CITY OF OXNARD
PLANNING COMMISSION
REVISED AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, December 5, 2019, 6:00 p.m.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

C. PUBLIC COMMENTS - On Items Not On The Agenda

At this time, a person may address the Planning Commission on matters within the jurisdiction of the Planning Commission, including information/consent items and any item not appearing on the agenda. The Chair shall limit public comments to three (3) minutes. The Planning Commission cannot take action on any item presented during public comments that is not on the agenda and such item may only be referred to the Commission Secretary. Persons wishing to speak on public hearing items should do so at the time of the public hearing.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – November 21, 2019

2. Adoption of the 2020 Planning Commission Meeting Calendar

E. PUBLIC HEARING

1. **Project Name: Verizon Danube -** PLANNING AND ZONING PERMIT NO. 18-530-01 (Special Use Permit) Request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the C-2-PD zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). The project is exempt from environmental review pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101.
   Project Planner: Jay Dobrowalski, Senior Planner

   Errata Memo No. 1 - Attachment F

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

Recommendation:
Approve the Project, as conditioned, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 (New construction or Conversion of Small Structures), and Approve Resolution 2019-XX for Planning and Zoning Permit No. 18-530-01 (Special Use Permit), subject to certain findings and conditions.

H. STUDY SESSION/REPORTS

I. PLANNING COMMISSION BUSINESS

J. PLANNING MANAGER COMMENTS

K. ADJOURNMENT

FUTURE MEETINGS

Thursday, December 19, 2019, 6:00 p.m., City Council Chambers

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

APPROVAL OF MINUTES – November 21, 2019

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
November 21, 2019
DRAFT

A. ROLL CALL

At 6:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Frank, Vice Chair Chua, Commissioners Chavez, Dozier, Fuhring (arrived at 6:05 p.m.), Meyer, and Sanchez were present. Staff members present were Scott Kolwitz, Planning & Environmental Services Manager; Kathleen Mallory, Planning & Sustainability Manager; Jay Dobrowalski, Senior Planner; Paul McClaren, Associate Planner; Chris Williamson, Contract Planner; Ken Rozell, Chief Assistant City Attorney; Thien Ng, Assistant Public Works Director; Ryan Kim, City Traffic Engineer; Michelle Travis and Dee Lai, Recording Secretaries. Chair Frank presided and called the meeting to order.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Commissioner Dozier led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – October 3, 2019

MOTION: Vice Chair Chua moved and Commissioner Meyer seconded a motion to approve the minutes of October 3, 2019, with the following edit to remove the duplicate word "motion" from Item E-1, on page 3:

"**MOTION:** Commissioner Chavez moved and Commissioner Dozier seconded a motion ~~motion~~ to continue…"

VOTE: Chair Frank, Vice Chair Chua, Commissioners Chavez, Dozier, Meyer and Sanchez voted in favor. Commissioner Fuhring was recused from the vote as he was not present at the meeting of October 3, 2019. The motion carried 6:0:0:1[1].

2. APPROVAL OF MINUTES – October 17, 2019

MOTION: Commissioner Chavez moved and Chair Frank seconded a motion to approve the minutes of October 17, 2019 as submitted.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez and Fuhring voted in favor. Commissioners Dozier, Meyer and Sanchez were recused from the

[1] In Favor: Against: Absent: Recused

vote as they were not present at the meeting of October 17, 2019. The motion carried: 4:0:0:3[2].

E. PUBLIC HEARING

1. Project Name: Romero Duplex – PLANNING AND ZONING PERMIT NO. 17-500-14 (Special Use Permit) request for denial to establish a Planned Residential Group (PRG) for the conversion of an existing two-story 3,244 square-foot medical commercial building to a residential duplex. The proposed duplex includes a 1,635 square-foot unit and a 1,202 square-foot unit with a detached three-car carport on a 4,110 square-foot parcel. Pursuant to Oxnard City Code (OCC) § 16-445, the project includes the following modifications to the development standards of the R-2 zoning district: 1) increase in density; 2) reduction of the required interior yard space; 3) reduction in front yard setback; 4) reduction in side yard setback; 5) relief from garage parking; 6) relief from off-street visitor parking; and 7) reduction in parking area landscaping. The project is located at 212 East First Street (APN 201-0-115-240) in the Multiple Family (R-2) zone. Filed by Jeff Valenzuela on behalf of property owner Juan Romero, 971 Gill Avenue, Port Hueneme, California 93041.
Project Planner: Jay Dobrowalski, Senior Planner

Recommendation:
Deny the Project, as submitted, finding the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved), and Approve Resolution 2019-32 for Planning and Zoning Permit Number 17-500-14 (Special Use Permit, Planned Residential Group), denying the Project as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-445 and Sections 16-530 through 16-553 of the Oxnard City Code in order to grant a Special Use Permit, Planned Residential Group.

The Planning Commissioners did not have any ex parte communications to report for Item E-1.

Senior Planner Jay Dobrowalski provided a PowerPoint presentation outlining the request.

The applicant attended the meeting; however, he did not provide a presentation.

Chair Frank opened the public comments portion of the public hearing.

No public verbal or written comments were received in favor of the project.

Public verbal comments were received from Pat Brown against the project / in favor of the denial.

No public written comments were received against the project.

[2] In Favor: Against: Absent: Recused

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Fuhring seconded a motion to deny the Project, as submitted, finding the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved), and Approve Resolution 2019-32 for Planning and Zoning Permit Number 17-500-14 (Special Use Permit, Planned Residential Group), denying the Project as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-445 and Sections 16-530 through 16-553 of the Oxnard City Code in order to grant a Special Use Permit, Planned Residential Group.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez and Fuhring voted in favor. Commissioners Dozier, Meyer, and Sanchez abstained. The motion carried 4:0:0:3[3].

2. **Project Name: Public Works Integrated Master Plan Project Programmatic Environmental Impact Report No. 2019-01** – Pursuant to the California Environmental Quality Act (CEQA), the City of Oxnard (City) has prepared a Programmatic Environmental Impact Report (PEIR) on its Public Works Integrated Master Plan (PWIMP) Project. The City is the lead agency under CEQA. The purpose of the PWIMP is to provide a central planning document to guide improvements to the City's water infrastructure through the planning horizon. Specifically, the PWIMP addresses future planning needs including infrastructure additions and upgrades for City's water, wastewater, recycled water, and stormwater utilities. The PWIMP builds upon previous planning efforts using a coordinated methodology, which will allow the City to take full advantage of potential linkages and synergies between the four water utility systems. In addition, the PWIMP is also coordinated with a street improvement plan in an attempt to allow timing of future street upgrades to be tied together with infrastructure upgrades. The PWIMP provides a phased program over the next 15-20 years for constructing improvements to the City's infrastructure facilities that will accommodate planned growth while maintaining treatment reliability, meeting future regulatory requirements, and optimizing costs through the City's 2030 planning horizon. Specifically, the PWIMP addresses future planning needs including infrastructure additions and upgrades for City's water, wastewater, recycled water, and storm water utilities.

   The Final PEIR is comprised of the Draft PEIR, response to comments and Draft PEIR comments letters, and the Mitigation Monitoring and Reporting Program. Filed by Thien Ng, Assistant Public Works Director.
   Project Planner: Kathleen Mallory, Planning & Sustainability Manager

[3] In Favor: Against: Absent: Recused

Recommendation:
Adopt a resolution recommending City Council approval of the Final Programmatic Environmental Impact Report (Final PEIR - No. 2019-01) for the City of Oxnard's (City) Proposed Public Works Integrated Master Plan (PWIMP).

The Planning Commissioners did not have any ex parte communications to report for Item E-2.

The applicant team (Steve Brown, SMB Environmental Consulting; Thien Ng, City of Oxnard Assistant Public Works Director; Tracy Warriner, Carollo Consultants) provided a PowerPoint presentation outlining the request.

Chair Frank opened the public comments portion of the public hearing, but no members of the public provided verbal or written comments. Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Fuhring seconded a motion to adopt a resolution recommending City Council approval of the Final Programmatic Environmental Impact Report (Final PEIR - No. 2019-01) for the City of Oxnard's (City) Proposed Public Works Integrated Master Plan (PWIMP).

VOTE: Chair Frank, Vice Chair Chua and Commissioners Chavez, Dozier, Fuhring, Meyer, and Sanchez voted in favor. The motion carried 7:0:0:0[4].

3. Project Name: Roussey Tentative Parcel Map – PLANNING AND ZONING PERMIT NO. 17-300-09, Tentative Parcel Map for a Parcel Map Waiver: A request to subdivide a 4.19-acre site located at 3501 South Saviers Road, and commonly known as the Swap Meet, into two parcels. Parcel A would be a 3.14-acre lot and Parcel B would be a 1.05-acre lot. No development is proposed at this time. The proposed project is exempt from environmental review pursuant to Section 15315, Minor Land Divisions, Class 15 of the CEQA Guidelines. Filed by David Kesterson of Lauterbach & Associates, 300 Montgomery Avenue, Oxnard, CA 93036.
Project Planner: Paul McClaren, Associate Planner

Recommendation:
Approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15315 (Minor Land Divisions), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 17-300-09 (Tentative Parcel Map for a Parcel Map Waiver), subject to certain findings and conditions.

Chair Frank announced she had ex parte communications with Shirley Godwin for Item E.3.

[4] In Favor: Against: Absent: Recused

Associate Planner Paul McClaren provided a PowerPoint presentation outlining the request.

The applicant attended the meeting; however, he did not have a presentation but he responded to questions.

Chair Frank opened the public comments portion of the public hearing.

No public verbal or written comments were received in favor of the project.

No public verbal or written comments were received against the project.

Public verbal comments were received from Pat Brown who was neither in favor of nor against the project.

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Chair Frank moved and Vice Chair Chua seconded a motion to continue the item to a date certain Planning Commission meeting on January 16, 2020, with the item to be presented at a Community Workshop meeting on December 16, 2019.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez, Dozier, Fuhring, Meyer, and Sanchez voted in favor. The motion carried 7:0:0:0[5].

4. **Project Name: Rio Urbana Development –** PLANNING AND ZONING PERMIT PZ NO. NOS. 17-610-01 (Annexation); 17-620-01 (General Plan Amendment), 17-560-01 (Pre-Zoning), 17-300-03 (Tentative Subdivision Map for Tract No. 5998), 17-500-05 (Special Use Permit – Office), 17-500-13 (Special Use Permit - Residential), and 17-535-02 (Density Bonus): requests to annex a 10.5 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) to the City of Oxnard, amend the General Plan land use designation to General Commercial; pre-zone to General Commercial-Planned Development (C-2-PD); subdivide and develop a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building with 61 standard parking spaces; and a 9.1 acre "Parcel 2" with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (36 feet in height) that includes a fitness center, 17 low income deed-restricted units (10% of all units), 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages,163 surface parking spaces, 99 guest parking spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, seven play areas and a tot lot, small dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet along the property frontage (48,999 sf dedication). The project will maintain parking and access to abutting properties along Rio School Lane

[5] In Favor: Against: Absent: Recused

which will become a drive aisle. A Density Bonus of two percent (2%) allows for three additional residential units and reduction of the interior yard space development standard from 30% to 24% of the parcel area. The Tentative Subdivision Map (TSM) for Tract No. 5998 creates Parcels 1 and 2 and 167 condominium parcels and a common area parcel on Parcel 2. Filed by Rio School District, 2500 E. Vineyard Ave., Oxnard, CA and The Pacific Companies, 430 E. State Street #100, Eagle, Idaho.
Project Planner: Chris Williamson, Consulting Planner

Recommendation:

a) Adopt a resolution recommending that the City Council adopt Mitigated Negative Declaration (MND) 2017-04 and approve Planning and Zoning Permit No. 17-610-01 (Annexation) to add the project area to Oxnard municipal boundaries within City Council District No. 2; and Planning and Zoning Permit No. 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General, and
b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD), and
c) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus), subject to certain findings and conditions, and
d) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-05 (Special Use Permit - Office), subject to certain findings and conditions, and
e) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-13 (Special Use Permit – Residential), subject to certain findings and conditions.

The Planning Commissioners did not have any ex parte communications to report for Item E-4.

Chris Williamson provided a PowerPoint presentation outlining the request.

The applicant team (Tony Talamante, P.E., Talamante Project Delivery, Inc; Joel Kirschenstein, RSD Consultant; Lori Summers, Project Architect Design Director KTGY; Darryl Anderson, Associated Traffic Engineers) spoke at the meeting. Tony Talamante provided a PowerPoint presentation.

Chair Frank opened the public comments portion of the public hearing.

Public verbal comments were received from Pat Brown and Armando Delgado in favor of the project.

No public written comments were received in favor of the project.

No public verbal comments were received against the project.

No public written comments were received against the project.

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Vice Chair Chua moved and Commissioner Sanchez seconded a motion to:

a) Universally edit all documents to clarify 20 total affordable units (17 low-income and 3 moderate-income) are to be provided by the project;

b) Adopt a resolution recommending that the City Council adopt Mitigated Negative Declaration (MND) 2017-04 and approve Planning and Zoning Permit No. 17-610-01 (Annexation) to add the project area to Oxnard municipal boundaries within City Council District No. 2; and Planning and Zoning Permit No. 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General, and

c) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD), and

d) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus), subject to certain findings and conditions, with the following new condition to be added:
"Prior to recordation of the Final Map, the Developer shall prepare a Property Access Agreement for pedestrian access to the property to the south to the satisfaction of the City Attorney, and the document will be recorded and executed prior to Building Permit issuance."
and

e) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-05 (Special Use Permit - Office), subject to certain findings and conditions, and

f) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-13 (Special Use Permit – Residential), subject to certain findings and conditions, with the following new condition to be added:
"Prior to recordation of the Final Map, the Developer shall prepare a Property Access Agreement for pedestrian access to the property to the south to the satisfaction of the City Attorney, and the document will be recorded and executed prior to Building Permit issuance."

VOTE: Chair Frank, Vice Chair Chua, Commissioners Chavez, Dozier, Fuhring, Meyer, and Sanchez voted in favor. The motion carried 7:0:0:0[6].

H. STUDY SESSION/REPORTS

None

[6] In Favor: Against: Absent: Recused

I. PLANNING COMMISSION BUSINESS

Commissioner Chavez commented:

1. That the "Disruption of Autonomous Cars, Traffic, and Parking: Discussing public policy choices in the new era of mobility" presentation hosted by the City of Oxnard on November 13 was great.
2. Asked if the Sunshine Ordinance applies to the Planning Commission? City staff responded that the Sunshine Ordinance (Section 2-224) specifies items presented to the City Council are to be provided 12 days before the meeting, and items presented to all other policy bodies are are to be provided 7 days before the meeting.

J. PLANNING MANAGER COMMENTS

Scott Kolwitz, Planning & Environmental Services Manager, announced:

1. On November 29, 2019, the City Council received a presentation regarding the new housing law and the Regional Housing Needs Assessment (RHNA) status. Planning staff intends to present that to the Planning Commission on a future agenda.
2. On November 5, 2019, the City Council held a hearing on Short Term Rental and adopted all the recommendations that the previous Planning Commission had requested. The Council will have their adoption on Short Term Rental (STR) on December 3, 2019 and timeshares will be included on that discussion. The changes to the ordinance are available on the website for the public to view.
3. On November 7, 2019, the City Council held a Special Meeting on the Fisherman's Wharf project. The Council denied the Local Coastal Program Amendment.
4. On November 19, 2019, the City Council met and they approve to move forward with the Saviers Emergency Shelter. This project will come before the Planning Commission in a future meeting.
5. On December 3, 2019, in addition to the Short Term Rental Ordinance, the 7-Eleven project, that was appealed by the applicant, will appear on the City Council's agenda; however, the applicant has requested for the project to be continued to February 4, 2020.
6. On December 17, 2019, the City Council will be hearing the Clinicas project that was appealed by the applicant. Clinicas is proposing to make the building smaller to be consistent with the City's parking regulations.
7. December 5, 2019 is the next Planning Commission. There will be three items on the agenda, including: the November 21 Minutes adoption, the 2020 Planning Commission calendar adoption; and a wireless project on 161 Ventura Boulevard.
8. There are two Training opportunities in 2020, including: the League of California Planning Academy held from March 4, 2020 through March 6, 2020 in Sacramento; and the APA conference held from September 12, 2020 through September 15, 2020 in Riverside.

