




STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: September 4, 2013

PLANNER: Cliff Jones, Associate Planner 

SUBJECT: Conditional Use Permit 11-547 / Site Plan Permit 13-232, Verizon on Salvador, a request to consider allowing a faux Eucalyptus tree containing cellular antennas on a City reservoir site at 721 Avenida Salvador.

REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution (Attachment 1) and analysis section of this report provide an assessment of the project's compliance with these findings.

Conditional Use Permit, Section 17.16.060(F) and 17.28.070(E): for the cellular facility.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of this title, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed.
- b. The site is suitable for the type and intensity of use that is proposed.
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed use will not negatively impact surrounding land uses.
- e. The antennas do not interfere with the transmission or reception of other signals in the City.
- f. The transmission or reception of the signal has not been demonstrated to pose a threat to the public health or safety.
- g. The antennas do not create adverse visual impacts to the surrounding area or to the City at large, as determined by the City.

Site Plan Permit, Section 17.16.050(F): for the new non-residential site plan.

- a. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title, the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed;
- b. The site is suitable for the type and intensity of development that is proposed;
- c. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity;

- d. The proposed development will not be unsightly or create disharmony with its locale and surroundings; and
- e. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location.

BACKGROUND

Verizon Wireless requests the installation of a cellular imitation or “faux” Eucalyptus tree on a City reservoir site at 721 Avenida Salvador. The subject property is approximately 1.5 acres and located atop a hill at the western terminus of the San Clemente Ridgeline Trail. Accessed via a gated service road extending from Avenida Salvador, the property is approximately 330 feet from Avenida Salvador, 150 feet from Calle Ameno, and more than 160 feet from the nearest residence below. The site contains several public and private pole mounted antennae/microwave dishes, equipment shelters, and two municipal water towers secured within a fenced area. Around the perimeter of which several tree species provide intermittent screening of the towers and ground-mounted equipment. The subject property is located in the Rancho San Clemente Specific Plan designated as Private Open Space (OS 2). Refer to Attachment 2 for a location map and Attachment 3 for photographs of the project site.

Verizon Wireless radio frequency (RF) engineers determined that a gap in coverage exists in this area; currently service here is very poor. Deployment of this Verizon Wireless facility will provide improved coverage in the City of San Clemente. Refer to Attachment 7 for additional detail including RF coverage maps.

Development Management Team

The City's Development Management Team (DMT) reviewed the applicant's request and determined it meets requirements. Conditions of Approval are recommended that are included in the attached draft resolution.

Noticing

Public notices were distributed and posted per City and State requirements. The noticing included the residences that back-up to the site. No public comments have been received to date.

PROJECT DESCRIPTION

Cellular Faux Eucalyptus Tree

Twelve panel antennas and one microwave dish are proposed to be concealed within a 65-foot tall faux Eucalyptus tree. The faux tree includes densely spaced radio frequency (RF) transparent branches and leaves that disguise the cellular installation while still allowing radio frequency to broadcast through. The applicant chose the faux




Eucalyptus tree concept to blend with the surrounding landscape. As seen in the aerial image below, the site contains multiple mature Eucalyptus trees that surround the water reservoirs and communications facilities. Attachment 4 contains photos of a similar cellular faux Eucalyptus tree installation in the City of Laguna Hills. These photos show how the faux Eucalyptus might blend into the surrounding landscape.




Image 1: Aerial View of the Site



As seen in the aerial image above, the site contains a number of tall Eucalyptus trees, water reservoirs, and communication facilities. For comparison purposes Table 1 below summarizes the proposed cellular faux tree height versus the height of existing Eucalyptus trees, communication facilities, and water reservoirs.

Table 1
Cellular Faux Tree Heights vs. Existing Heights of Objects on Site

Object Type	Object Image	Height
Proposed Cellular Faux Eucalyptus Tree		65'
Eucalyptus Sideroxylon Trees		40' to 60'
Communication Poles		> 70' *

Object Type	Object Image	Height
Communication Tower		> 70' *
Communication Tower		50'
Water Reservoirs		38.5' and 36.3'

* Actual heights of cellular communication facilities will be provided at the Planning Commission public hearing.

The applicant indicates the proposed height is needed to receive and transmit radio frequency above the 38.5' water reservoir and mature Eucalyptus trees. The height of the cellular faux Eucalyptus is not anticipated to have negative visual impacts because it is only five feet taller than the height range for the Eucalyptus species surrounding the site, will visually blend with existing Eucalyptus trees, and is lower than many on-site communication facilities.

City policy supports the use of cellular faux trees for the following reasons: 1) City Wireless Master Plan for public property identifies cellular trees as an example of a stealth cell site design; 2) cellular faux trees have been approved and constructed at the Calle Cordillera reservoir site in Rancho San Clemente and at the Shorecliffs Mobile Home Park with no documented negative impacts; and 3) cellular faux trees have been approved, but not constructed, at the Costero Risco reservoir site in Forster Ranch and Calle Andalucia reservoir at the north end of town with no documented concerns during

the discretionary review; and 4) alternative structures built to conceal antennas or hold antennas at similar heights would look out of context with the area and have greater visual impacts. Planning staff supports the cellular faux tree for the reasons stated above.

Cellular Equipment Enclosure / Landscape

The cellular equipment is located within a new 29'-4" x 15'-4" equipment enclosure. The enclosure is constructed of tan split face block to blend with the surrounding hillside. Landscaping borders the southern edge of the site and intermittently screens the tower and equipment from the residential area below. To further screen the enclosure, drought tolerant vines sustained by gel packs are proposed within a 1'-2" landscape strip between the equipment enclosure and property line/fence. The plant material will screen the equipment enclosure from view of residential homes and streets below. A condition of approval will require maintenance be the responsibility of the applicant for two years after plant installation. Due to on-site space constraints, Eucalyptus trees cannot be planted on-site to screen the cellular faux Eucalyptus. Installation of plant material off-site may not be a viable option, as a previous cellular request by "FLO TV" to install landscape beyond City property on the southern slope owned by the Rancho San Clemente Home Owners Association was denied. It is anticipated that the faux Eucalyptus will blend with existing Eucalyptus as viewed from afar.

