

Planning Commission



Agenda Packet

July 18, 2012

*For further information on an agenda item, please contact the City
at 12363 Limonite Avenue, Suite 910, Eastvale, CA 91752.*

AGENDA
REGULAR MEETING OF THE
EASTVALE PLANNING COMMISSION
Wednesday, July 18, 2012
6:00 p.m.

Rosa Parks Elementary School, 13830 Whispering Hills Drive, Eastvale, CA 92880

1. ***CALL TO ORDER:*** 6:00 p.m.
2. ***ROLL CALL/PLEDGE OF ALLEGIANCE***

Planning Commissioners: Fred Valentine
Joe Tessari
Karen Patel
Chad Blais
Chairperson: William Link
Vice-Chairperson:

3. ***ADDITIONS/DELETIONS TO THE AGENDA***
4. ***PRESENTATIONS/ANNOUNCEMENTS***

At this time, the Planning Commission may recognize citizens and organizations that have made significant contributions to the community and it may accept awards on behalf of the City.

There are no presentations.

5. ***PUBLIC COMMENT/CITIZEN PARTICIPATION***

*This is the time when any member of the public may bring a matter to the attention of the Planning Commission that is within the jurisdiction of the Commission. The Ralph M. Brown Act limits the Commission's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may discuss or ask questions for clarification, if desired, at this time. Although voluntary, we ask that you fill out a "Speaker Request Form," available at the side table. The completed form is to be submitted to the Interim City Clerk prior to being heard. **Public comment is limited to two (2) minutes each, with a maximum of six (6) minutes.***

6. **CONSENT CALENDAR**

*Consent Calendar items are normally enacted in one motion. Commissioners may remove a Consent Calendar item for separate action. **Public comment is limited to two (2) minutes each, with a maximum of (6) minutes.***

There are no consent calendar items.

7. **NEW BUSINESS ITEMS**

*Public comment will be called for each non-hearing item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed, you may not further speak on the matter unless the Commission requests further clarification of your statement. **Public comment is limited to two (2) minutes each, with a maximum of six (6) minutes.***

7.1 **Selection of new Vice Chair for 2012**

Per Section 2.2 of the Planning Commission Bylaws, the Commission will select a Vice Chair to preside over the Planning Commission meetings for the remainder of 2012.

7.2 **Freeway-Oriented Electronic Billboard**

Recommendation: Staff recommends that the Commission review the proposed designs for a Freeway-Oriented Electronic Billboard and make a recommendation to the City Council.

8. **PUBLIC HEARING ITEMS**

8.1 **Plot Plan No. 11-0749 – Verizon Wireless Facility at McCune Park** (Alfredo Garcia, Assistant Planner)

The applicant, Verizon Wireless, is requesting approval of a Plot Plan for replacement of a 70-foot-high ball field light with a new cellular telephone tower that will be designed to look and operate like the existing ball field light at McCune Park located at 7450 Eastvale Parkway in Eastvale, Assessor's Parcel Number 144-140-003. The project also involves the construction of a new 12-foot by 34-foot equipment building that will be located in a 760-square-foot lease area at McCune Park. The proposed project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission adopt the resolution (included as an attachment to the staff report) adopting a Notice of Exemption pursuant to CEQA for Plot Plan No. 11-0749 and approving Plot Plan No. 11-0749, subject to the conditions of approval.

8.2 **Plot Plan No. 12-0076 – Verizon Wireless Facility at Harada Park** (Alfredo Garcia, Assistant Planner)

The applicant, Verizon Wireless, is requesting approval of a Plot Plan for replacing a 78-foot-high ball field light with a new cellular telephone tower that will be designed to look and operate like the existing ball field light at Harada Park located at 13099 65th Street in Eastvale, Assessor's Parcel Number 164-190-016. The project also involves the construction of a new 12-foot by 34-foot equipment building that will be located in a 760-square-foot lease area at Harada Park. The proposed project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA).

Recommendation: That the Planning Commission adopt the resolution (included as an attachment to the staff report) adopting a Notice of Exemption pursuant to CEQA for Plot Plan No. 12-0076 and approving Plot Plan No. 12-0076, subject to the conditions of approval.

9. **COMMISSION COMMUNICATIONS**

(Committee Reports, Agenda Items, Meeting Requests and Review, etc.)

This is an opportunity for the Commissioners to report on their activities, to bring a matter to the attention of the full Commission and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. NO ACTION CAN BE TAKEN AT THIS TIME.

10. **CITY STAFF REPORT**

11. **ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City of Eastvale. Notification forty-eight (48) hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

POSTING STATEMENT

I, Kanika Kith, Associate Planner, or my designee, hereby certify that a true and correct, accurate copy of the foregoing agenda was posted on July 6, 2012, seventy-two (72) hours prior to the meeting per Government Code 54954.2.