ADJOURNMENT

At 9:39 p.m., the Planning Commission concurred to adjourn.

_____

Deirdre Frank, Chair

ATTEST:

_____

Scott Kolwitz, Planning & Environmental Services Manager

Adoption of the 2020 Planning Commission Meeting Calendar

MEMO

CITY OF OXNARD CALIFORNIA

DATE: November 20, 2019

TO: Planning Commission

FROM: SSK Scott Kolwitz, Planning Manager
Jeffrey Lambert, AICP, Community Development Director

SUBJECT: Planning Commission 2020 Calendar Agenda Item No: D-2

Staff is recommending the Planning Commission adopt the 2019 Meeting Calendar with public meeting dates on the first and third Thursday of each month, as shown on the 2020 Meeting Calendar (Attachment A).

This calendar is consistent with the Planning Commission resolution and Rules of Procedures and requires an approval vote by the Planning Commission. The start of the regular meeting will continue to be at 6:00 PM.

Adopting this calendar does not impact the ability for a special meeting to be scheduled by the Director through communication to the Chair for an acceptable date and time.

Attachment

A. 2020 Meeting Calendar

2020 Planning Commission Meetings

JANUARY

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FEBRUARY

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MARCH

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APRIL

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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PC Meeting

League of CA Academy

APA Conference

☒ City Hall Closed (Alternate Friday/Holiday)

\ City Hall Closed Half-Day (Christmas Eve, New Years Eve)

PLANNING AND ZONING
PERMIT NO.
18-530-01
(Special Use Permit)

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Jay Dobrowalski, Senior Planner

DATE: December 5, 2019

SUBJECT: Project Name: Verizon Danube; Planning and Zoning Permit No. 18-530-01 (Special Use Permit); Property Located at 161 Ventura Boulevard

1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 18-530-01 (Special Use Permit - Wireless), subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the C-2-PD zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101.

3) **Existing & Surrounding Land Uses:** The proposed project site is located next to an existing Public Storage facility located at 161 Ventura Boulevard (Attachment A). The following table describes the General Plan Land Use Designations, Zoning Designations, and existing land uses immediately adjacent to the site:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Public Storage facility
North	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Vallarta Supermarket shopping center
South	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	American Insurance and Clinicas medical facility
East	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Condominiums
West	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Mission Produce office building and Highway 101

4) **Background Information:** The project site is currently developed with a Public Storage self-storage facility. On November 4, 2003, City Council granted a Special Use Permit (Permit No. PZ 03-500-04) for the construction of a three-story, 88,810 square-foot self-storage facility. To date, no changes have been made to the self-storage facility.

   On February 5, 2015, the Planning Commission granted a Special Use Permit (Permit No. PZ 14-530-04) for the construction of a 44-foot tall wireless communications facility designed as an architectural feature on the roof of the existing self-storage building. The communications facility was never constructed, and the Special Use Permit consequently expired.

   The proposed faux eucalyptus tree communications facility is a complete redesign in lieu of the previously approved architectural feature communications facility.

5) **Environmental Determination:** In accordance with § 15303, Class 3 of the State CEQA Guidelines, projects involving "New construction or Conversion of Small Structures" may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal includes the construction of a stealth wireless communications facility within an approximately 596 square-foot lease area. The facility is designed as a faux eucalyptus tree and will not be prominently distinguishable from the surrounding development. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

   Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (Attachment B).

6) **Analysis:**

   a) ***General Discussion:*** The proposed project includes the construction of a 47-foot tall wireless communications facility designed as a faux eucalyptus tree and associated equipment within an equipment enclosure. The faux eucalyptus tree will be located on the southeastern corner of the property within a 380 square-foot lease area, and the equipment enclosure will be located on the southeastern side of the property adjacent to the Public Storage building within a 216 square-foot lease area (for a total of 596 square-feet of lease area).

      Throughout 2019 the Planning Commission has requested Planning staff to critically examine alternatives to project designs when deviations from development standards are requested. The proposed project includes two modifications to the C-2 zone standards: 1) an increase in maximum height and 2) a reduction of the rear setback. The proposed project is located adjacent to the Financial Square public right-of-way, and would be directly visible from the public street. The applicant could potentially shift the faux eucalyptus tree 10 feet west, away from the rear property line, to become fully compliant with the rear yard setback standard; however, the wireless facility would be more visible

to the general public. Making the facility more visible to the general public would conflict with the purpose of the wireless communication facilities ordinance which seeks to minimize adverse visual impacts through careful design (such as the use of stealth facilities), siting, landscape screening, and other camouflaging techniques (Section 16-485(B)(4).

To minimize public visibility of the proposed development, staff recommends that the proposed development be located along the rear of the building, in a location approximately 50 feet further to the north of the original proposed location. In the originally proposed location, the proposed development would be directly visible along the entire length of Financial Square. In the recommended location, the proposed development would be directly visible from the public right-of-way for a much smaller portion (the easternmost 70 feet) of Financial Square. If the proposed development is located in the recommended location, then when it is viewed from some locations along Financial Square, the proposed faux eucalyptus tree would be better screened by the existing building, landscape trees along Financial Square, and the existing trash enclosure and landscaping along the rear of the building, adjacent to the private drive.

The proposed project includes an increase in height (from 35 feet to 47 feet) and a reduction of the required rear yard setback (from 15 feet to 10 feet). Pursuant to the City Code (§16-492 and §16-497), the Planning Commission may adjust the numerical standards of the C-2-PD zone by more than 25 percent. Thus, the Planning Commission may increase the height from 35 feet to 47 feet (34 percent adjustment) and reduce the required rear yard setback from 15 feet to 10 feet (33 percent adjustment). The applicant has submitted a letter from an engineering firm (Attachment C) stating that the construction of the proposed wireless communications facility requires a caisson with a diameter of at least 5 feet and 6 inches. In order to not undermine or interfere with the foundation of the existing self storage building, the caisson must be constructed at least 1 foot and 5 inches from the exterior wall of the building. Thus, the proposed wireless communications facility must be located at least 3 feet and 2 inches from the existing building. The applicant is unable to meet both the coverage objectives of the facility and the height restrictions of the C-2 zone at any other location on the subject lot.

The proposed location of the faux eucalyptus tree is prominently visible from the Financial Square public right-of-way, and requires the removal of an existing landscape tree, which is approximately 30 feet tall, and replacement of the landscape tree with the proposed faux eucalyptus tree. However, Planning staff has identified an alternate location for the proposed facility that is located on the same project site but in a less prominently visible location and would also minimize the disturbance to the row of landscape trees along the Financial Square public right-of-way frontage (to avoid introducing one tree of another species) while meeting project coverage objectives. The recommended location would be visible from the private easement in the rear of the building which leads to the adjacent parking area of the shopping center, but the recommended location would not be as prominently visible as the proposed location from

the Financial Square public right-of-way. The recommended location would still require the removal of landscaping and a reduction to the rear yard setback requirement. Thus, Planning Staff recommends that the Planning Commission approve the proposed wireless communications facility in the recommended "stealthier" location along the eastern side of the building, with the exact location to be determined by the Planning Manager pursuant to Condition of Approval No. 24.

The facility includes an equipment enclosure adjacent to the existing self storage building to store the ancillary equipment. The ancillary equipment includes an emergency generator that will be used only when the facility loses power during emergencies. The facility will be unmanned, will operate 24 hours each day, and will require one vehicle trip per month for routine maintenance of the facility (Attachment D).

b) ***General Plan Consistency:*** The City's 2030 General Plan land use designation for the subject site is for Commercial General (CG) uses which allows retail centers and free-standing commercial uses along arterials. The proposed wireless communications facility is a free-standing commercial use located along Ventura Boulevard, which is an arterial roadway. Approval of this Special Use Permit has been determined to be consistent with the General Plan and the property's land use designation.

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).

II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
ICS-18.4	**I**	**Telecommunications Service** Ensure residents and businesses have access to telecommunications services.	Construction of this facility will fill a significant gap in Verizon's coverage area of the city.
ICS-18.3	**I**	**Wireless Telecommunications** Encourage wireless providers to incorporate well-designed stealth techniques that disguise the facility from the point of view of nearby residents.	The proposed facility is located behind an existing three-story building to minimize visibility from the public right-of-way. The facility is designed as a eucalyptus tree to blend in with the nearby trees and disguise the facility from the view of the nearby condos located to the southeast of the site.
CD-3.4 **CD-4.4** **CD-14.1** **CD-14.3**	**II**	**Neighborhood Quality of Life** **Commercial Area Aesthetics** **Design Review Process** **Quality of Design**	The application review process led to changes in the project and/or conditions of approval that meet these Level II policies.
All others	**III**	All policies not listed above	No or distant applicability to the proposed project

c) ***Conformance with Zoning Development Standards:*** The proposed development is located in the General Commercial, Planned Development (C-2-PD) zone district. In accordance with the City Code, the proposed wireless communications facility may be permitted with an approved Special Use Permit. Applicable development standards of the C-2-PD zone have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	C-2-PD ZONE STANDARD	PROPOSED	COMPLIES?
Maximum height	35 feet	47 feet	Yes, with SUP approval pursuant to §16-497.

Front yard setback	10 feet	260 feet	Yes
Side yard setback	5 feet	8 feet	Yes
Rear yard setback	15 feet	10 feet	Yes, with SUP approval pursuant to §16-497

In addition to being subject to the development standards of the C-2-PD zone, the proposed wireless communications facility is subject to the Wireless Communications Facilities development standards (§16-492). The development standards have been compared with the proposed project as follows:

DEVELOPMENT STANDARD	**WIRELESS STANDARD**	**PROPOSED**	**COMPLIES?**
Maximum height (§16-492.A)	35 feet, unless otherwise specified by PC	47 feet	Yes, with SUP approval pursuant to §16-497.
Setbacks (§16-492.B)	Shall comply with C-2 zone, unless specified by PC	Rear yard setback reduced from 15 ft to 10 ft	Yes, with SUP approval pursuant to §16-497.
Separation (§16-492.C)	None required for stealth facilities	Facility is stealth	Yes
Location (§16-492.D)	No restrictions for stealth facilities	Facility is stealth	Yes
Landscaping and Screening (§16-492.E)	Existing trees shall be preserved to the extent feasible	Project requires removal of existing, mature tree	Yes, (not feasible to avoid tree removal)
Design (§16-492.F.1)	If within 500 ft of scenic highway, shall be stealth	Facility is 381 ft from Highway 101 and is stealth	Yes
Design (§16-492.F.3)	Equipment shall be located within enclosure	Equipment is located within enclosure	Yes (Condition #44)
Lights	Facility shall not be	Facility is not	Yes

(§16-492.G)	lighted unless required by the FAA or for security and safety lighting	lighted except for maintenance and security lighting	(Conditions #20 and #49)
Security (§16-492.H)	Emergency phone numbers shall be posted	Emergency phone numbers will be posted	Yes (Condition #36)
FCC Compliance (§16-492.I)	Radio Frequency emissions report required	Radio Frequency emissions report submitted	Yes, (Conditions #32, and #34)
Co-location (§16-492.J)	A tower that is modified or rebuilt for co-location may not exceed 16 feet over the allowed height for the zone	Co-location is not proposed	N/A
Antennae Attached to Structures (§16-492.K)	Attached antennae shall be compatible with the structure, located to minimize their visibility.	Antennae is not attached to the structure	N/A

d) ***Site Design:*** The proposed communications facility will be constructed on an engineered foundation. The trunk of the tree will be covered in faux bark to resemble a eucalyptus tree. The eucalyptus tree leaves will extend from the truck between the 15-foot height level and the 47-foot height level. At the 40-foot height level, three arrays will protrude from the trunk. Each array will have four 8-foot long panel antennas and four radios (for a total of 12 antennas and 12 radios). The equipment will be disguised within the eucalyptus tree leaves. The ancillary equipment will be constructed within an equipment enclosure designed to resemble the existing trash enclosure. The equipment enclosure will contain two equipment cabinets, an emergency generator, and other equipment. The equipment enclosure is designed with a chainlink fence as a roof to prevent unauthorized access. The ancillary equipment will not be directly visible from the street, as it will be screened by a stucco wall and corrugated metal gate designed to match the existing building. As conditioned, the proposed development will not be prominently distinguishable from the surrounding development (Attachment E).

e) ***Circulation and Parking:*** The existing Public Storage building has driveway access from Ventura Boulevard, Financial Square Road, and Danube Way. The proposed

wireless communications facility will be accessed from Financial Square Road and a private easement in the rear of the building. The facility operator (Verizon) will use a designated parking space within the existing parking lot for a monthly maintenance inspection of the facility. The proposed communications facility will not impact existing circulation or access to the project site.

f) ***Height:*** The proposed facility is designed with a maximum height of 47 feet. The maximum height of 47 feet is 12 feet above the maximum allowed height within the C-2-PD zone district (35 feet), and is a 34% increase in height. Per City Code (§16-497), the increase in maximum height must be approved by the Planning Commission. The applicant has submitted a series of propagation maps that demonstrate the performance of the proposed communications facility at different heights (Attachment F). Currently the area around the Highway 101 and Vineyard intersection experiences a significant gap in cellular coverage. A tower with a broadcast center (also known as a RAD center) of 35 feet high would be ineffective as the signal would be blocked by the existing 35-foot high Public Storage building. At the proposed broadcast center height of 40 feet, the majority of the areas can be covered. A 45-foot tall broadcast center would provide a negligible gain in coverage. Thus, the proposed 40 foot broadcast center height is recommended as the minimum height required to provide coverage for the area.

g) ***Landscaping and Open Space:*** The existing Public Storage building features landscaping along all four sides of the building. As proposed, the construction of the proposed communications facility requires the removal of a tree along the southeastern corner of the building, which will be replaced by the faux eucalyptus tree. Planning Staff recommends that the wireless communications facility be located along the eastern side of the existing building, approximately 50 feet northerly of the proposed location. The recommended location is less prominently visible from the Financial Square right-of-way, and would retain the existing landscape trees along the Financial Square frontage.

The proposed equipment enclosure will be constructed along the eastern side of, and adjacent to, the building, and does not require the removal of landscape trees. Thus, the existing landscaping along the eastern side of the building will partly screen the proposed equipment enclosure.

The existing landscape trees along Financial Square are approximately 35 feet tall. There are several trees in the area (e.g., across the Financial Square roadway, the adjacent condominium complex to the east, and across Ventura Boulevard to the north) that are over 45 feet in height (Attachment A). Thus, the proposed 47-foot tall faux eucalyptus tree will be compatible with the surrounding landscaping.

h) ***Noise:*** The proposed communications facility will generate noise from the equipment cabinet and the emergency generator both located within the equipment enclosure. The equipment cabinet will generate a slight humming noise similar to a personal computer, and will be audible only when adjacent to the cabinet. The emergency generator will

generate noise at a sound level of approximately 65 dBA. The emergency generator will be used only during emergencies, and will be tested once a month. The permit is conditioned to limit testing to daytime hours (Attachment E). Pursuant to City Code [§16-188(C)], the emergency generator is exempt from noise limitations. The noise from the equipment will be softened by the enclosure surrounding the equipment. The nearest noise sensitive use to the communications facility is a residential condominium development approximately 140 feet to the east. Given typical sound attenuation levels, the noise from the equipment cabinet and generator will be significantly below allowed noise levels (65dBA, per City Code §7-185.A). Thus, the proposed communications facility will not create significant noise impacts.

i) ***Health and Safety:*** The transmission of wireless radio signals are governed by operating standards of the Federal Communications Commission (FCC). The applicant submitted a Radio Frequency Compliance Report (Attachment G) evaluating the emissions of the proposed communications facility. The report demonstrates that based on predictive modeling, at ground level the maximum radio frequency emission is estimated to be approximately 22% of the FCC general public exposure limit. Thus, the site is designed and conditioned to be compliant with the FCC exposure guidelines.