Please refer to the attached plans and visual simulations for additional detail.

Development Standards/Design Guidelines

The development standards for antennas on City property and within the Open Space Zone are determined through the discretionary review/site plan permit process. The development guidelines for the Zone suggest compliance with City Design Guidelines as the appropriate standard.

The Design Guidelines state ***"All development proposals should demonstrate sensitivity to the contextual influences of adjacent properties and the neighborhood."*** (*Relationship to Neighboring Development II.B.*)

Staff believes the cellular faux tree demonstrates sensitivity to the contextual influences of the area by blending with existing Eucalyptus trees. The visual impacts of adding an additional cellular facility is minimal, and aesthetically superior to the many towers with antennas on site. Additionally, the cellular faux tree will screen visibility of on-site towers from portions of Avenida Salvador. Further, the communication facility is located approximately 300 feet from the closest home, and landscape borders the southern edge of the site intermittently screening the tower and equipment. Additional landscape proposed will screen the equipment enclosure from the residential areas to the south. The height of the cellular faux Eucalyptus is not anticipated to have negative visual impacts because it is only five feet taller than the height range for the Eucalyptus

species surrounding the site, will visually blend with existing Eucalyptus, and is lower than many on-site communication facilities.

The project is compatible with the surrounding area, complies with City Design Guidelines, and therefore complies with the developments standards for the zone.

PROJECT ANALYSIS

Conditional Use Permit

The primary consideration in review of a Conditional Use Permit (CUP) is to ensure the project is compatible with surrounding land uses. Staff has reviewed and determined the project meets the required findings for the approval of a CUP. The surrounding uses are open space and residential. The property is approximately 330 feet from Avenida Salvador, 150 feet from Calle Ameno, and more than 160 feet from the nearest residence below. The cellular faux Eucalyptus is not anticipated to have negative visual impacts because it is only five feet taller than the height range for the Eucalyptus species surrounding the site, its faux design will visually blend with existing Eucalyptus trees, and is lower than many on-site communication facilities.

The Federal Communications Commission (FCC) has determined that wireless communication facilities, such as the one proposed, do not cause public health hazards. According to the FCC, the radio frequency study prepared for this installation indicates that the emission levels will be far below the safety standard threshold. Based on these factors, staff's position is that the use is compatible with the surrounding area and will not have a detrimental effect on the public health, safety, and welfare.

Site Plan Permit

The primary consideration in review of a Site Plan Permit (SPP) is to ensure the proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location. Staff has reviewed and determined the project meets the required findings for a Site Plan Permit. The location of the cellular equipment enclosure and cellular faux Eucalyptus tree was an important consideration in the Development Management Team's (DMT) review of the project. After several site plan iterations, the applicant has proposed a project which has the least amount of impacts to the water reservoir site and which ensures access to water towers is maintained and visibility of the cellular facility is limited.

Design Review Subcommittee

Table 2 below summarizes the concerns raised and discussed by the DRSC members and how the applicant has addressed the comments/concerns.

Table 2 - DRSC concerns and modifications

<i>DRSC concerns</i>	<i>Project modifications</i>
The DRSC emphasized that the faux tree stealth concept is appropriate for sites that are typically viewed from afar (i.e. water reservoirs) but may not be appropriate for sites that persons can view up close (i.e. City parks).	No Modifications Necessary. The faux tree stealth concept is being proposed at a water reservoir which is viewed form afar.
The DRSC recommended the faux tree have a branch and leave density equivalent to the Laguna Hills faux Eucalyptus tree installation, which was presented as a similar installation.	Condition of Approval. As a condition of approval, faux tree shall have a branch and leave density equivalent to the Laguna Hills faux Eucalyptus tree installation.
The DRSC also recommended that a condition of approval be added to assure that faux tree leaves and limbs that fade are replaced as part of routine maintenance.	Condition of Approval. As a condition of approval, faux tree leaves and limbs that fade shall be replaced as part of routine maintenance.
The DRSC requested the applicant investigate whether faux leaves can be provided that are greener with less of a blue hue.	Modified as Requested. The applicant is proposing faux leaves that are more of a green hue than blue.

GENERAL PLAN CONSISTENCY

Table 3 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

Table 3 - General Plan consistency

Policies and objectives	Consistency finding
<i>Objective 1.6. – “Provide for the continuation of existing and development of new public service, religious, and institutional uses and facilities which meet the needs of the City’s residents.</i>	Consistent. The cellular facility provides cellular communications to City residents and public servants in an area where cellular service is deficient.

ENVIRONMENTAL REVIEW

The Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine this request is categorically exempt from CEQA as a

Class 3 exemption pursuant to CEQA Guidelines Section 15303 because it consists of the installation of small, new equipment and facilities.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

- 1. The Planning Commission can concur with staff and approve CUP 11-547 / SPP 13-232.

This is the recommended action. It would result in allowing the construction of a cellular communication facility on City property with a lease agreement managed by the finance department.

- 2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.

The Planning Commission could add or modify the project and/or conditions of approval that may affect the design of the project, such as changes to the height of the cellular facility, the size and placement of antennas, etc. Design changes must be consistent with Design Guidelines.

- 3. The Planning Commission can deny CUP 11-547 / SPP 13-232.

This action would result in not allowing the construction of a cellular communication facility.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approves CUP 11-547 / SPP 13-232, Verizon on Salvador, subject to the attached Resolution and Conditions of Approval.