12363 Limonite Avenue, Suite 910, Eastvale, CA 91752

Rosa Parks Elementary School, 13830 Whispering Hills Drive

Eastvale Library, Roosevelt High School, 7447 Cleveland Avenue

City of Eastvale website: www.eastvaleca.gov

7.2 – FREEWAY-ORIENTED ELECTRONIC BILLBOARD



City of Eastvale

Planning Commission Staff Report

July 18, 2012

Project: Freeway-Oriented Electronic Billboard
Request: Recommend a Preferred Design for a Freeway-Oriented Electronic Billboard on the I-15 Freeway
Planner: Jerry Guarracino, Senior Planner

Applicant's Representative:

San Diego Outdoor Advertising, Inc. dba -
General Outdoor Advertising
Mr. Tim Lynch
632 S. Hope Avenue
Ontario, CA 91761

STAFF RECOMMENDATION

Staff is requesting the Planning Commission's recommendation for a preferred design for a Freeway-Oriented Electronic Billboard.

The Planning Commission's recommendation will be presented to the City Council for inclusion in a proposed Development Agreement with the applicant.

BACKGROUND

Earlier this year, the City was contacted by General Outdoor Advertising with a proposal to construct a freeway-oriented electronic billboard along the I-15 freeway. On March 14, 2012, the City Council directed staff to include language in the new General Plan and Zoning Ordinance to allow one such sign adjacent to the freeway, subject to a Development Agreement that will also provide for annual payments to the City.

These changes have been incorporated into the recently adopted General Plan and Zoning Code as follows:

General Plan:

Policy DE-52: *With the exception of one Freeway Oriented Electronic Billboard, as defined by the Eastvale Zoning Code, Billboards are not permitted on I-15 in Eastvale.*

Zoning Code:

Section 5.7 - Freeway Oriented Electronic Billboard shall be subject to the following:

- a. *No more than one (1) Freeway Oriented Electronic Billboard shall be allowed within the City.*
- b. *A single Freeway Oriented Electronic Billboard shall only be permitted in the area along the I-15 Freeway beginning at the Hwy 60 Freeway and extending south approximately 3,794 feet (the area in which current federal law would allow the placement of these signs).*
- c. *All design standards and specifications will be identified in a development agreement with the City and will require approval by the Planning Commission and City Council.*

In addition to the City’s regulations, signs along freeways are regulated by federal and state law. Federal law, dating back to the 1960s, seeks to limit the placement of new billboards along interstate highways. There are “gaps” in this prohibition that affect older (pre-1956) portions of interstate highways—it is this provision in the law that the proposed developer wishes to take advantage of to build a sign in Eastvale. (Please see the March 14, 2012, report to the City Council, attached to this report, for more information.)

Figure 1, below, shows the area along the I-15 in the City of Eastvale where Caltrans would allow new billboards, subject to compliance with local codes.

Figure 1: Potential Location of the Proposed Billboard



PROPOSED DESIGNS

As noted earlier, the Planning Commission’s role in the process of reviewing the proposed agreement with General Outdoor Advertising is to recommend a design for the sign to the City Council. This design will be included in the agreement; the applicant will be required to build the sign as defined in the agreement.

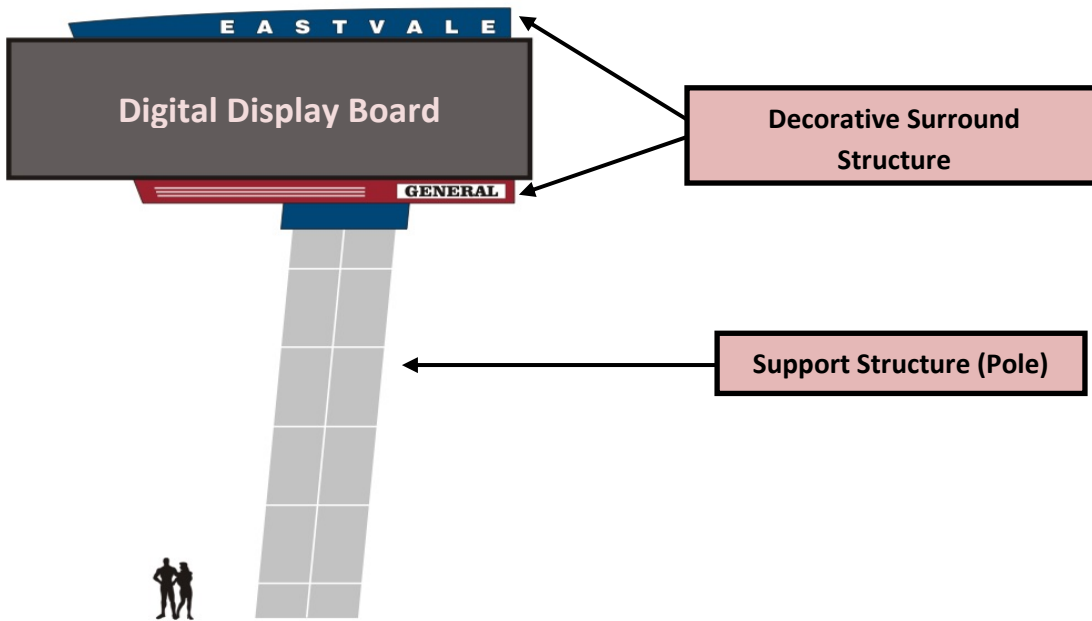
Design Terms

The proposed Freeway-Oriented Electronic Billboard will comprise three components:

- The **digital display**,
- A **support structure** (pole) and,
- A **decorative surround** which frames the digital display

These components are highlighted in Figure 2, Structural Components. In all of the proposed designs discussed below, the digital display board will remain unchanged. The designs differ in the proposed design of the support structure and decorative surround structure.