7) **Community Workshop and Public Input:** The project site is located within the El Rio Neighborhood. Thus, the proposed project was presented to the neighborhood for public comment during a Community Workshop meeting. On April 4, 2019, the applicant mailed 1,210 notices of the Community Workshop meeting to all property owners within the El Rio Neighborhood. A notice of this meeting was posted on the project site with a brief description and contact information. The Community Workshop was conducted on April 15, 2019. The Community Workshop meeting was not attended by any members of the public. To date, staff has not received public comments regarding the proposed project.

8) **Appeal Procedure:** Pursuant to § 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

A. Maps (Vicinity, General Plan, Zoning, Tree Height)
B. Notice of Exemption
C. Letter from Delta Groups Engineering dated September 20, 2019
D. Reduced Project Plans
E. Resolution
F. Propagation Maps
G. Radio Frequency Compliance Report

ATTACHMENT A

MAPS
(VICINITY, GENERAL PLAN, ZONING, AERIAL, TREES)

Vicinity Map

CITY OF OXNARD CALIFORNIA
Oxnard Planning
October 10, 2018

PZ 18-530-01
Location: 161 Ventura Blvd
APN: 1450232135
Verizon

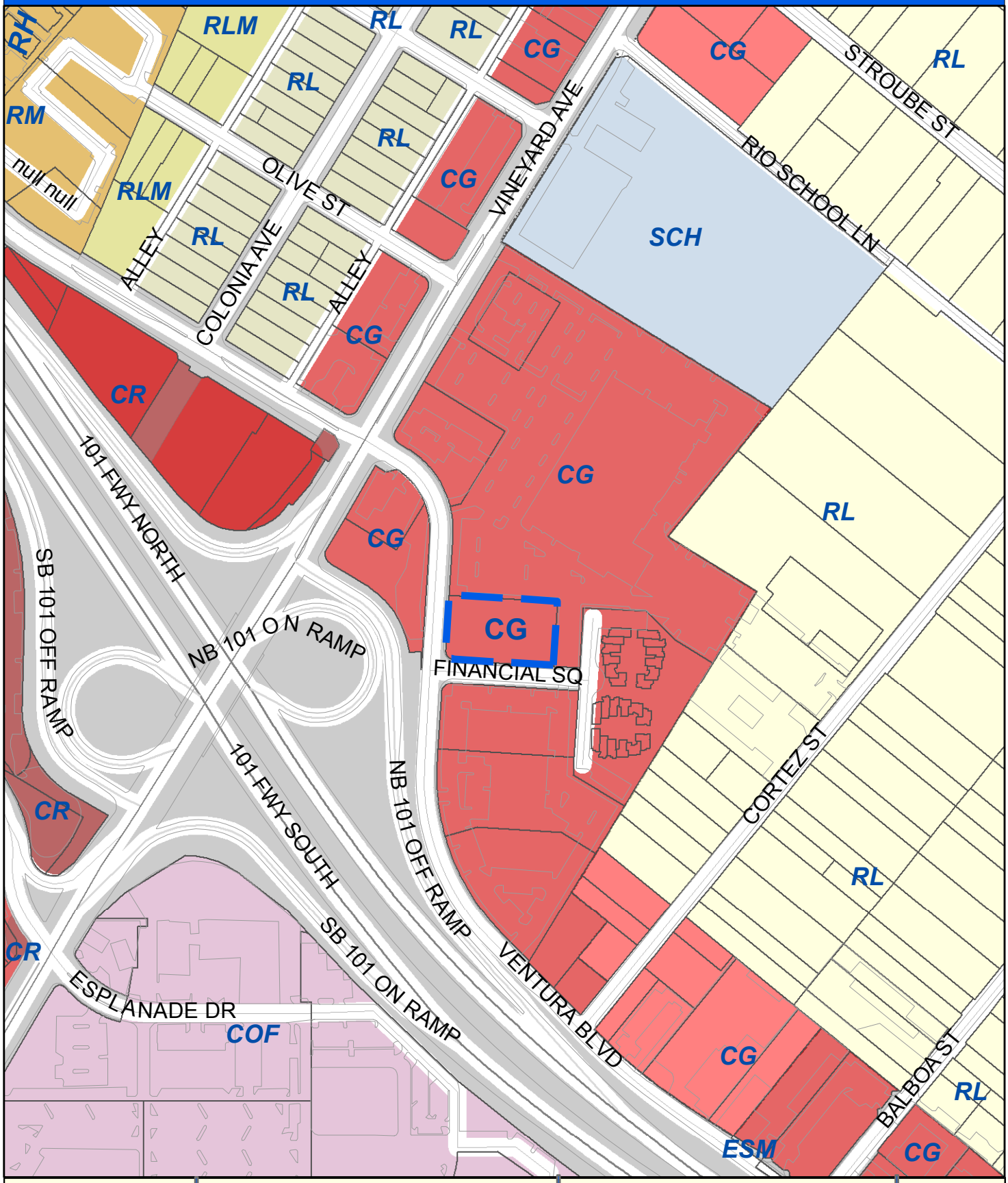
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

October 10, 2018

PZ 18-530-01
Location: 161 Ventura Blvd
APN: 1450232135
Verizon

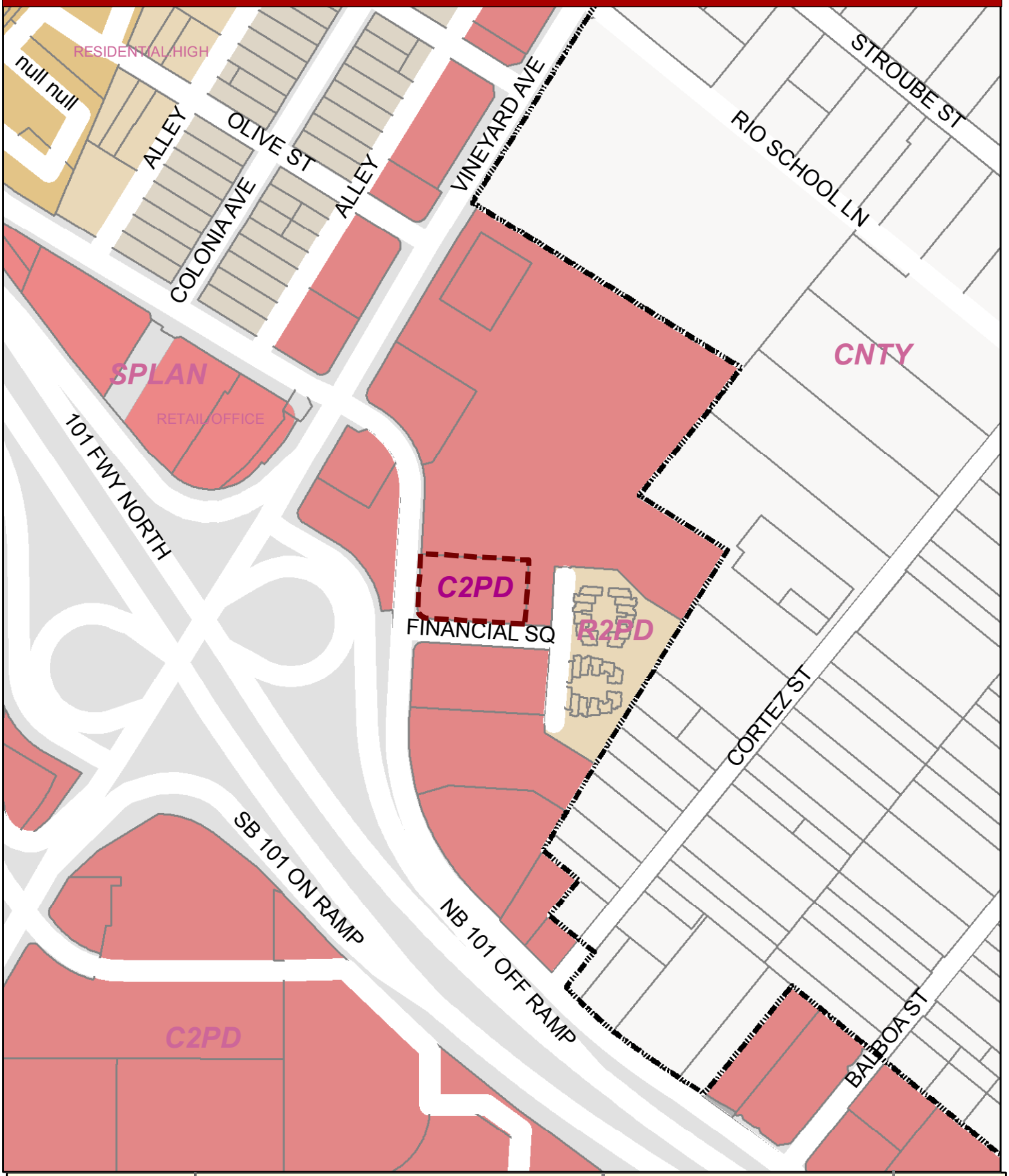
0 75 150 300 450 600 Feet

2030 General Plan Land Use Map

N W E S

1:4,000

Zoning/Specific Plan Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

October 10, 2018

PZ 18-530-01
Location: 161 Ventura Blvd
APN: 1450232135
Verizon

0 75 150 300 450 600 Feet

Zoning/Specific Plan Map

N W E S

1:4,000

Aerial Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

October 10, 2018

PZ 18-530-01
Location: 161 Ventura Blvd
APN: 1450232135
Verizon

0 50 100 200 300 400 Feet

Aerial Map

N W E S

Map of Existing Trees Near Proposed Project No. PZ18-530-01

Green number represents proposed development
Yellow numbers represent tree heights

ATTACHMENT
B

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

NOTICE OF EXEMPTION

Project Description: PZ No. 18-530-01 (Special Use Permit - Wireless) A request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the C-2-PD zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101

Finding: The Planning Division of the Community Development Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☒ Categorical Exemption
- ☐ Statutory Exemption
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with the State CEQA Guidelines and Section 15303, Class 3 of the State CEQA Guidelines, projects involving "the construction of new, small facilities or structures" may be found to be exempt from the requirements of CEQA. This proposal includes the construction of a stealth wireless communications facility within an approximately 596 square-foot lease area, which represents a small structure. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

(Date)

Scott Kolwitz
Planning and Environmental Services
Manager

ATTACHMENT
C

LETTER FROM DELTA GROUPS ENGINEERING
DATED SEPTEMBER 20, 2019

Delta Groups Engineering, Inc.

2362 McGaw Avenue, Irvine, CA92614 Tel.: (949) 622-0333 Fax: (949) 622-0331

September 20, 2019

City of Oxnard
214 South 'C' Street
Oxnard, CA 93030

Subject: Proposed Verizon "Danube" Site
161 Ventura Boulevard
Oxnard, CA 93036

Re: Setback Variance Engineering Justification and Request for Approval

To Whom It May Concern,

This letter is issued in response to a request for an engineering justification for a variance in the setbacks applicable to the proposed "Danube" Verizon Wireless Cellular Communications Facility at the above-referenced address. Best practices in the industry would normally involve meeting the setback requirements for any project, but the site conditions are such that it is not possible for this facility to meet the defined setback. As a result, our only pragmatic engineering recourse is to seek a variance to the established setback with a reasonable justification.

The location of this proposed monoeucalyptus (i.e. a pole which is camouflaged to replicate a live eucalyptus tree), is driven by the RF design needs to meet the coverage objectives and also comply with the height limitation set forth by the city. We cannot achieve both at any other viable location on this parcel. As a result, this is the least intrusive design that we can proffer given the development constraints and the site conditions. The spatial constraints of the site and the dimensional needs of the new monoeucalyptus foundation (specifically, a minimum caisson diameter of 5'-6", as designed by the monoeucalyptus engineer) are the conditions that prevent us from meeting the setback.

This caisson must be drilled to a significant depth and this caisson cannot interfere with the existing building foundation without risk of undermining the building or disturbing the existing exterior wall footings. A mat foundation is not feasible in this instance, due to the adjacent building, thus a drilled pier is the only viable engineering solution. As a result, while it is placed as far from the property line as physically practical, its location falls short of the required setback, established as 10' from the property line as measured to the face of the pole structure, according to information furnished by the city.

At present, the center of the concrete caisson foundation and, as a result, the pole center, is situated 9'-0" from the property line along Financial Square, placing the pole face at approximately 8'-0" from the property line. As a tapered pole structure, the face of the pole will recede from the property line slightly as the elevation of the pole increases, further increasing the setback, but it is physically impossible to push the pole back an additional 2' from the property line due to the interference posed by the existing building. Please note, however, that the faux eucalyptus branching will be fabricated at varying lengths to meet the site conditions and will neither contact the building, maintaining a 3" clearance from the structure, nor encroach beyond the southern property line so as to project into--or in any way impede--the public right of way or create a public safety concern. The branches angled towards the southern property line in particular will be staggered in length and, as they are at varying orientations in an irregular radial pattern at their attachment points along the trunk of the monotree, will not result in a "flattened" appearance at the side of tree fronting the property line but will, instead maintain a natural profile.

It is noteworthy that nearly all jurisdictions with which we have worked over the past 28 years in developing over 18,000 wireless facilities establish the setback by measuring to the center of the antenna structure as opposed to the face of the pole when it is a monopole structure of this nature. If this were the case in this instance, we would only be 12" shy of meeting the required setback. As it stands, we are only 24" shy of meeting the city's unique setback.

While setbacks do serve pragmatic purposes for establishing uniformity in architectural and engineering design development of properties, including such considerations as noise, light, massing of structures, desired streetscapes, pedestrian circulation, et cetera, unlike a habitable structure, this monotree does not increase vehicular or pedestrian traffic, does not add a building mass closer to the property line, and this property line from which we seek a setback variance is a commercial street frontage where the nearest adjacent development along this street frontage is a commercial structure across the street at a distance in excess of 137' from the face of the proposed monoeucalyptus trunk. The minor variance of only 2' in the required setback to this faux tree has a negligible impact on the surrounding environment or the streetscape in this instance. To this latter point, this faux tree is placed within a landscape planter which fronts the southern elevation of the building along its entire length. As there are no setbacks established for landscape trees, if this monoeucalyptus were a live tree, its placement at the proposed location would be allowed without any restrictions and the visual environment would be very much the same. For a structure of this exceptional nature and in the specific location proposed, the additional 2 feet of setback affords little, if any, benefit to the built environment or the streetscape.

In summation, for legitimate engineering reasons related to the required foundation system for a structure of this nature, this 10' setback from the southern property line along Financial Square cannot be met and we seek a variance to allow a reduction of this setback to accommodate the proposed facility as designed. Given the mitigating factors involved in a facility of this nature, as outlined above,

we implore the city of Oxnard and its Planning Commission to give thoughtful consideration to thisdesign proposal and grant this request for the setback variance.

Should you have any questions concerning this matter, please do not hesitate to contact us. Thank you for your attention in this important matter. We greatly appreciate it.