<i>Attachments:</i>	Attachment 1	Resolution PC 13-033
	Exhibit A	Conditions of Approval
	Attachment 2	Location Map
	Attachment 3	Site Photos
	Attachment 4	Laguna Hills Cellular Faux Eucalyptus Tree Example
	Attachment 5	Wireless Master Plan – Example of “Stealth” Cell Site Design – Cellular Tree
	Attachment 6	June 26, 2013 DRSC Minutes (excerpted)
	Attachment 7	RF Coverage Maps & Benefit to City of San Clemente

Plans and Visual Simulations under separate cover

RESOLUTION NO. PC 13-033

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT
(CUP) 11-547 / SITE PLAN PERMIT (SPP) 13-232, ALLOWING A FAUX
EUCALYPTUS TREE CONTAINING CELLULAR ANTENNAS ON A CITY
RESERVOIR SITE AT 721 AVENIDA SALVADOR**

WHEREAS, on December 22, 2011, an application was submitted and deemed completed, by Core Development Services on behalf of Verizon Wireless Inc., 15505 Sand Canyon Avenue, Building D, 1st Floor, Irvine CA , CA 92618, for Conditional Use Permit (CUP) 11-547, Site Plan Permit (SPP) 13-232, a request to consider allowing a faux eucalyptus tree containing cellular antennas on a City reservoir site at 721 Avenida Salvador within the Rancho San Clemente Specific Plan designated as Private Open Space (OS 2). The legal description is Assessor's Parcel Number 690-502-16; and

WHEREAS, the City's Development Management Team (DMT) reviewed the subject application, and the DMT determined it complies with the General Plan, Zoning Ordinance, Rancho San Clemente Specific Plan, and other applicable City ordinances and codes; and

WHEREAS, the Planning Division completed an initial environmental assessment of the above matter in accordance with California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine this project categorically exempt from CEQA as a Class 3 exemption pursuant to CEQA Guidelines Section 15303 because it consists of the installation of small, new equipment and facilities; and

WHEREAS, on September 4, 2013, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW, THEREFORE, the Planning Commission of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from the California Environmental Quality Act (CEQA) as provided for in CEQA Guidelines Section 15303, as a Class 3 exemption because it consists of the installation of small, new equipment and facilities.

Section 2: With respect to CUP 11-547, the Planning Commission finds that:

- A. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all applicable provisions of the Rancho San Clemente Specific Plan, Zoning Code, the San Clemente General Plan, and the purpose and intent of the zone in which the use is being proposed

in that the proposed wireless facility provides cellular communications to City residents and public servants in an area where cellular service is deficient.

- B. The site is suitable for the type and intensity of use that is proposed in that the site contains adequate space to accommodate the proposed faux tree and related cellular equipment and the cellular equipment shall be screened from public view.
- C. The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties and improvements in the vicinity in that the transmission or reception of the signals from the proposed antennas has not been demonstrated to pose a threat to the public health and safety. The Federal Communications Commission (FCC) has determined that wireless telecommunication facilities designed and operated consistent with FCC rules and regulations do not cause public health hazards. According to the FCC the facility must operate within the limits set by the 1992 ANSI (American National Standards Institute) standards for public exposure to electronic magnetic field (EMF) emissions. The 1992 ANSI standards set the threshold between safety and known hazard at 50 times below a level that the majority of the scientific community believes may pose a health risk to human populations.
- D. The proposed use will not negatively impact surrounding land uses in that:
 - 1. The proposed antennas do not create adverse visual impacts to the surrounding area or to the City at large as the antennas are concealed within a faux tree to limit visibility and the cellular equipment is provided within an equipment enclosure.
 - 2. City policy supports the use of cellular filed light poles for the following reasons: 1) City Wireless Master Plan for public property identifies cellular trees as an example of a stealth cell site design; 2) cellular faux trees have been approved and constructed at the Calle Cordillera reservoir site in Rancho San Clemente and at the Shorecliffs Mobile Home Park with no documented negative impacts; and 3) cellular faux trees have been approved, but not constructed, at the Costero Risco reservoir site in Forster Ranch and Calle Andalucia reservoir at the north end of town with no documented concerns during the discretionary review; and 4) alternative structures built to conceal antennas or hold antennas at similar heights would look out of context with the area and have greater visual impacts.
 - 3. The project will not emit noise or odors.
 - 4. The proposed antennas do not interfere with the transmission or reception of other signals in the City, according to the technical evidence provided by the applicant.

5. The transmission or reception of the signals from the antennas has not been demonstrated to pose a threat to the public health and safety in accordance with the technical studies provided by the applicant.

Section 3: With respect to SPP 13-232, the Planning Commission finds that:

- A. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title, the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed in that the location of the cellular equipment enclosure and cellular faux tree has the least amount of impacts to the water reservoir site being setback far from the reservoirs and located in an underutilized portion of the property. The location of the wireless facility will improve cellular coverage for Verizon customers in the vicinity.
- B. The site is suitable for the type and intensity of use that is proposed in that the site contains adequate space to accommodate the proposed antennas and related cellular equipment and the cellular equipment shall be screened from public view.
- C. The proposed development will not be detrimental to the public health, safety or welfare or materially injurious to properties and improvements in the vicinity in that the transmission or reception of the signals from the proposed antennas has not been demonstrated to pose a threat to the public health and safety. The Federal Communications Commission (FCC) has determined that wireless telecommunication facilities designed and operated consistent with FCC rules and regulations do not cause public health hazards. According to the FCC the facility must operate within the limits set by the 1992 ANSI (American National Standards Institute) standards for public exposure to electronic magnetic field (EMF) emissions. The 1992 ANSI standards set the threshold between safety and known hazard at 50 times below a level that the majority of the scientific community believes may pose a health risk to human populations.
- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings in that the antennas are located within a faux eucalyptus tree to limit their visibility and the cellular equipment is provided within an equipment enclosure.
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location in that the project has gone through several project iterations and this layout meets all applicable development standards.

