6 feet out from the pole at the antenna level leaving the existing antennas exposed. In consultation with our architect, Ken Ringer, we have concluded that the best way to conceal these antennas is to remove the antennas and their mounting poles and brackets (what we call "T-arms" and "Stand-Offs") and install shorter mounting equipment. This would result in the antennas being located inside the existing envelope of the faux tree (as opposed to sticking out). ATC would then install "socks" on the antennas that would be covered with faux pine needles designed to resemble the existing foliage on the faux tree. This is the same approach that was used in the immediately adjacent mono-pine as shown on the attached photo. (Exhibit 1) Any additional branches added to the mono-pine in the immediate area of the antenna would unavoidably create an incongruous appearance because of a greater foliage density at the top of the tree as well as because of the changes in available designs and manufacturing techniques since the original branches were manufactured.

As previously outlined, ATC is also proposing to plant a live pine tree in the compound area adjacent to the existing monopine, which can grow to 60- 80 feet. Revised plans have been prepared consistent with the improvement outlined above (Exhibit 2). Per your request, ATC has also commissioned photo-simulations depicting the monopine with the proposed improvements (Exhibit 3).

Letter to: Scott Nightingale

Date: June 15, 2012

Page 2

Additionally, ATC hereby submits revised mapping materials (including labels) as a result of the City's change in the notification radius for development projects of this type (Exhibit 4). Finally, ATC submits a copy of the structural calculations that were prepared when the mono-pine was constructed and, consistent with the City's standard practice, agrees to submit additional structural analysis for review by the Building Division prior to being issued a building permit by the City for the proposed improvements (Exhibit 5).

ATC looks forward to working with the City to process the above referenced permit. I may be contacted at 310-982-1760 or jamie.hall@channellawgroup.com if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent than the last name "Hall".

Jamie T. Hall

Attorney for American Tower Corporation

c: James Kelly, American Tower Corporation

EXHIBIT A**LEGAL DESCRIPTION**

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

LOTS 1 THROUGH 4, INCLUSIVE, 7 THROUGH 17, INCLUSIVE, 24 THROUGH 103, INCLUSIVE AND 106 THROUGH 123, INCLUSIVE OF MORRO HILLS VILLAGE "K", IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15823, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 22, 2011.

APN: 122-610-01 through 122-610-04, 122-610-07 through 122-610-17, 122-610-24 through
122-610-51, 122-610-54 through 122-610-66 and 122-611-01 through 122-611-57



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** American Tower Corp.
2. **ADDRESS:** 2201 Dupont Dr., #340 Irvine, CA. 92612
3. **PHONE NUMBER:** (949) 442-6400
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Associate Planner
6. **PROJECT TITLE:** CUP10-00010 American Tower @ 4039 Avenida de la Plata
7. **DESCRIPTION:** To allow the continued operation and minor renovations of an existing telecommunication facility concealed entirely within an existing 75-foot faux mono-pine cellular tower, pursuant to Article 3904 of the Oceanside Zoning Ordinance. American Tower is proposing to operate and maintain a wireless telecommunication facility consisting of nine panel antennas and a pre-fabricated telecommunications equipment shelter. Currently the branches of the mono-pine extend six feet out from the pole, leaving the antennas to be exposed. The applicant proposes to revise the antenna brackets with shorter mounting equipment and place the new antennas within antennas socks that shall mimic the pine needles and braches. The proposed screening enhancements shall allow the antennas to be further screened from public view. American tower is also proposing to plant a live pine tree in the compound area adjacent to the existing mono-pine. The proposed tree could reach the heights of 60-80 feet when fully grown and shall help screen the mono-pine from public view.

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 a minor alteration to an existing public structure and facilities that involves negligible or no expansion beyond what exists. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- Per Article 19, the project is categorically exempt, in accordance with Section 15301, Existing Facilities, Class 1 (b), minor alteration to an existing public structure or facility.
- "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 of section] (Section xxxxx); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Associate Planner

Date: 6/25/2012