Respectfully,

William C. Desmond
Vice President

Albert R. Teng, P.E.
President

ATTACHMENT D

REDUCED PROJECT PLANS

verizon

DANUBE

MTX41 / BSC3

161 VENTURA BLVD.
OXNARD, CA 93036

OVERALL HEIGHT PER 1-A LETTER: 47'-0"

PROJECT TEAM

SITE ACQUISITION
D4 COMMUNICATIONS, LLC
1114 STATE STREET, SUITE 234
SANTA BARBARA, CA 93101
CONTACT: SCOTT DUNAWAY
PHONE: (805) 637-0339

PLANNING
D4 COMMUNICATIONS LLC
1114 STATE STREET, SUITE 234
SANTA BARBARA, CA 93101
CONTACT: SCOTT DUNAWAY
PHONE: (805) 637-0339

ARCHITECT:
DELTA GROUPS ENGINEERING, INC.
2362 McGAW AVE.
IRVINE, CA 92614
CONTACT: WILLIAM DESMOND
PHONE: (949) 622-0333
FAX: (949) 622-0331

SURVEYOR:
BERT HAZE AND ASSOCIATES, INC.
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
TEL: (714) 557-1567
FAX: (714) 557-1568

UTILITY COORDINATOR:
TRIAD GROUP
PLAZA CENTER
10900 NE 8TH ST., SUITE 1500
BELLEVUE, WA 98004
CONTACT: JON STEWART
PHONE: (425) 454-0282
FAX: (425) 454-5784

PROFESSIONAL ENGINEER:
DELTA GROUPS ENGINEERING, INC.
2362 McGAW AVE.
IRVINE, CA 92614
CONTACT: ALBERT TENG
PHONE: (949) 622-0333
FAX: (949) 622-0331

VERIZON WIRELESS SIGNATURE BLOCK

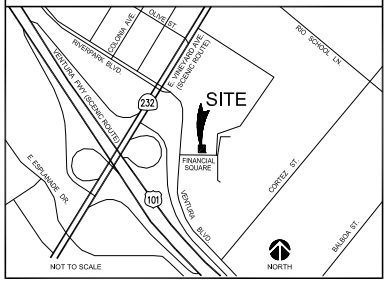
DISCIPLINE:	SIGNATURE:	DATE:
RE VENDOR:		
A&E VENDOR:		
A&E COORDINATOR:		
UTILITY VENDOR:		
RF:		
RE:		
CE:		
EE:		
TRANSPORT:		

PROJECT DESCRIPTION

THIS PROJECT IS A VERIZON WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:

- NEW VERIZON WIRELESS 8'-4"X 26'-8" (±216 SQ.,FT.) EQUIPMENT LEASE AREA
- NEW VERIZON WIRELESS 22'-0"Ø (±380 SQ. FT.) ANTENNA LEASE AREA
- (1) NEW VERIZON WIRELESS 15KW DC STANDBY DIESEL GENERATOR W/ 54 GAL. TANK
- (2) NEW VERIZON WIRELESS EQUIPMENT CABINETS
- (12) NEW VERIZON WIRELESS 8' TALL PANEL ANTENNAS
- (12) NEW VERIZON WIRELESS RADIOS
- (3) NEW VERIZON WIRELESS RAYCAPS
- (1) NEW VERIZON WIRELESS GPS ANTENNA
- NEW VERIZON WIRELESS 7'-0" HIGH METAL ENCLOSURE

VICINITY MAP



DRIVING DIRECTIONS

FROM: VERIZON OFFICE

TO: 161 VENTURA BLVD. OXNARD, CA 93036

1. HEAD SOUTHEAST TOWARD SAND CANYON TRAIL
2. TURN RIGHT ONTO SAND CANYON AVE
3. SLIGHT RIGHT TO MERGE ONTO I-405 N
4. TAKE THE EXIT ONTO US-101 N TOWARD VENTURA
5. TAKE THE VINEYARD AVE/CA-232 EXIT
6. TURN RIGHT ONTO CA-232 N/E VINEYARD AVE
7. TURN RIGHT ONTO E VENTURA BLVD., DESTINATION WILL BE ON THE LEFT

PROJECT SUMMARY

APPLICANT/LESSEE

verizon
15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618
OFFICE: (949) 286-7000

ASSESSOR'S PARCEL NUMBER
APN: 145-0-232-135

APPLICANT'S REPRESENTATIVE
D4 COMMUNICATIONS LLC
1114 STATE STREET, SUITE 234
SANTA BARBARA, CA 93101
CONTACT: SCOTT DUNAWAY
PHONE: (805) 637-0339

PROPERTY OWNER:
OWNER: PUBLIC STORAGE
CONTACT: LORI KIND
ADDRESS: 701 WESTERN AVE., 1ST FLOOR GLENDALE, CA, 91201
TELEPHONE: (818) 244-8080, EXT. 1350

PROPERTY INFORMATION:
SITE NAME: DANUBE
SITE ADDRESS: 161 VENTURA BLVD. OXNARD, CA 93036
JURISDICTION: CITY OF OXNARD

CONSTRUCTION INFORMATION
OCCUPANCY: –
TYPE OF CONSTRUCTION: –
CURRENT ZONING: C2PD
NUMBER OF STORIES: 3 - STORY
ADA COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE CBC SECTION 11B-203.5.

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

CODE COMPLIANCE

- 2013 CALIFORNIA ENERGY CODE
- 2013 CALIFORNIA BUILDING CODE
- 2013 CALIFORNIA ELECTRICAL CODE
- 2013 CALIFORNIA FIRE CODE
- 2013 CALIFORNIA GREEN BUILDING CODE
- 2013 CALIFORNIA MECHANICAL CODE
- 2013 CALIFORNIA PLUMBING CODE
- SHELTER IS STATE OF CALIFORNIA APPROVED AND INSPECTED, NOT FOR LOCAL INSPECTION.

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	4
C-1	TOPOGRAPHIC SURVEY	4
C-2	TOPOGRAPHIC SURVEY	4
A-1	OVERALL SITE PLAN	4
A-1.1	SITE PLAN	4
A-2	ENLARGED SITE PLAN, EQUIPMENT LAYOUT PLAN	4
A-2.1	BRANCHES AND ANTENNA LAYOUT	4
A-3	SOUTH AND EAST ELEVATIONS	4
A-4	NORTH AND WEST ELEVATIONS	4

CONSTRUCTION DRAWINGS

811 Know what's below. Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN CALIFORNIA (SOUTH), CALL DIG ALERT
TOLL FREE: 1-800-227-2600 OR www.digalert.org
CALIFORNIA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	12/06/17	90% ZONING	TB
1	12/28/17	100% ZONING	JD
2	10/10/18	100% ZONING	JD
3	01/22/19	90% ZONING	JD
4	02/08/19	100% ZONING	JD

DELTA GROUPS ENGINEERING, INC.
CONSULTING ENGINEERS
2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2663
DGE JOB # 116VW041A

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

verizon
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IRVINE, CA 92618

DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

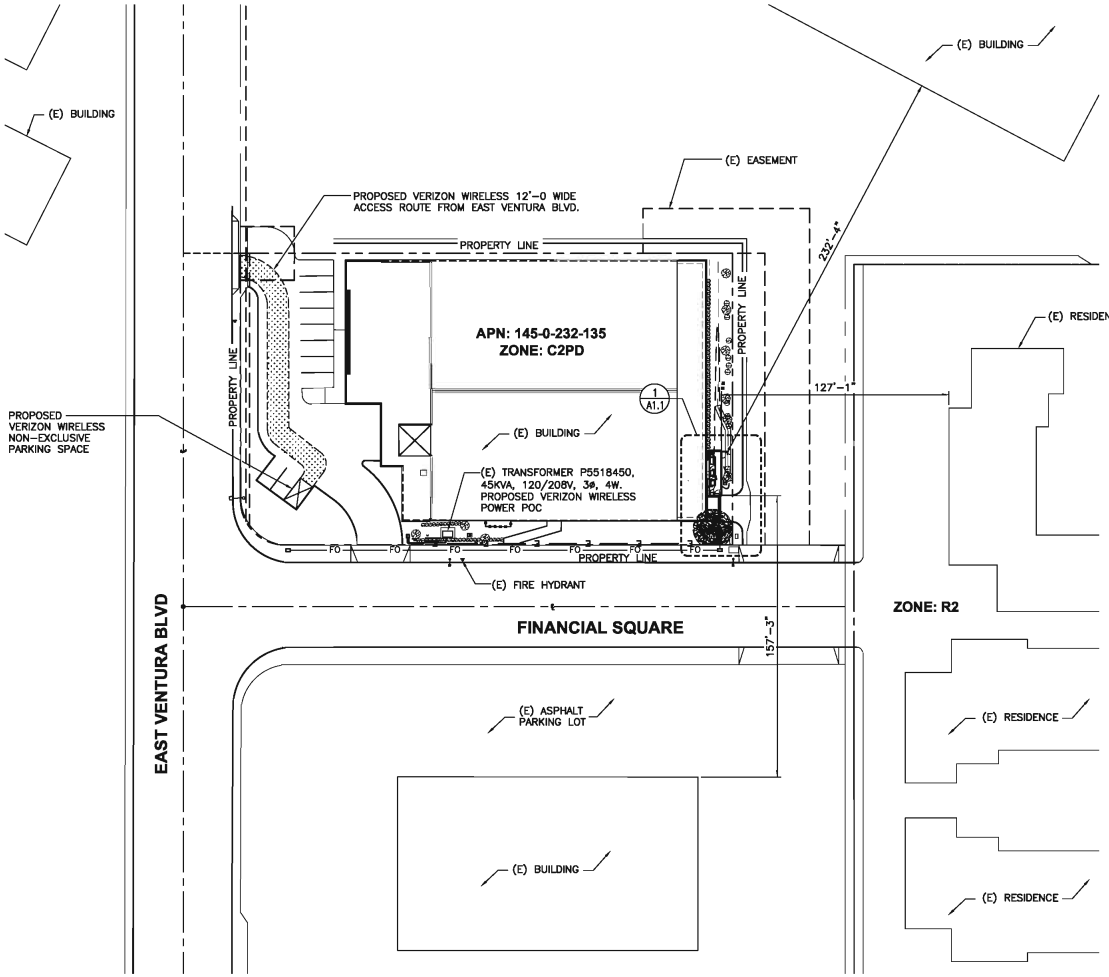
SHEET TITLE:
TITLE SHEET

T-1

NOTE:
NEW CONDUIT PATHWAYS SHOWN INCLUDE INSTALLATION OF APPROPRIATE SIZE AND TYPE HAND HOLES OR PULL BOXES, WHERE REQUIRED, WHETHER OR NOT SPECIFICALLY DEPICTED

NOTE:
THE GC TO SECURE/HARDEN THE SITE PER FIELD OPS DIRECTION USING MASTER KEYED HIDDEN SHACKLE PAD LOCK W/ HIGH SECURITY HASP

NOTE:
THERE ARE NO SIGNIFICANT HABITATS, WATERWAYS OR VEGETATION IN CLOSE PROXIMITY



OVERALL SITE PLAN

SCALE: 1 In= 30 ft

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
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1	12/28/17	100% ZONING	JD
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SHEET TITLE:
OVERALL SITE PLAN

A-1

NOTE:
THERE ARE NO SIGNIFICANT HABITATS, WATERWAYS OR VEGETATION IN CLOSE PROXIMITY

NOTE:
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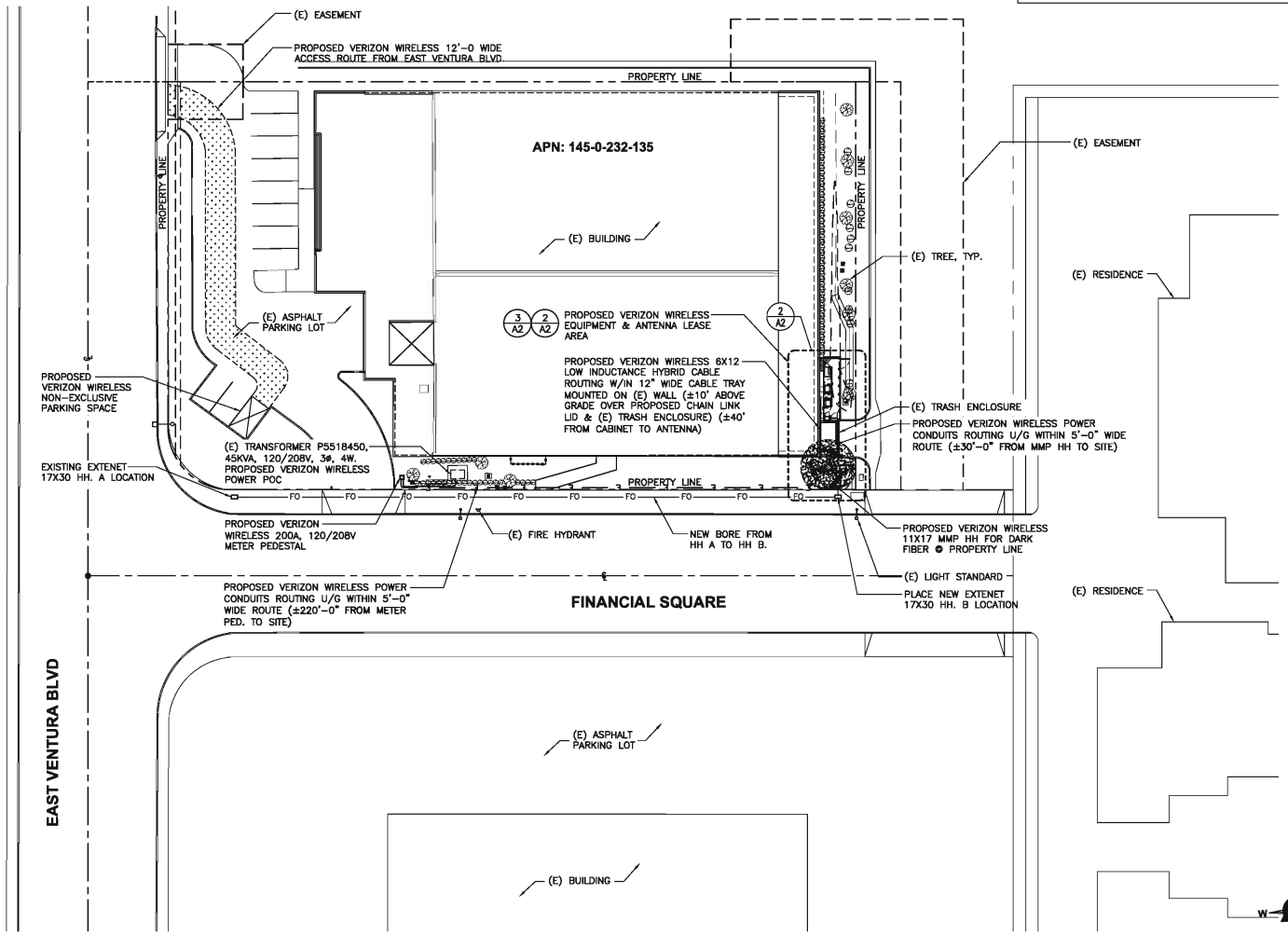

SITE PLAN

SCALE: 1 In= 20 ft

1

ISSUE STATUS

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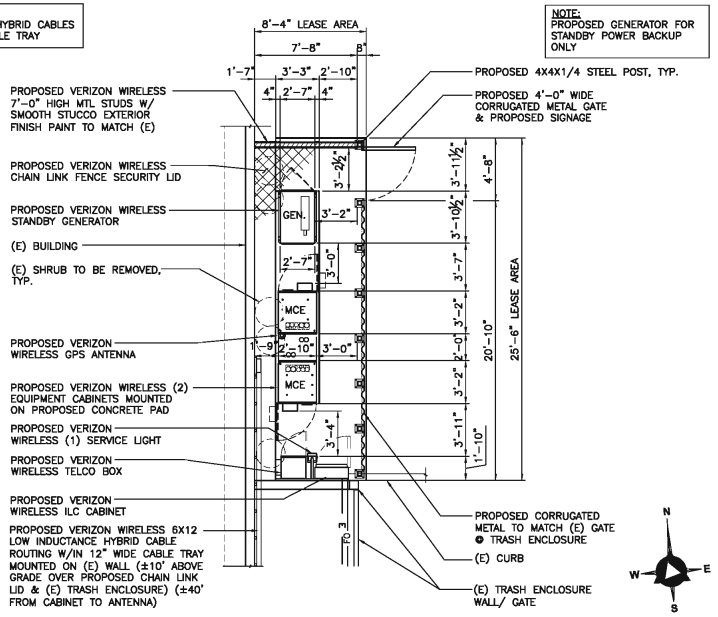
SHEET TITLE:
SITE PLAN