Section 4: The Planning Commission hereby approves Conditional Use Permit (CUP) 11-547, Site Plan Permit (SPP) 13-232, subject to the above Findings and the Conditions of Approval attached hereto as Exhibit A.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of San Clemente on September 4, 2013.

Chair

TO WIT:

I **HEREBY CERTIFY** that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on September 4, 2013, and carried by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

Secretary of the Planning Commission

EXHIBIT A**CONDITIONS OF APPROVAL*
CUP 11-547, SPP 13-232**

1. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)_____
2. Thirty (30) days after project approval, the applicant shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive]* (PIng.)_____
3. The applicant shall develop the approved project in conformance with the site plan, elevations, visual simulaitons, sample and materials board and any other applicable submittals approved by the Planning Commission. Any deviation from the site plan, elevations, visual simulaitons, materials, colors or other approved submittal shall require the owner or designee to submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines the deviation is

- significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator or Planning Commission, as appropriate. *[Citation – City Quality Insurance Program]* ■ (PIng.)_____
4. CUP 11-547 / SPP 13-232 shall become null and void if the use is not commenced within three (3) years from the date of approval of CUP 11-547 / SPP 13-232. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. A use shall be deemed to have lapsed, and CUP 11-547 / SPP 13-232 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.A.1 and Section 17.12.150.C.1 of the SCMC]* ■ (PIng.)_____
 5. The applicant shall have the right to request an extension of CUP 11-547 / SPP 13-232 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request may be subject to review and approval by the final decision making authority that ultimately approved or conditionally approved the original application. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____
 6. The carrier shall comply with applicable Federal Communications Commission (FCC) requirements, per the Radio Frequency (RF) study, including, but not limited to requirements related to permissible levels of radio frequency emissions. ■■ (PIng.)_____
 7. To prevent exposures in excess of the FCC guidelines, no access within 10 feet directly in front of the antennas (horizontal plane of antenna) should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. ■■ (PIng.)_____
 8. Prior to issuance of any permits, the applicant shall submit for review, and shall obtain the approval of the Community Development Director or designee, a detailed landscape and irrigation plan. The plan shall be prepared by a registered architect, and shall be in compliance with all pertinent requirements. ■■ (PIng.)_____ (BP&R.)_____
 9. Cellular faux tree shall have a branch and leave density equivalent to the Laguna Hills faux eucalyptus tree installation, presented in the Planning commission staff report dated September 4, 2013. ■■(PIng.)_____
 10. Cellular faux tree leaves and limbs that fade shall be replaced as part of routine maintenance. ■■ (PIng.)_____

11. The carrier shall provide in writing that the proposed antennas do not interfere with the transmission or reception of the City SCADA communication system and other communication equipment. ■■(Eng.)_____
12. The cellular communication facility shall not interfere with the function and operation of any utility communication equipment (e.g. City SCADA system) or control signals. If interference is found to be caused by the communication facility, the operator shall follow the FCC process to mitigate and resolve the issues. If project modifications are necessary, the changes shall be reviewed and approved in compliance with the Zoning Ordinance and other applicable regulations. ■ (Eng.)_____
13. Prior to Building Division final inspection and release of construction permits, the applicant shall meet with the Planning and Beaches, Parks & Recreation Divisions on the project site to review the colors, textures, location, height, antenna screening, landscaping, and other project characteristics to ensure the communication facility is constructed in substantial conformance with CUP 11-547 / SPP 13-232. The applicant shall comply with any request to correct field conditions found unacceptable to the satisfaction of the Planning or Beaches, Parks & Recreation Divisions. ■■ (PIng.)_____ (BP&R.)_____
23. Prior to Building Division final inspection and release of construction permits, a written agreement shall be executed by the applicant and approved by the City Planner and City Attorney; ensuring landscaping is maintained in a healthy condition for three years after the project is constructed and released by the Building Division. The applicant or designee shall be responsible for fees related to this agreement. ■ (PIng.) _____
24. Prior to Building Division final inspection and release of construction permits, the applicant shall submit a letter, signed by a registered architect, to the Community Development Director or designee, stating that landscaping has been installed in accordance with the approved plans. ■ (PIng.) _____
25. Prior to the issuance of a building permit, applicant or designee shall submit to the Fire Chief a plan for review and approval of the battery system. The plans shall be in accordance with Article 64 of the California Fire Code. The failure to document deficiencies during this review shall not be held to permit or approve the violation of any law. If the applicant has any questions regarding this plan submittal, they may contact the Orange County Fire Authority at (714) 368-8843. ■■ (OCFA.)_____
26. Prior to the issuance of any permits, if deemed applicable by the City, the applicant shall supply the City with surety in a form acceptable to the City Attorney in an amount of a 100% of the approved cost estimate for performance and 100% of the approved cost estimate for labor and materials. ■■ (PIng.)_____ (BP&R.)_____

27. Cellular Carrier shall report without delay any damage to City equipment or property and shall be held responsible for the replacement of any such damage caused by construction activities. ■■ (PIng.)_____ (BP&R.)_____
28. Cellular Carrier shall be responsible for the replacement of all plant materials damaged by his operation, including pavement, hardscape, trees, shrubs, ground cover, mulch, pebble bark and similar materials. The full cost of such replacement, including the cost of labor shall be borne by the Cellular Carrier. ■■ (PIng.)_____ (BP&R.)_____
29. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process.
[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20] (Bldg)_____
30. Prior to issuance of building permits, proposed emergency generator requires OCFA review/approval. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code]* (Bldg)_____
31. Prior to issuance of building permits, proposed emergency generator by South Coast Air Quality Management District for possible AQMD permit is required.
[Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20] (Bldg)_____
32. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes.
[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning] (Bldg.)_____
33. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction, transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc.
[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72] (Bldg.)_____

34. Prior to issuance of building permits, the owner or designee shall submit two copies of a project specific soils and geologic report, prepared by a registered geologist and/or soil engineer, which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. The soils report shall accompany the building plans, engineering calculations, and reports submitted during the plan check process.
[S.C.M.C – Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4]
(Bldg.)_____

35. Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the forms for the building/structures foundations conform to the front, side and rear setbacks are in conformance to the approved plans. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]*
(Bldg.)_____

36. Prior to the Building Division's approval of the final inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]*
(Bldg.)_____

* All Conditions of Approval are standard, unless indicated as follows:

- Denotes modified standard Condition of Approval
- Denotes project specific Condition of Approval



LOCATION MAP

CUP 11-547 / SPP 13-232, Verizon on Salvador
721 Avenida Salvador



No scale

769 Avenida Salvador - Site Photos



Subject Site



Existing Communication Facilities



Communication Tower



Communication Facility



Communication Facility



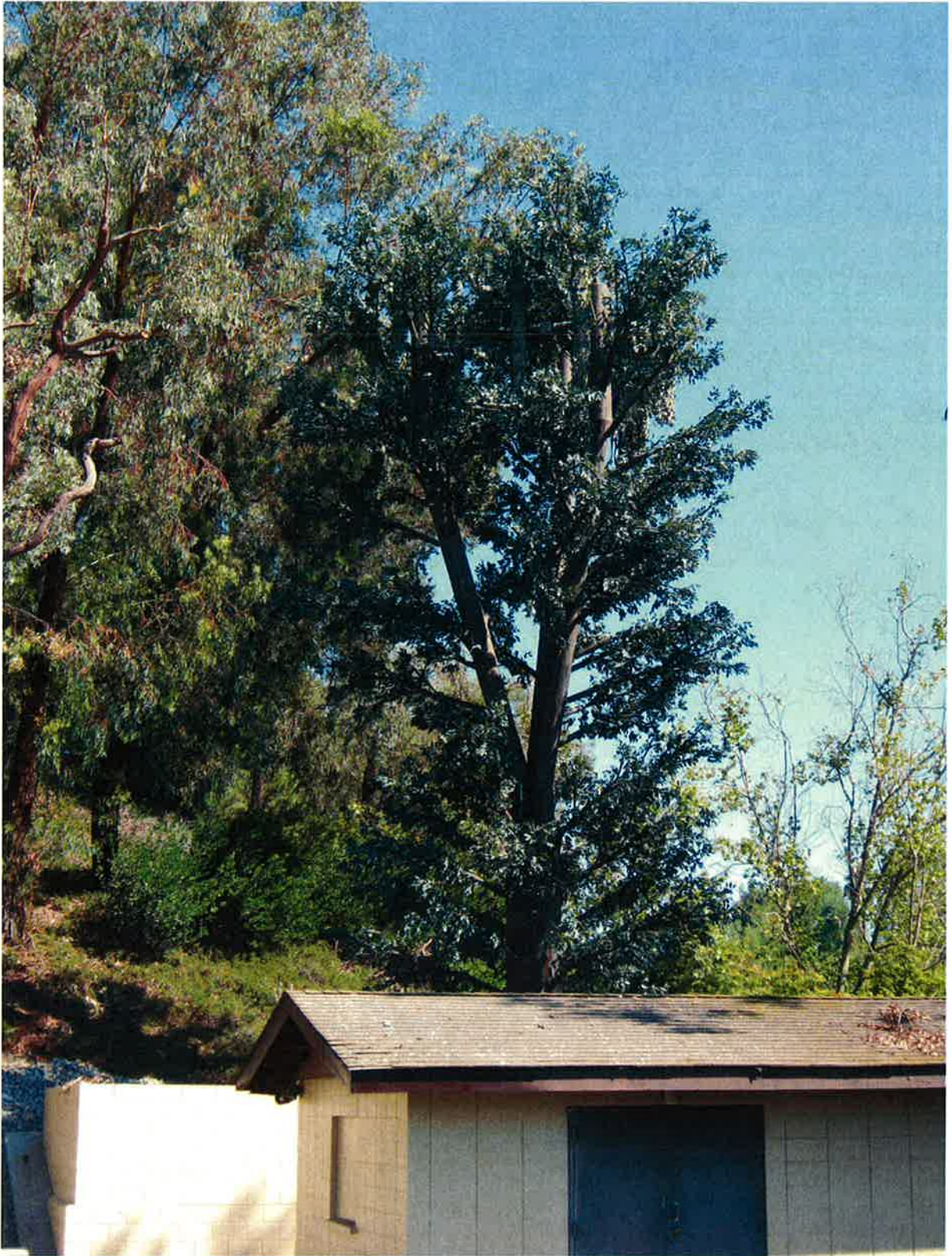
Communication Facility



Communication Facility

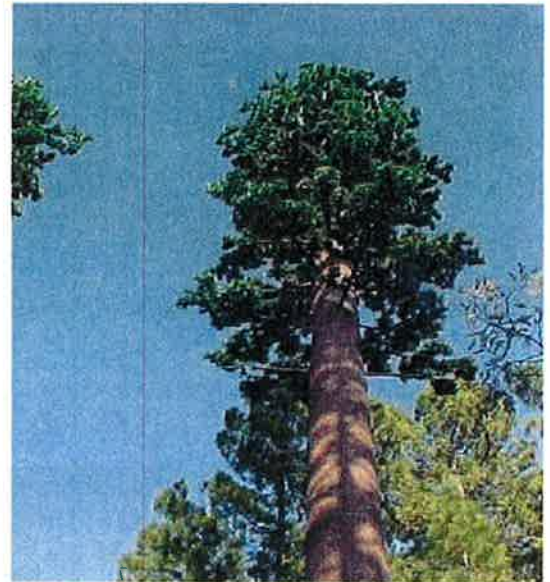
Laguna Hills Faux Eucalyptus Installation
Corner of Moulton and Alicia







Monopine



A mono-tree design can be either a thin-needle mono-pine facility or a broad-leaf type of tree. The branches shall continue above the antennas and extend beyond the location of the antennas. In addition, the antennas themselves should be sleeved in covering of the leaf or needle material. The leaves or needles should be mottled in color.