A-1.1

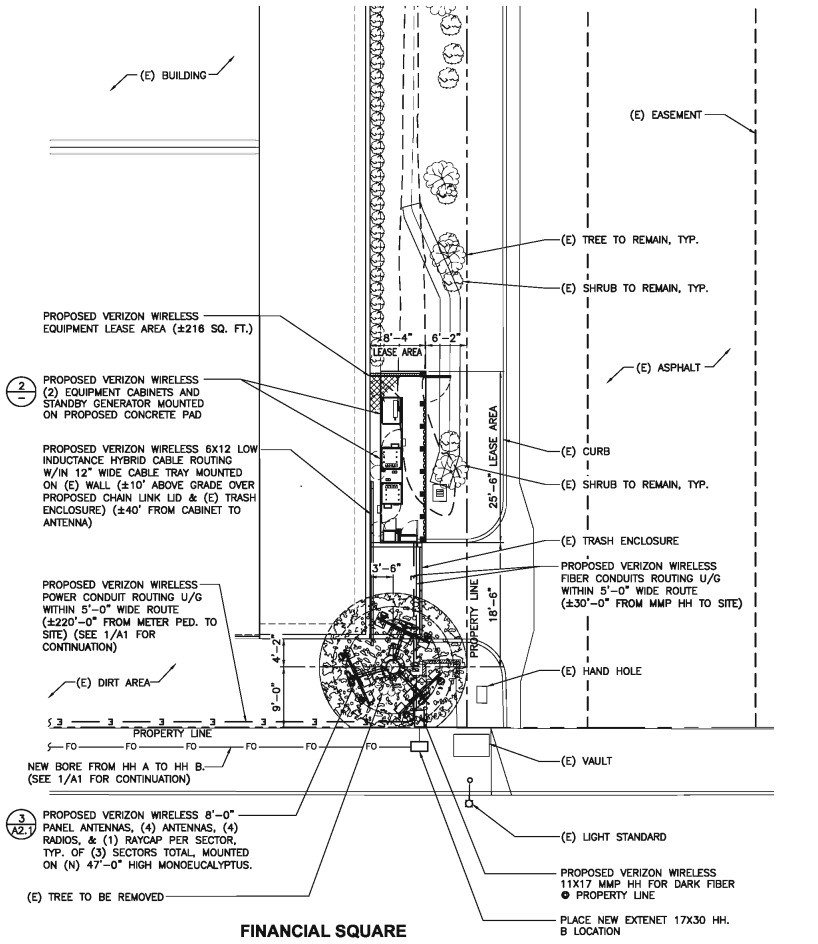
NOTE:
PROPOSED HYBRID CABLES RUN IN CABLE TRAY

NOTE:
PROPOSED GENERATOR FOR STANDBY POWER BACKUP ONLY



EQUIPMENT LAYOUT SCALE: 1/4" = 1'-0" 2

3



ENLARGED SITE PLAN SCALE: 1/8" = 1'-0" 1

ISSUE STATUS

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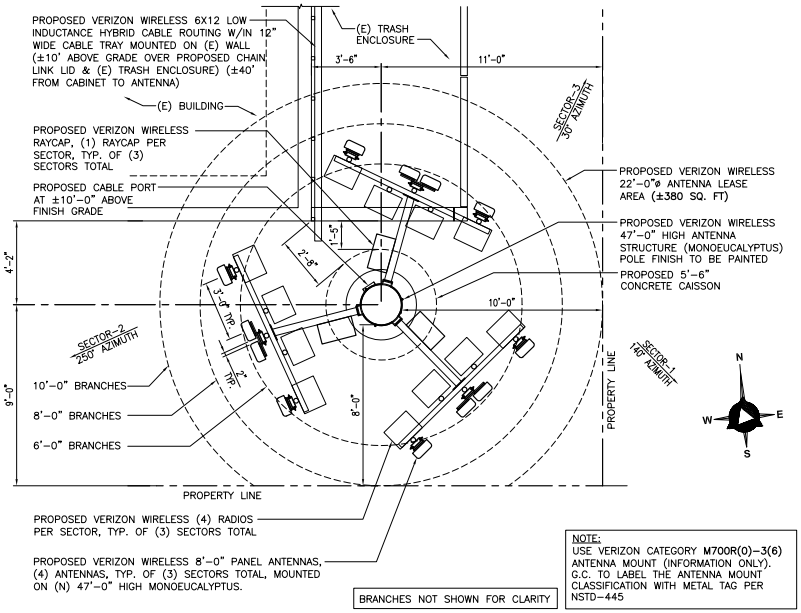
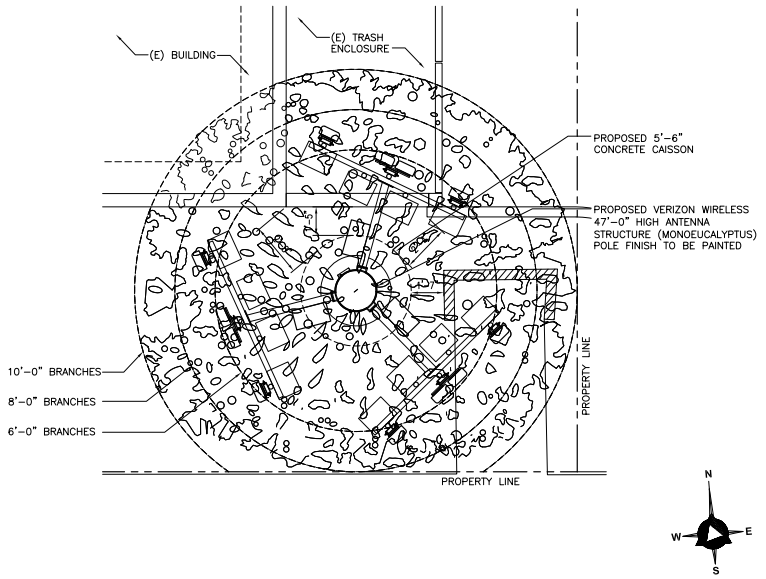
SHEET TITLE:
ENLARGED SITE PLAN, EQUIPMENT LAYOUT

A-2

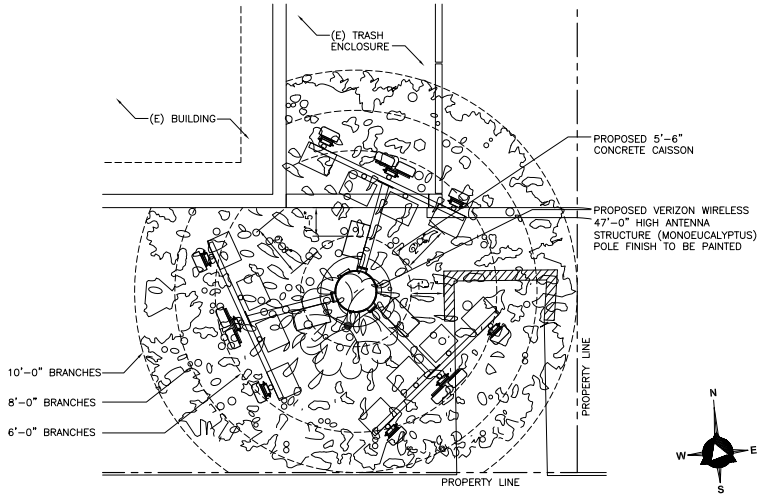


ANTENNA LAYOUT SCALE: 3/8" = 1'-0" 3



BRANCHES LAYOUT AT ANTENNAS LEVEL SCALE: 3/8" = 1'-0" 1

4



BRANCHES LAYOUT AT BUILDING LEVEL SCALE: 1/8" = 1'-0" 2

ISSUE STATUS

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1	12/28/17	100% ZONING	JD
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4	02/08/19	100% ZONING	JD

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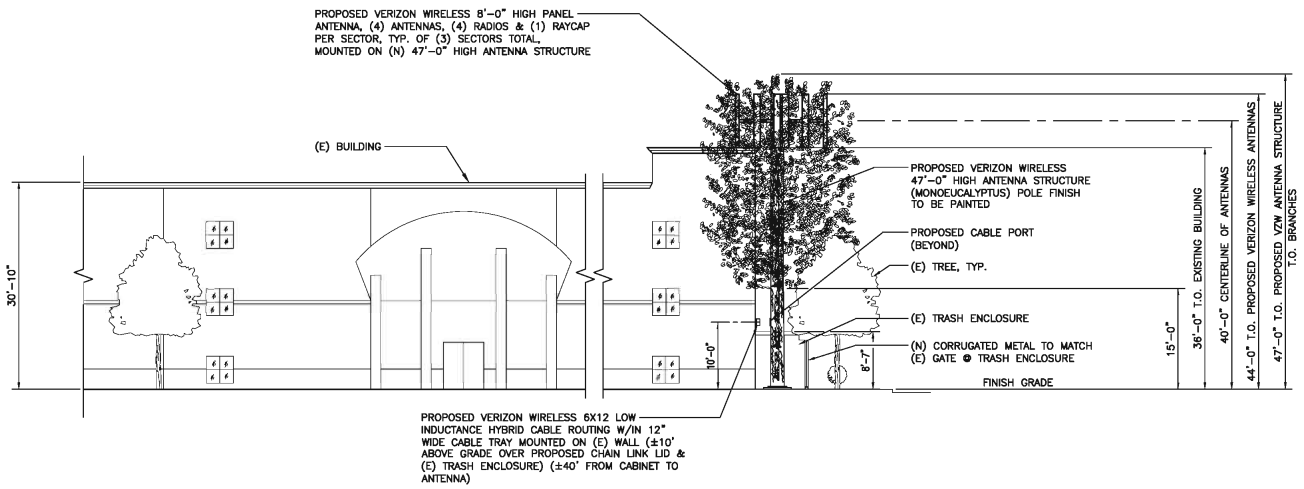
SHEET TITLE:

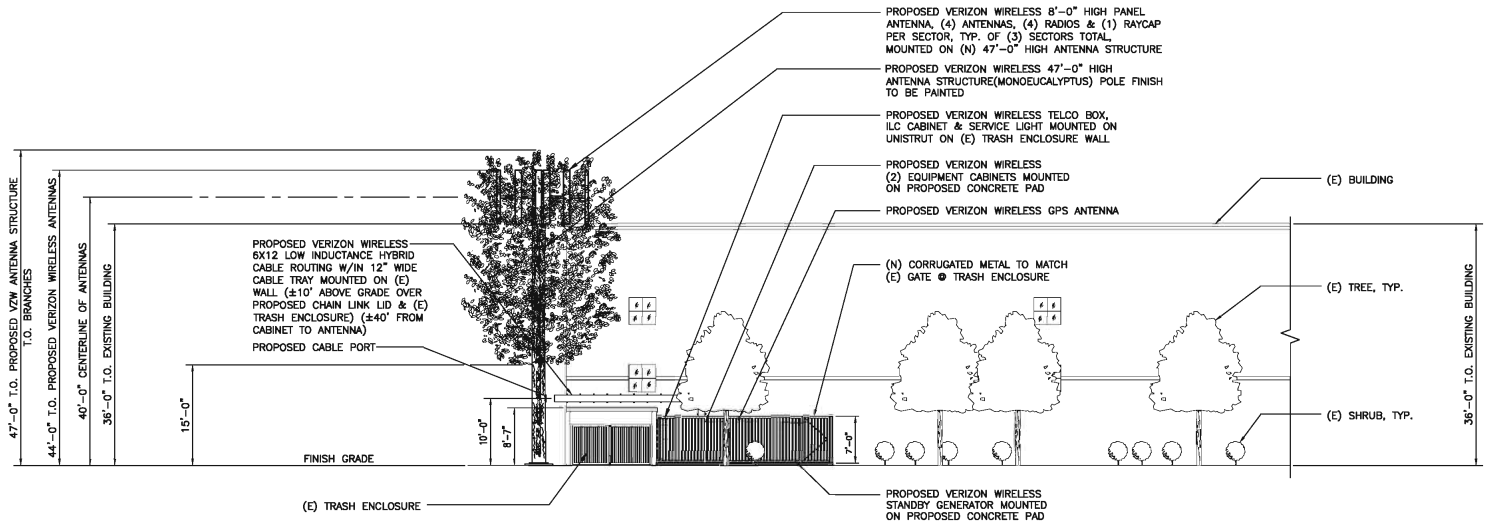
BRANCHES AND ANTENNA LAYOUT

A-2.1



SOUTH ELEVATION

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



EAST ELEVATION

SCALE: 1/8" = 1'-0" 2

ISSUE STATUS

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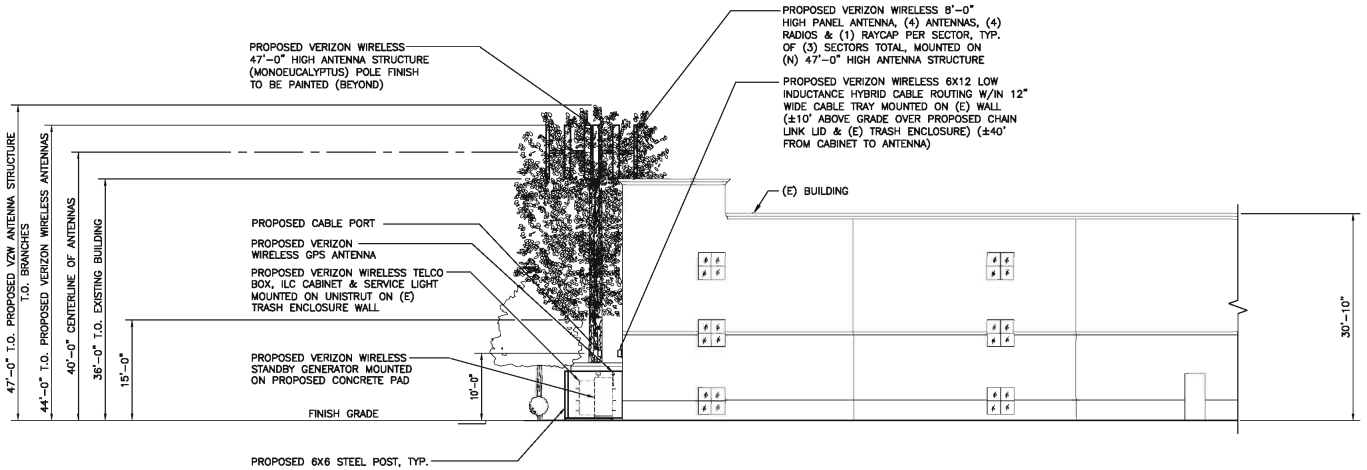
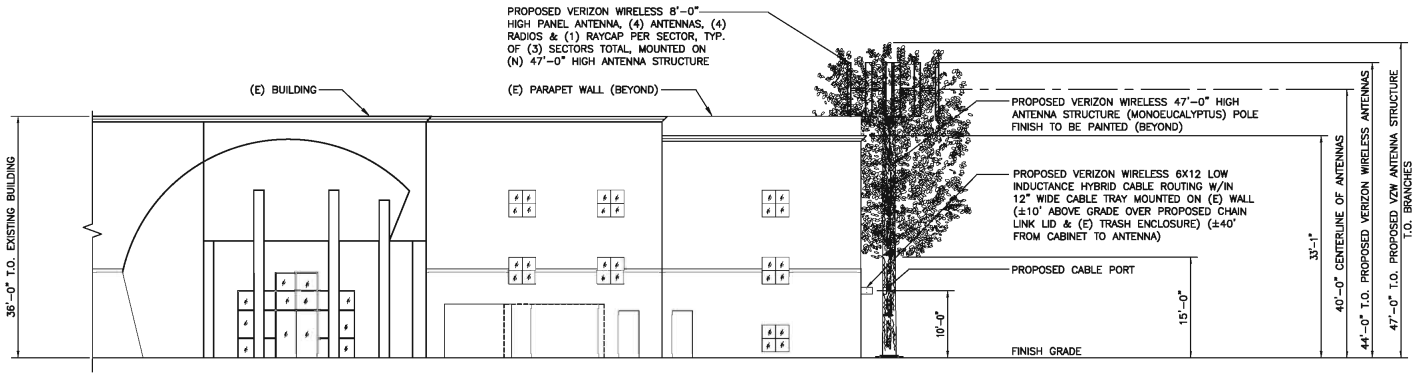
SHEET TITLE:
SOUTH AND EAST ELEVATIONS

A-3



NORTH ELEVATION

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



WEST ELEVATION

SCALE: 1/8" = 1'-0" 2

ISSUE STATUS

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1	12/28/17	100% ZONING	JD
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DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:
NORTH AND WEST ELEVATIONS

A-4

ATTACHMENT E

RESOLUTION (SPECIAL USE PERMIT)

RESOLUTION NO. 2019 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 18-530-01 (SPECIAL USE PERMIT - WIRELESS) FOR CONSTRUCTION OF A 47-FOOT TALL COMMUNICATIONS FACILITY DESIGNED AS A FAUX EUCALYPTUS TREE AND ASSOCIATED EQUIPMENT ENCLOSURE WITH AN INCREASE IN HEIGHT FROM 35 FEET TO 47 FEET AND A REDUCTION IN THE REQUIRED REAR YARD SETBACK FROM 15 FEET TO 10 FEET LOCATED AT 161 VENTURA BOULEVARD (APN: 145-0-232-135), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY SCOTT DUNAWAY ON BEHALF OF VERIZON, 1114 STATE STREET, SUITE 234, SANTA BARBARA, CALIFORNIA, 93101.