These minutes were approved at the DRSC meeting of July 10, 2013.

**CITY OF SAN CLEMENTE
MINUTES OF THE
DESIGN REVIEW SUBCOMMITTEE MEETING
JUNE 26, 2013**

Subcommittee Members Present: Michael Kaupp, Julia Darden and Bart Crandell

Staff Present: Jim Pechous and Cliff Jones

1. MINUTES

Minutes from the March 27, 2013 meeting not approved

Minutes from the June 12, 2013 meeting not approved

2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS

**A. 109 South El Camino Real - Minor Cultural Heritage Permit 13-064 -
Active Culture Natural Café (Jones) (continued from 6/12/13)**

A request to consider exterior changes to accommodate a restaurant use at 109 South El Camino Real.

Subcommittee Member Michael Kaupp recused himself stating that he owned property within 500 feet of the subject application.

Associate Planner Cliff Jones summarized the staff report.

The DRSC supported the exterior design changes recommended by staff, which includes:

1. Traditional wrought-iron lighting should be provided within the outdoor dining area.
2. Wrought iron railing design should be simplified.
3. Consider adding Catalina style ceramic tile to storefront bulkhead or other areas to add color and richness.
4. If planters are proposed, glazed pots are recommended at front entry, consistent with SCR style, as opposed to a more modern rectangular planter box. If a rectangular planter box is preferred by the applicant, it should incorporate a traditional stucco finish.
5. The columns supporting trellis feature should be more substantial in size. Acceptable materials include wood, stucco, stone, etc. Wood elements of trellis should be painted or stained dark brown.
6. Signage should be traditional in appearance consisting of sand blasted wood, painted signage with goose neck lighting, or pinned metal letters.

7. If outdoor heating is proposed it should be incorporated in the design of the trellis and/or building.
8. Window/door storefronts should be traditional in appearance. Samples should be provided of windows and door finishes for staff review and approval.

The DRSC recommended two additional items for the applicant to consider, which include:

1. Adding a corbel detail to the top of the roof to improve the roof line to screen existing or new roof equipment.
2. Surface treatments along the front of the building should be consistent.

The DRSC indicated they felt comfortable with staff reviewing the tile, window, door and all other exterior materials to assure consistency with the requirements of the Architectural Overlay.

The Design Review Subcommittee expressed support for the project with the recommended design changes, complimented the applicant on the improvements and modifications they had made to the building, and recommended the project move forward to Zoning Administrator. The applicant thanked DRSC for its comments and time.

B. 721 Avenida Salvador - Conditional Use Permit 11-547 - Verizon on Salvador (Jones)

A request to consider allowing a faux eucalyptus tree containing cellular antennas on City-owned property. The subject site is 721 Avenida Salvador.

Associate Planner Cliff Jones summarized the staff report.

The DRSC members expressed support for the cellular faux eucalyptus stealth design for the site noting: 1) the faux eucalyptus is anticipated to blend with surrounding eucalyptus; and 2) The City Wireless Master Plan for public property identifies faux trees as a stealth design; and 3) Similar approvals have been made at other City water reservoir sites; and 4) alternative stealth options built at similar heights would be out of context.

The DRSC emphasized that the faux tree stealth concept is appropriate for sites that are typically viewed from afar (i.e. water reservoirs) but may not be appropriate for sites that persons can view up close (i.e. City parks).

The DRSC recommended the faux tree have a branch and leave density equivalent to the Laguna Hills faux eucalyptus tree installation, which was presented as a similar installation. The DRSC also recommended that a condition of approval be added to assure that faux tree leaves and limbs that fade are replaced as part of routine maintenance. Lastly, the DRSC requested the applicant investigate whether faux leaves can be provided that are greener with less of a blue hue.

The DRSC expressed support for the project with the recommendations, and recommended the project move forward to Zoning Administrator. The applicant thanked DRSC for its comments and time.

3. ORAL AND WRITTEN COMMUNICATIONS

None.

4. ADJOURNMENT

Adjourn to the Design Review Subcommittee meeting of July 10, 2013 at 10:00 a.m. in Conference Room A, Community Development Department, 910 Calle Negocio, Suite 100, San Clemente, CA 92673.

Respectfully submitted,



Michael Kaupp, Chair

Attest:



Cliff Jones



Authorized Agent for Verizon Wireless

Setting the new standard

Core Development Services
2719 Sanjon Street
Brea, CA 92621
Main: (714) 720-3404
Fax: (714) 333-4441
web: www.core-us.com

Mr. Cliff Jones, Associate Planner
City of San Clemente
910 Calle Negocio, Suite 100
San Clemente, CA 92673

August 27, 2013

**Re: "Salvador" Radio Frequency Coverage Maps & Benefit to City of San Clemente
CUP 11-547, 769 Avenida Salvador, San Clemente**

Dear Mr. Jones,

Verizon Wireless' radio frequency (RF) engineers determined that a gap in coverage exists in this area; current service here is very poor. Deployment of this Verizon Wireless facility will provide a significant improvement in the existing coverage levels in this area of the City of San Clemente.

Attached, please find three (3) different RF coverage maps for the proposed Verizon Wireless "Salvador" facility, at the address referenced above. The individual coverage maps illustrate the following detail:

1. SALVADOR AREA CURRENT COVERAGE

This shows the current levels of coverage in the vicinity of "Salvador", where the subject project is proposed, and the existing levels of coverage provided by other existing Verizon sites, in the surrounding area, that are currently "on-air". On the map, where there is a white text box, labeled Salvador, there is predominantly a blue and red grouping of color, with some touches of yellow to the south. The blue areas signify that signal levels for in-building, in-vehicle, and pedestrian users of the Verizon Wireless (VZW) network are all at poor or marginal levels. The groupings of the red areas signify



that signal levels for VZW pedestrian/on-foot users is attainable, however, signal levels for in-building and in-vehicle users are still poor. Where there are small touches of yellow, in-building signal is poor and cannot be easily attained. While pedestrian and in-vehicle users may be able to obtain slight signal, the signal is not that strong, so calls, data connection etc. may or may not be dropped.