WHEREAS, on March 8, 2018, Public Storage (the **"Applicant"** and/or **"Permittee"**) submitted a request to allow the construction a 47-foot tall communications facility designed as a faux eucalyptus tree with an associated equipment enclosure, located at 161 Ventura Boulevard (APN: 145-0-232-135); and

WHEREAS, on December 5, 2019, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 18-530-01 (Special Use Permit - Wireless) to authorize the construction of a 47-foot tall communications facility designed as a faux eucalyptus tree with an associated equipment enclosure, located at 161 Ventura Boulevard (APN: 145-0-232-135) (the **"Project"**) in accordance with Section 16-530 through 16-553 of Oxnard City Code; and

WHEREAS, Section 16-497 authorizes the City to approve wireless projects in the C-2-PD zone for wireless communications facilities with an individual support tower and Section 16-497 of the Oxnard City Code authorizes the Planning Commission to approve wireless facilities in the C-2-PD zone an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet via the issuance of a special use permit;

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 3 Categorical Exemption (Section 15303) and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

(1) **The proposed use in in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.**

The proposed use is located on property with a General Plan designation of Commercial General, which allows free-standing commercial uses along arterials. The proposed use involves the construction of a stealth communications facility along Ventura Boulevard, which is an arterial roadway. The proposed facility is consistent with applicable General Plan policies (see Staff Report Section 6.b). Allowing a single wireless communication faux eucalyptus tree with an increase in height from 35 feet to 47 feet will decrease the need for additional wireless telecommunication facilities in more objectionable areas. Furthermore, the additional height will increase the quality of wireless coverage, providing a benefit to customers and emergency personnel in the vicinity. Allowing a single wireless communication faux eucalyptus tree with a reduction to the rear yard setback from 15 feet to 10 feet will result in a stealthier communications facility as the facility will not be as prominently visible from the public right-of-way. Thus, the proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.

(2) **The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The proposed communications facility is designed as a 47-foot tall faux eucalyptus tree. The faux tree will be located in an area that is surrounded by existing trees and buildings of similar height. Thus, the proposed facility is designed to be compatible with surrounding uses. The construction and operation of the facility is required to comply with all applicable laws, including radio frequency (RF) emissions. Thus, the proposed communications facility will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures or to the public health, safety or general welfare.

(3) **The site that is subject to the special use permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532.**

The proposed communications facility will be located within a 596 square-feet lease area of the 1.02-acre lot, which represents 1.3% lot coverage. The proposed facility is consistent with applicable City standards (see Staff Report Section 6.a through 6.i).

While the faux eucalyptus tree would be visible from the private easement in the rear of the building which leads to the adjacent parking area of the shopping center, as conditioned, the faux eucalyptus tree would not be prominently visible from Ventura Boulevard and the Financial Square public right-of-way; however, the project includes an increase in height (from 35 feet to 47 feet) and a reduction of the required rear yard setback (from 15 feet required to 10 feet proposed) to locate the stealthier communications facility in this location and to minimize the removal of existing landscaping. The surrounding landscaping, including the adjacent trees and the trees across the street, are of sufficient height to blend the proposed tree into the treescape such that the proposed faux tree will not be prominently distinguishable. Pursuant to the City Code § 16-497, the Planning Commission may modify numerical standards of the C-2 zone if the commission finds that such modifications are consistent with the goals, principles and standards of the general plan and other adopted city policies and with the public welfare. The requested reduction in the required side yard setback is consistent with the 2030 General Plan (outlined in the Staff Report dated December 5, 2019) and the public welfare, as the increased coverage provides a greater public safety benefit for customers and emergency services personnel. The project has been conditioned to require the faux eucalyptus tree to be installed approximately 50 feet north of the originally proposed location to minimize the public's view of the wireless facility consistent with the purpose of the wireless communication facilities ordinance, which seeks to minimize adverse visual impacts through careful design (such as the use of stealth facilities), siting, landscape screening, and other camouflaging techniques (Section 16-485(B)(4). Thus, the site for the proposed communications facility is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards.

(4) **The site that is subject to the special use permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The proposed communications facility site is located on a developed lot that has adequate vehicle access from Ventura Boulevard and Financial Square. The facility will be unmanned and will require one vehicle trip per month for routine maintenance. The facility will have the use of a non-exclusive parking space within the existing parking area of the Public Storage building. The required one vehicle trip per month represents a negligible impact to the roadway network. Thus, the proposed use will be served by adequate streets for the project-generated traffic.

(5) **The site that is subject to the special use permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project site is located on a lot that has been developed with a Public Storage building. The subject lot is currently served by utilities. The proposed project is an unmanned stealth communications facility that does not require expansion of existing utilities. Thus, the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, § 15303 (Class 3) of the State CEQA Guidelines. These sections pertain to projects characterized as new, small facilities. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to § 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 18-530-01 (Special Use Permit - Wireless), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of § 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated December 5, 2019, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)

4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, *G-6*)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)

10. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)

11. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)

12. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

13. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Applicant shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

14. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)

PLANNING DIVISION STANDARD CONDITIONS

15. Plans submitted by Developer with building permit applications shall show on the elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)

16. Any application for a Minor Modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)

17. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)

18. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

19. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)

20. In order to minimize light and glare on the project property, all exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)

21. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)

22. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).

23. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

PLANNING DIVISION SPECIAL CONDITIONS

24. In order to be less prominently visible from the Financial Square right-of-way, the proposed wireless communications facility shall be located on the eastern side of the existing building in a location that is approximately no less than 50 feet northerly of the proposed location at the southeastern corner of the building. The exact location shall be reviewed and approved by the Planning Manager.

25. Prior to issuance of a building permit, Applicant shall submit specification sheets for the product to be used to create the stealth tree and will provide samples of the materials for review and approval by the Planning Manager.

26. Prior to issuance of a building permit, Developer shall revise plans for the wireless facility so that any warning or advisory signs required by the Federal Communications Commission (FCC) will also be displayed in Spanish. Signs appearing in Spanish language shall be of identical form and format to the signs required by the FCC. (PL)

27. Pursuant to City Code Section 16-493, a wireless communications facility that has not operated for six continuous months shall be considered abandoned, the owner shall remove such facility at the owner's expense within 90 days of notice from the Planning Manager. If the wireless communications facility is not removed within 90 days of notification, the City may remove such facility at the owner's expense. If there are two or more users of a single wireless facility, this provision shall not become effective until all users cease using such facility for six continuous months. (PL/CA)

28. For the life of the permit, the operator of the facility shall ensure that screening elements are maintained and replaced as necessary to ensure the faux eucalyptus remains properly screened to the standards demonstrated in the approved plans and subject to the approval of the Planning Manager. The operator accepts that the City reserves the right to deny

applications for antenna replacement or colocation if the proposal is not consistent with the screening and camouflage standards of the original approval. (PL)

29. Prior to issuance of a building permit, applicant shall submit plans to include notes stating the colors of all equipment (panel antennas, remote radio units, etc.) and conduit mounted on the communications facility. The colors shall mimic those of a eucalyptus tree, subject to the approval of the Planning Manager.

30. Operator shall remove any and all graffiti from the facility (including faux tree, equipment enclosure and related equipment) within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in the underlying colors and/or design, and shall not look like a paint patch.

31. The subject permit shall be for a 10 year time period from the date of its approval. If the lessee/operator/owner of the wireless facility wishes to continue operation as granted herein, a new application must be filed with the Planning Division. Said application must be filed no later than three months prior to the expiration of this permit and said application must be made on the appropriate forms and fees paid.

32. The wireless facility shall at all times comply with all applicable laws, regulations, and standards, inclusive of federal requirements regarding radio frequency (RF) emissions. If the City provides no less than 24-hour prior written notice of a request to inspect the facility for compliance with applicable law, the City and its agents shall promptly be granted such inspection rights.

33. The emergency generator shall be tested only during the hours of 7:00 a.m. to 6:00 p.m. from Monday through Saturday. The emergency generator shall not be tested on Sunday.

34. Within 6 months of final inspection the carrier shall provide a third party report confirming that the site is in compliance with all FCC regulations.

35. Existing vegetation, including trees, shrubs, grass and other ground cover, that is removed or damaged during construction, shall be replaced.

36. Entry-deterrent measures incorporated into the facility design to reduce the potential for trespass and injury shall be maintained throughout the life of the project.

37. No storage of mobile or immobile equipment not used in direct support of the wireless telecommunications facility shall be stored on the site unless repairs to the facility are being made.

38. The wireless telecommunications facility, in its entirety, shall be maintained in a good state of repair that remains consistent with the design of the original construction, at the sole expense of the applicant.

39. All cables, wires, sweeps, jumpers and other connectors shall be installed inside the mono-eucalyptus to the maximum extent feasible. All utilities servicing the facility shall be placed underground.

40. All externally mounted equipment and appurtenances shall be painted and textured to match and mimic natural eucalyptus tree colors. Applicant shall maintain all painted surfaces in good condition at all times. The project shall only use non-reflective materials and finishes.

41. The entire mono-eucalyptus shall be covered with three dimensional faux eucalyptus tree bark cladding and painted an appropriate bark color to resemble a live eucalyptus which shall be maintained in good condition at all times.

42. The mono-eucalyptus branch and leaf density and design shall properly camouflage the proposed antennas. Branches and leaves shall be placed to extend above, between and below antennas and appurtenances. Branch length shall vary as need to provide maximum camouflage of antennas and appurtenances. The antenna arrays shall be painted to camouflage them using a color mix (shade/light) given off by the leaves in daylight hours. Applicant shall maintain the leaves and camouflage paint in good condition at all times.

43. The mono-eucalyptus and other ground mounted equipment (to the extent technically feasible) shall be enclosed within an enclosure. The concrete walled enclosure shall be designed and painted to match the existing architectural style of the adjacent building exterior wall. This condition does not require the applicant to install electric meters, emergency shut-off switches or connectors for emergency backup power within the equipment enclosure.

44. The applicant shall install all ground-mounted equipment (other than the mono-eucalyptus) so that no portion protrudes above the equipment enclosure.

45. Applicant shall install and at all times maintain in good condition a “Network Operations Information” sign at all access points to the equipment area. The sign(s) required under this condition shall be installed so that a person can clearly see the sign as he or she approaches the access point when the gate is in both the open and closed position.

46. The Applicant shall install and at all times maintain in good condition an “RF Notice” and “Network Operations Information” sign on the base of the tower structure. Signs required under this condition shall be installed so that a person can clearly see the sign as he or she approaches the tower.

47. The applicant shall ensure that all signage complies with the FCC OET Bulletin 65 or ANSI C95.2 for color, symbol and content conventions. All such signage shall provide a working local or toll-free telephone number to its network operations center that reaches a live person who can exert transmitter power-down control over this site as required by the FCC.

48. No signs, other than required by the FCC or other regulatory agencies, are approved as part of this action. Signs or advertising is prohibited, unless it is part of the camouflage design or primary structure upon which the Wireless Telecommunications Facility is affixed.

49. Exterior lighting for Wireless Telecommunications Facilities shall be limited to the following:

    a) A manually-operated or motion-detector controlled light above any accessory structure which shall be kept off except when personnel are actually present at night.
    b) The minimum tower lighting required by FAA regulations.
    c) Lighting shall be shielded or directed to the greatest extent possible in such a manner as to minimize the amount of light that falls onto nearby properties, particularly residences.

[signatures on following page]

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of December, 2019.

Diedre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 5th day of December, 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Scott Kolwitz, Secretary

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION

MEMO

DATE: December 3, 2019

TO: Planning Commission

FROM: Jay Dobrowalski, Senior Planner

SUBJECT: Errata Memo No. 1 to Agenda Item E.1
Planning and Zoning Permit No. PZ18-530-01 (Special Use Permit - Wireless)
161 Ventura Boulevard; APN:145-0-252-135

Subsequent to the distribution of the Planning Commission packets for the December 5, 2019, hearing, Planning Staff became aware that several pages were inadvertently omitted from the Planning Commission Hearing website (https://www.oxnard.org/city-meetings/), and subsequently were omitted from the packet. Attachment F, in its entirety, is attached to this Memorandum.

Attachments:

Attachment F of Staff Report dated December 5, 2019

ATTACHMENT F

PROPAGATION MAPS

DANUBE Antenna Height Justification

161 Ventura Boulevard Oxnard, CA 93036
September 10, 2018

verizon

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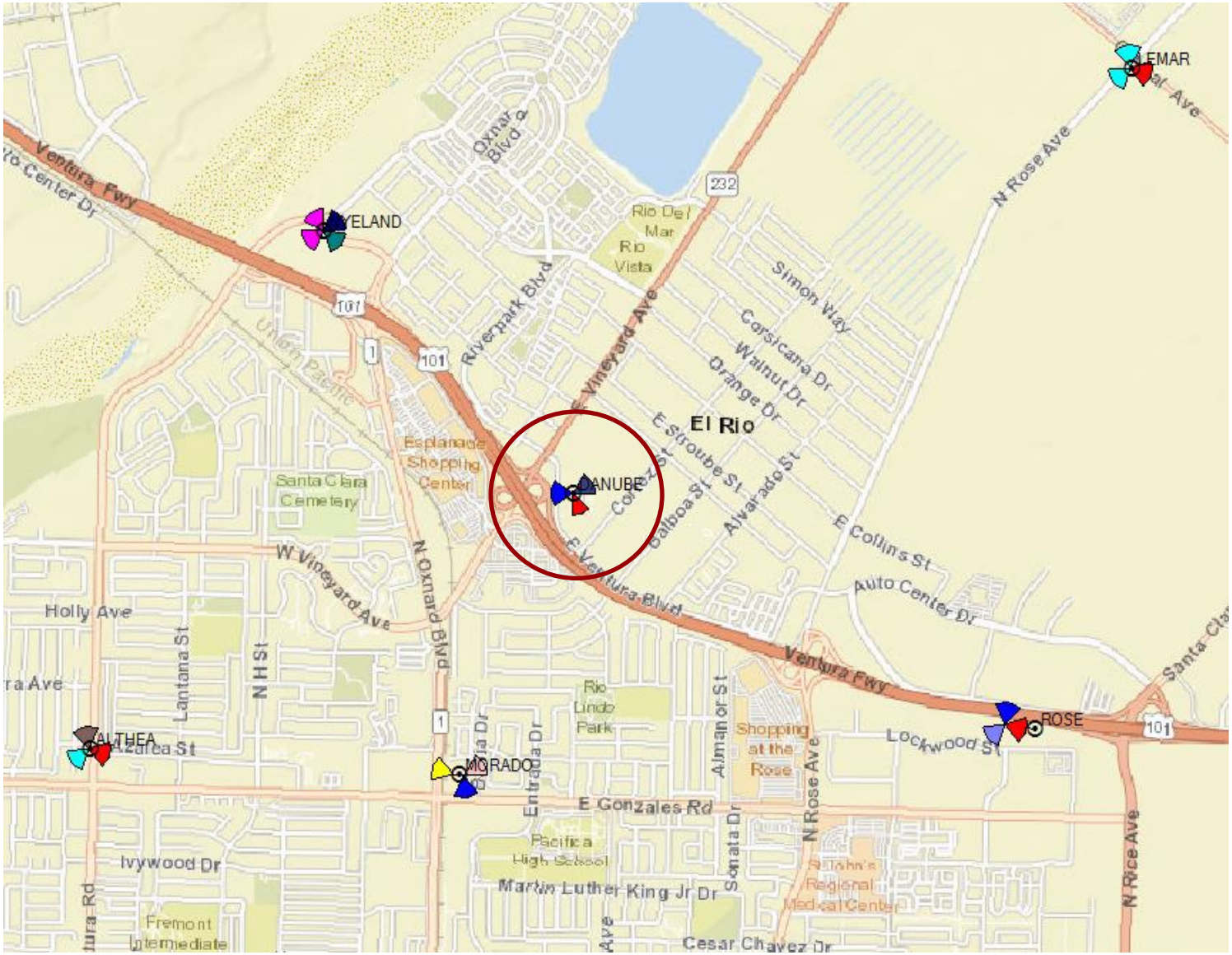
Verizon Danube General Map