2. **SALVADOR AREA PREDICTED COVERAGE**

This map illustrates the predicted signal coverage levels that will be achieved with the deployment of the proposed wireless facility, Salvador. When compared to the first map, void of the proposed site, there is obviously a significant improvement in coverage and signal levels. Marginal (blue/very poor) signal levels are no longer seen proximate to the area of the deployed wireless facility as they once were. The green area signifies the area where signal levels are good; where in-building, in-vehicle, and pedestrian users of the VZW network can obtain a strong signal. Moving further out from the epicenter of the Salvador facility, signal levels start to approach the yellow level. In this area, signal levels for in-building users are either not attainable or very poor. The signal from the wireless facility is not able to penetrate into buildings in the area, and/or more signal loss is experienced by users, due to the weak signal. However, pedestrian and in-vehicle users are still able to achieve signal, but at some reduced levels.

The surrounding on-air Verizon facilities (San Clemente Pier, Pico, La Pata) are also show on this map. Having this layer of detail visible shows how the Verizon facilities work as a network and communicate with one another. The individual sites hand off calls, data requests, etc. to one another.

3. **SALVADOR AREA INDIVIDUAL SITE COVERAGE**

This map shows the signal strength and coverage levels that would be available if the proposed Salvador facility was deployed. However, unlike Map 2 ("Salvador Predicted



Coverage Area”), the layer which shows the signal strength and coverage provided by the surrounding on-air VZW sites, is turned off. Consequently, the San Clemente Pier, Pico, and La Pata facilities show marginal (blue) and poor (red) levels. In reality, their signal and coverage levels are like those reflected on Map 2.

The deployment of the proposed Salvador monoecalyptus wireless facility will provide the following community benefits:

- Telephone, data transmission, paging, short message functions, and voicemail services and reliable services for emergency purposes.
- Better voice and reception quality.
- Higher security and privacy for telephone users.
- Personal safety and security for community members in an emergency, or when there is an urgent need to reach family members or friends. Safety is the primary reason that parents provide their children with cell phones. Currently, 25% of pre-teens, 9-12, and 75% of all teens, 13-19, have cell phones.
- Enhanced emergency response communications for police, fire, paramedics and other emergency services. Enhanced 911 Services (E911) - The FCC mandates that all cell sites have location capability. Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites (over half of all 911 calls are made using mobile phones).



While many public safety agencies employ their own two-way radio systems for intra-agency communications, the various wireless carriers' networks are often the link to other agencies, organizations, and the outside world. Backup batteries and generators allow wireless communications facility sites to continue providing valuable communications services in the event of a power outage, natural disaster, or other emergency.

The proposed wireless facility will provide an integral link in Verizon Wireless' proposed network, and is designed to provide coverage to this area of the City of San Clemente. The site is a necessity to the general welfare and public safety of the community. Presently, Verizon Wireless is experiencing coverage issues, in providing strong in-building, pedestrian, and in-vehicle signal coverage levels to the residents and visitors in this area of the community. The proposed site will provide reliable and improved wireless services to Verizon customers throughout the community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sonal Thakur', written in a cursive style.