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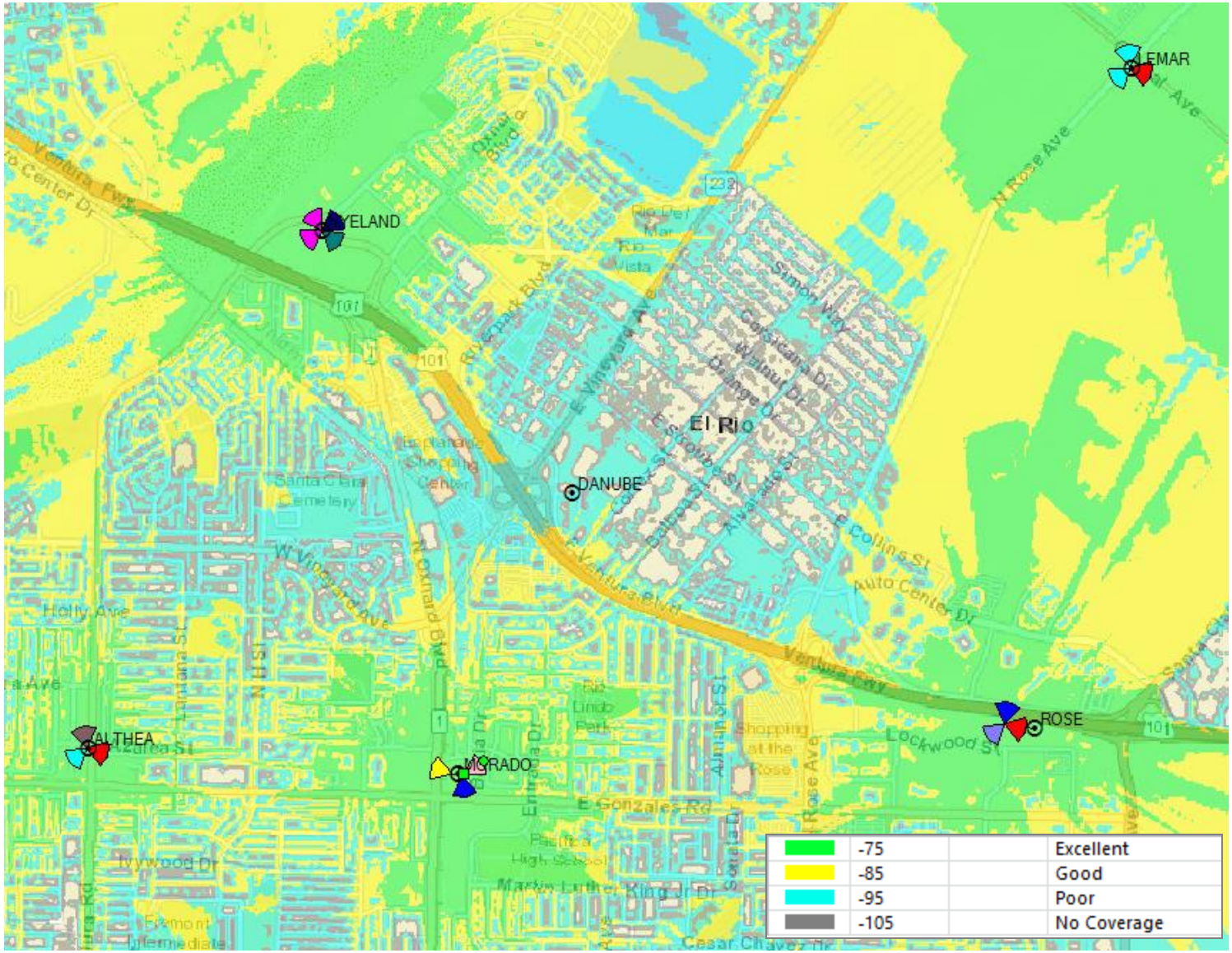
Verizon Existing Coverage



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Propagation Maps
for the following RAD Centers:
A. 30’
B. 40’
C. 45’

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Verizon Danube Coverage at 30’ RAD Center

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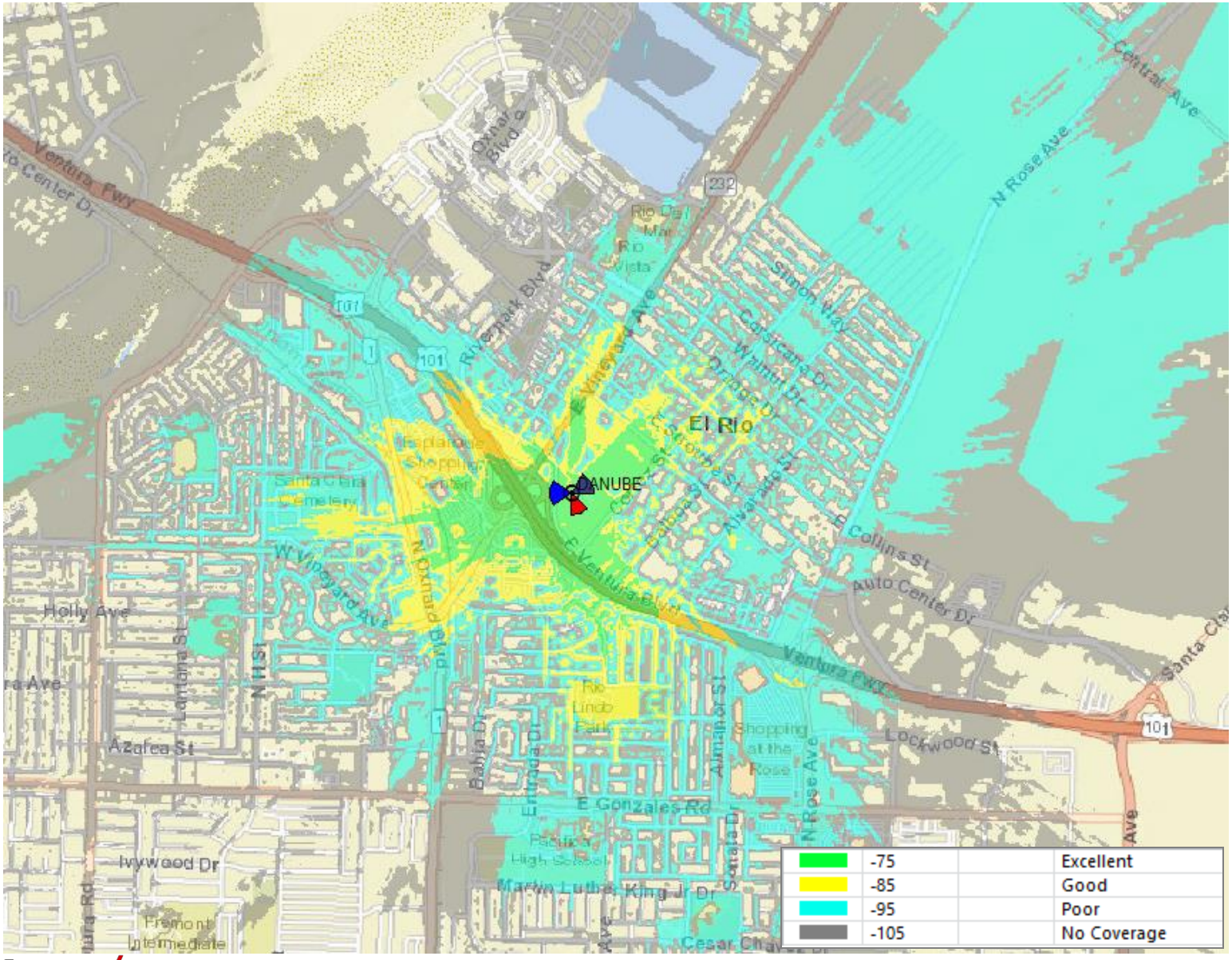
Verizon Danube Coverage Standalone at 30’ RAD Center



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Verizon Danube Coverage at 40’ RAD Center

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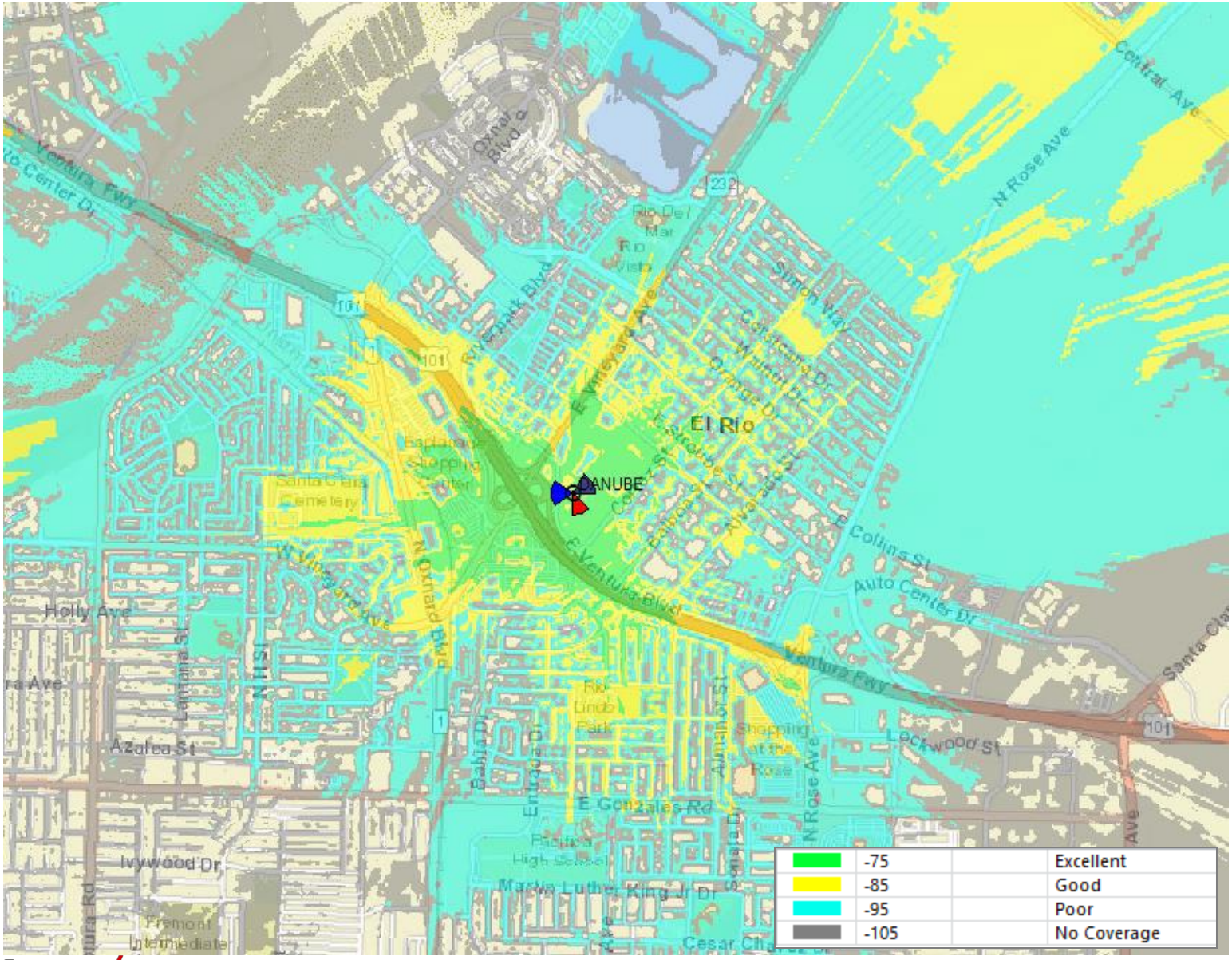
Verizon Danube Coverage Standalone at 40’ RAD Center



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Verizon Danube Coverage at 45’ RAD Center

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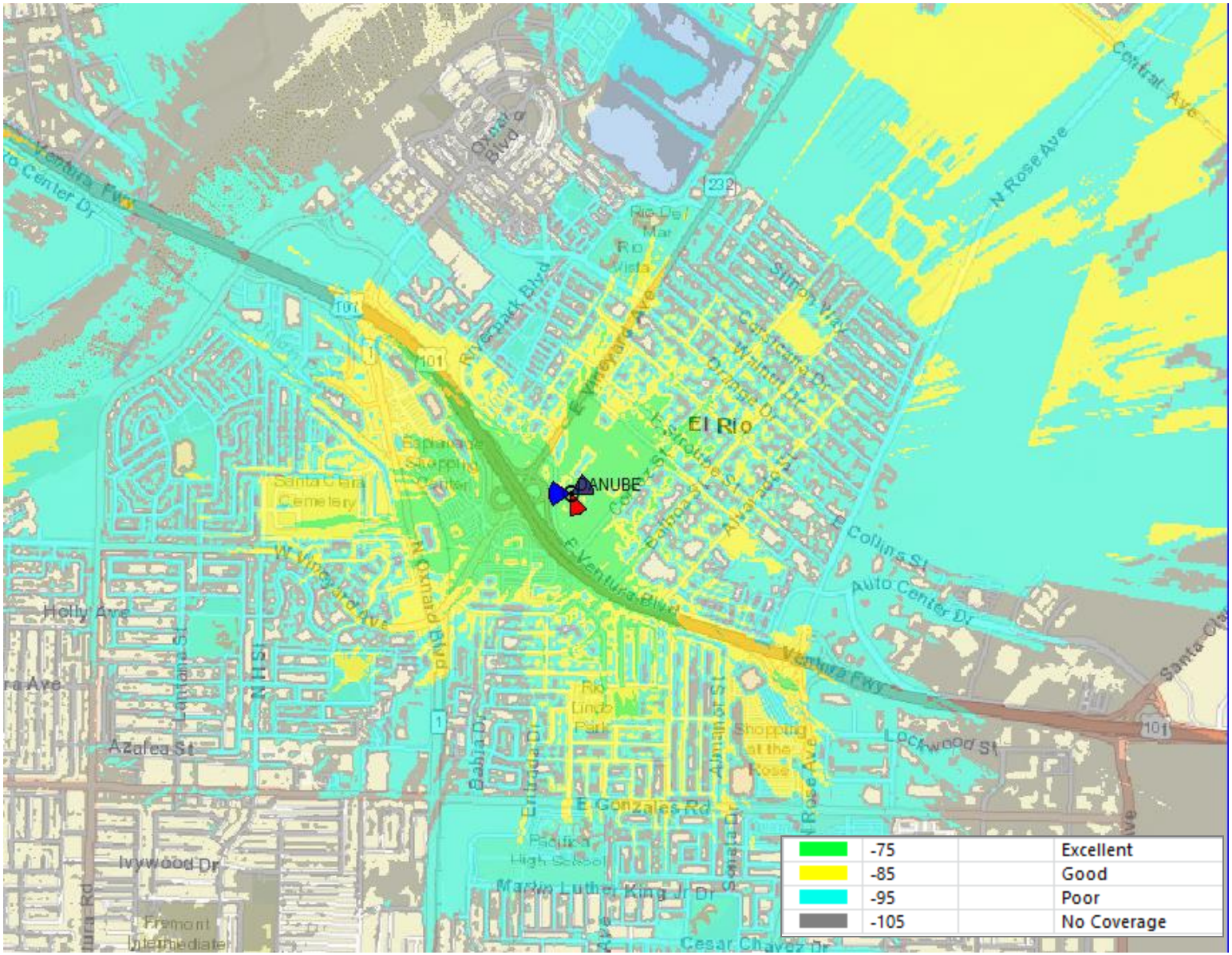
Verizon Danube Coverage Standalone at 45’ RAD Center



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March 6, 2019

To: City of Oxnard, Planning Department

Subject: Statement in Support of Verizon Wireless's Proposed Telecommunications Facility "Danube" at 161 Ventura Blvd, Oxnard, CA.

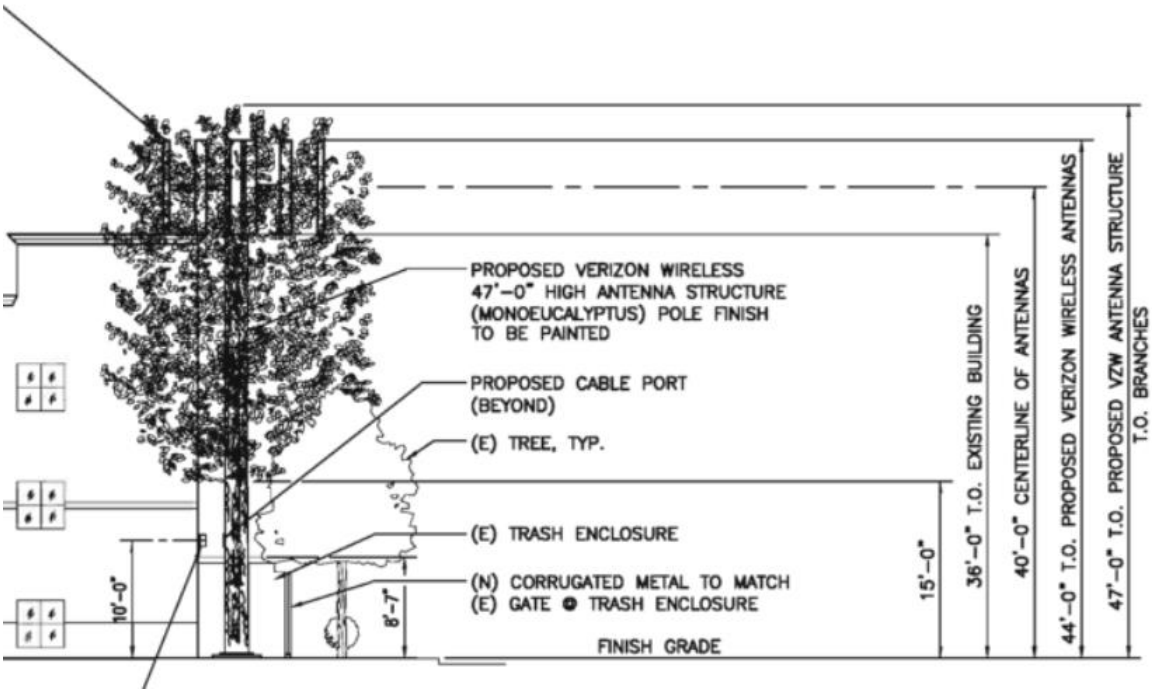
This letter is in reference to our proposed VZW telecommunications facility named "Danube" located at 161 Ventura Blvd, Oxnard CA. Verizon Wireless has identified a significant gap in its wireless services along Ventura Fwy. and Vineyard Ave. and surrounding area. This area is currently served by telecommunications site 'Nyland' about 1.0 miles NW of this location. As a result, coverage toward the center of the gap area is spotty and weak.
Coverage is the need for expanded service often requested by our customers or emergency services personnel. While this initially meant providing coverage in vehicles, as usage patterns have shifted this now means improving coverage inside of buildings.

Further, accelerated growth in voice and data usage by Verizon Wireless customers has increased the demand on these outlying facilities in a manner that compromises coverage at the fringes of their service areas and will lead to capacity exhaustion as early as 2015. Finally, new advanced wireless services (AWS) frequencies that are being placed in service by Verizon Wireless to meet capacity demands simply do not propagate the same distances of earlier generation technologies and require wireless facilities in closer proximity to customers than the existing facilities serving this area. Providing effective and reliable service/coverage to fill this gap is made difficult because of the topography and density of development in the area.

Based on our experience with the network, if the antenna centerline is below nearby ground clutter; In this case the 36' existing building located on the property RF signals will be blocked by these obstacles. We use a prediction tool that considers the terrain, vegetation, building types, and cell site specifics to show predictions of the existing coverage and what we expect to see with a given cell site. The prediction models make some assumptions such as that the antennas are above the nearby ground clutter (Buildings and vegetation). Once the antennas fall below the ground clutter the models become inaccurate and cannot tell that specific trees or buildings are blocking the RF signal. At this site location, the existing buildings will block the signals significantly if we go below requested height.

The proposed facility with a 40' Rad center of antennas is needed to gain the height above the 36' adjacent building. With the additional height, Rad Center 40', top of

Antenna 44’ and the top of the tree structure 47’, to allow for aesthetic tree foliage; this will allow for the antennas to propagate over the existing building. With a Rad center below the 40’ mark the building would significantly block necessary coverage.



The proposed site will be an integral part of VZW’s network of services and is designed to ameliorate complications introduced by the locationally dependent nature of cell sites. Eliminating or relocating a single cell site from the network can lead to gaps in the system and prohibit VZW from providing uninterrupted service to customers in the defined coverage area. Further, the elimination or relocation of a cell site will most often have a “domino” effect on other cell site locations and necessitate significant design changes or modifications to the network.

Respectfully submitted,

Emran Elyas
Southern California RF Engineering Department
Verizon Wireless

ATTACHMENT
G

RADIO FREQUENCY COMPLIANCE REPORT

Verizon Wireless • Proposed Base Station (Site No. 279247 "Danube")
161 Ventura Boulevard • Oxnard, California

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 279247 "Danube") proposed to be located at 161 Ventura Boulevard in Oxnard, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Executive Summary

Verizon proposes to install directional panel antennas on a tall pole to be sited next to the Public Storage building located at 161 Ventura Boulevard in Oxnard. The proposed operation will, together with the existing base station nearby, comply with the FCC guidelines limiting public exposure to RF energy; certain mitigation measures are recommended to comply with FCC occupational guidelines.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. 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 limit for exposures of unlimited duration at several wireless service bands are as follows:

Wireless Service Band	Transmit Frequency	"Uncontrolled" Public Limit	Occupational Limit (5 times Public)
Microwave (point-to-point)	1–80 GHz	1.0 mW/cm^2	5.0 mW/cm^2
Millimeter-wave	24–47	1.0	5.0
Part 15 (WiFi & other unlicensed)	2–6	1.0	5.0
BRS (Broadband Radio)	2,490 MHz	1.0	5.0
WCS (Wireless Communication)	2,305	1.0	5.0
AWS (Advanced Wireless)	2,110	1.0	5.0
PCS (Personal Communication)	1,930	1.0	5.0
Cellular	869	0.58	2.9
SMR (Specialized Mobile Radio)	854	0.57	2.85
700 MHz	716	0.48	2.4
[most restrictive frequency range]	30–300	0.20	1.0

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called "radios" or "channels") that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A

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small antenna for reception of GPS signals is also required, mounted with a clear view of the sky. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by Verizon, including zoning drawings by Delta Groups Engineering, Inc., dated February 8, 2019, it is proposed to install twelve CommScope Model NHH-65C directional panel antennas on a new 44-foot steel pole, configured to resemble a eucalyptus tree,* to be sited at the southeast corner of the three-story Public Storage facility located at 161 Ventura Boulevard in Oxnard. The antennas would employ no downtilt, would be mounted at an effective height of about 40 feet above ground, and would be oriented in groups of four toward 30°T, 140°T, and 250°T. The maximum effective radiated power in any direction would be 18,000 watts, representing simultaneous operation at 5,790 watts for AWS, 5,070 watts for PCS, 3,600 watts for cellular, and 3,540 watts for 700 MHz service.

Located within view screen enclosures high on the sides of the five-story office building about 420 feet to the northwest are similar antennas for use by another wireless carrier, assumed for the limited purpose of this study to be AT&T Mobility, with transmitting facilities as follows:

Service	Maximum ERP	Antenna Model	Downtilt	Height
AWS	2,100 watts	Andrew SBNH-1D6565A	2°	50 ft
PCS	5,300	Andrew SBNH-1D6565A	2	50
Cellular	1,600	Andrew SBNH-1D6565A	4	50
700 MHz	1,000	Andrew SBNH-1D6565A	4	50

* Foliage atop the pole puts the overall height at 47 feet.

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Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation by itself is calculated to be 0.11 mW/cm^2, which is 12% of the applicable public exposure limit. The maximum calculated cumulative level at ground, for the simultaneous operation of both carriers, is 14% of the public exposure limit. The maximum calculated cumulative level at the top-floor elevation of any nearby building is 32% of the public limit. The maximum calculated cumulative level at the second-floor elevation of any nearby residence† is 3.6% of the public exposure limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels.

Recommended Compliance Measures

It is recommended that the roof access hatch of the Public Storage building be kept locked, so that the Verizon antennas cannot be approached by unauthorized persons. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training, to include review of the information in Figure 3, review of personal monitor use, and review of lockout/tagout procedures, be provided to all authorized personnel who have access to the roof or to the antennas, including employees and contractors of Verizon and of the property owner. No access in the yellow-shaded area or within 21 feet directly in front of the antennas themselves, such as might occur during certain maintenance activities, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. It is recommended that a boundary line be marked on the roof with yellow paint to identify the area within which exposure levels are calculated to exceed the FCC occupational limit, as shown in Figure 3. It is recommended that explanatory signs‡ be posted at the roof access hatch, on the roof, at the boundary line, and on the pole at or below the antennas, readily visible from any angle of approach to persons who might need to work within that distance.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the base station proposed by Verizon Wireless at 161 Ventura Boulevard in Oxnard, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow

† Located at least 130 feet away from the Verizon site, based on photographs from Google Maps.

‡ 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.

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for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Locking the roof access hatch is recommended to establish compliance with public exposure limits; training authorized personnel, marking roof areas, and posting explanatory signs are recommended to establish compliance with occupational exposure limits.

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, 2021. 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, P.E.
707/996-5200

July 12, 2019

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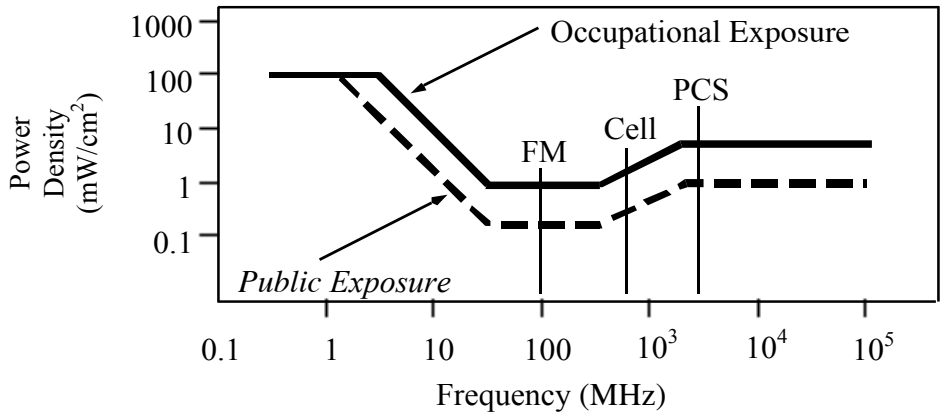
FCC Radio Frequency Protection Guide

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



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.

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RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

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 maximum permissible exposure limits adopted by the FCC (see Figure 1) 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. 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.

Near Field.
Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm^2,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm^2,

where θ_{BW} = half-power beamwidth of antenna, in degrees,
P_{net} = net power input to antenna, in watts,
D = distance from antenna, in meters,
h = aperture height of antenna, in meters, and
η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.
OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm^2,

where ERP = total ERP (all polarizations), in kilowatts,
RFF = three-dimensional relative field factor toward point of calculation, and
D = distance from antenna effective height to point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula is used in a computer program capable of calculating, at thousands of locations on an arbitrary grid, the total expected power density from any number of individual radio frequency sources. The program also allows for the inclusion of uneven terrain in the vicinity, as well as any number of nearby buildings, to obtain more accurate projections.

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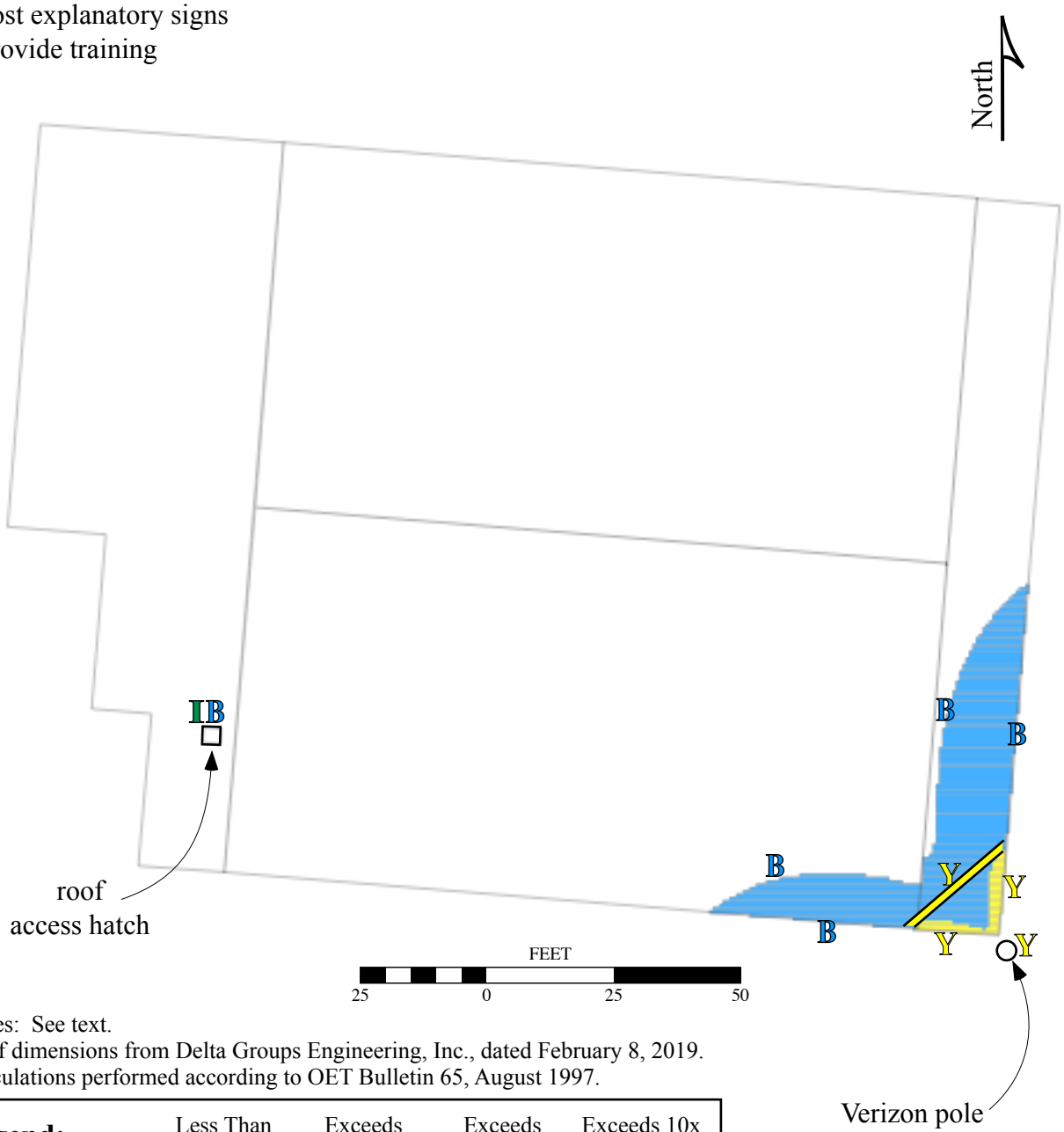
Verizon Wireless • Proposed Base Station (Site No. 279247 "Danube")
161 Ventura Boulevard • Oxnard, California

Calculated RF Exposure Levels

Recommended Compliance Measures

- Lock roof access hatch
- Mark boundary as shown
- Post explanatory signs
- Provide training



Notes: See text.
Roof dimensions from Delta Groups Engineering, Inc., dated February 8, 2019.
Calculations performed according to OET Bulletin 65, August 1997.

Legend:	Less Than Public	Exceeds Public	Exceeds Occupational	Exceeds 10x Occupational
Shaded color	blank			
Boundary marking	N/A			
Sign type	I - Green INFORMATION	B - Blue NOTICE	Y - Yellow CAUTION	O - Orange WARNING

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