Sonal Thakur

Authorized Agent for Verizon Wireless



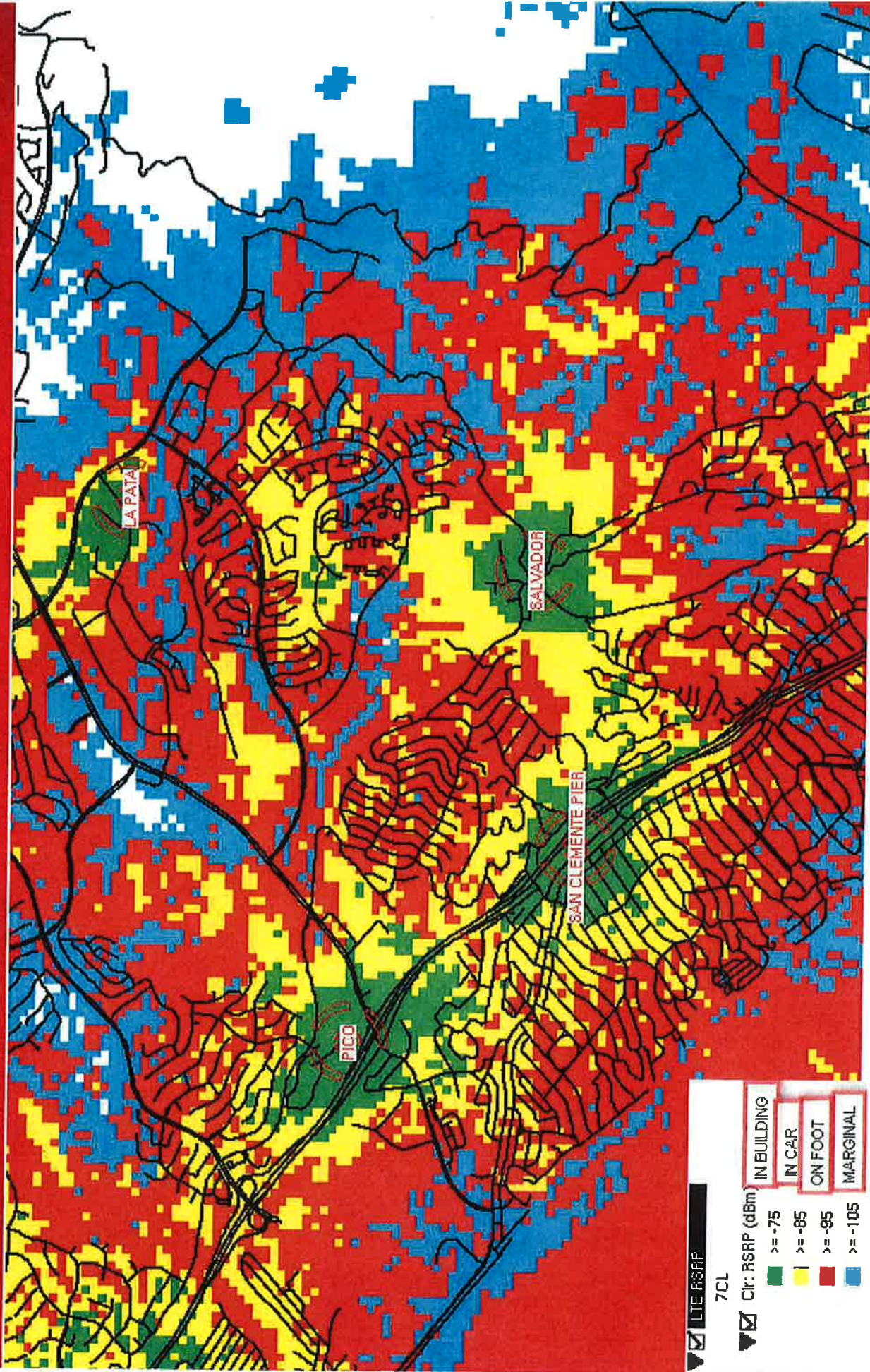
SALVADOR Area Current Coverage



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SALVADOR Area Predicted Coverage



LITE RSRP

7CL

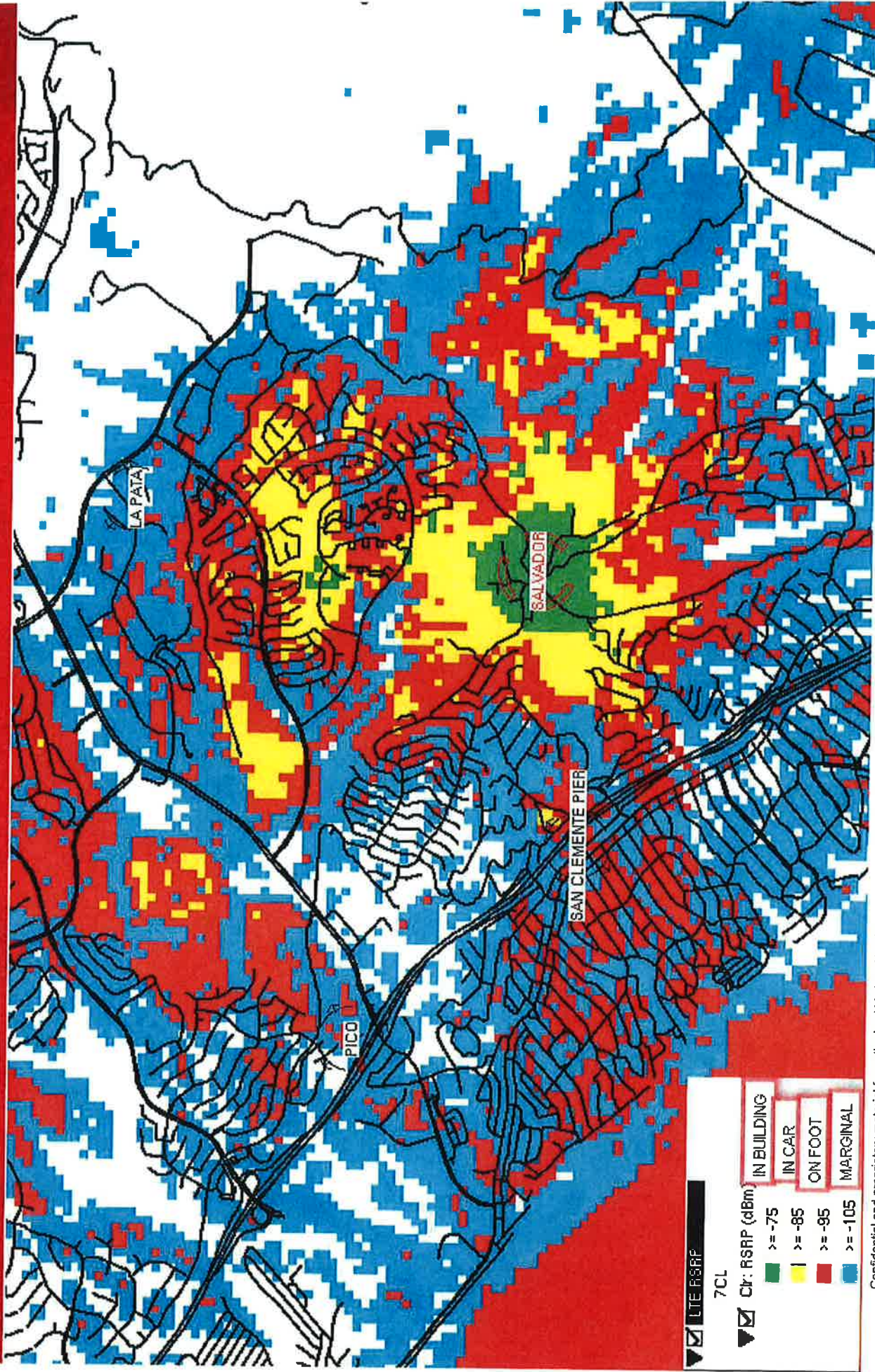
Cir: RSRP (dBm)

>= -75	IN BUILDING
>= -85	IN CAR
>= -95	ON FOOT
>= -105	MARGINAL

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SALVADOR Area Individual Site Coverage



Confidential and proprietary material for authorized Verizon Wireless personnel only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.