Figure 2: Structural Components



Digital Display Board:

The digital display board measures 14 feet by 48 feet in size, resulting in a total advertising display area of 672 square feet. The display screens themselves are 20 mm design with a pixel matrix of 704x200, which produces a clear readable image regardless of ambient light or weather conditions. This technology is currently being used in several locations in the Eastvale area, including two signs on the I-15 freeway in Rancho Cucamonga, north of 4th Street and on the 91 freeway in Corona.

The digital display boards are equipped with light sensors that adjust the intensity of the display to the lowest level needed given the ambient lighting conditions. This will ensure that the display board does not produce any light or glare that would be distracting to passing motorists.

Support Structure (Pole):

The support structure for the sign will be a single pole design, with the support structure clad in textured steel panels. The pole height is expected to be 35 to 40 feet high, but may be higher depending on the building heights, tree heights, and freeway elevation in the vicinity of the actual sign location. The support structure would be painted to complement the overall sign design. Several pole placement options may be used, depending on where the sign is located: center-mount, side-mount (either left or right), or diagonal.

The support structure will also include an illuminated version of the City's logo, which will reinforce the sign's value as an entry statement for Eastvale. The sign's location along the I-15 freeway just south of Highway 60 makes it a prime location for an entry statement.

Decorative Surround Structure:

The surround structure serves entirely to establish the “look” of the sign. The portion of the sign will enclose the digital display, and, depending on the design, will include illuminated letters and the City’s logo.

Proposed Designs

The applicant submitted more than a dozen design alternatives for staff review. Staff reviewed the designs and selected three basic themes for the Commission’s consideration. These include:

- “**Cornice**” Figure 3
- “**Asymmetrical Modern**” Figure 4
- “**Contemporary**” Figure 5

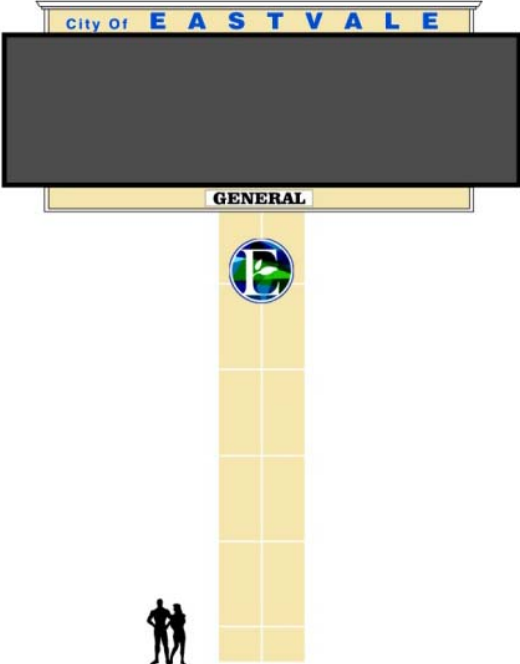
Staff observations regarding each design are provided below.

Cornice Design—This design features a surround structure capped with a decorative cornice trim. This design is illustrated in two color options: a buff color that evokes the tones often seen in residential or commercial stucco development, and a blue/green theme with colors pulled from the City logo.

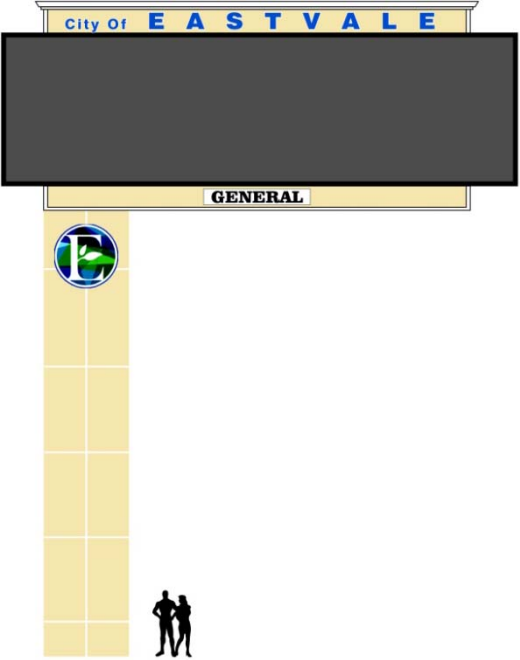
This is a very familiar form that is likely to resonate with the Commission upon first viewing the preferred options. In fact, this design is almost identical to the two electronic billboards located just a few miles up the freeway in Rancho Cucamonga and is quite similar to the existing Eastvale Gateway freeway-oriented sign.

In the staff’s opinion, the ubiquitous nature of the design lessens its impact as an entry statement and the similarities to the Gateway signage may cause confusion as to what is being identified: the City of Eastvale or a shopping center.

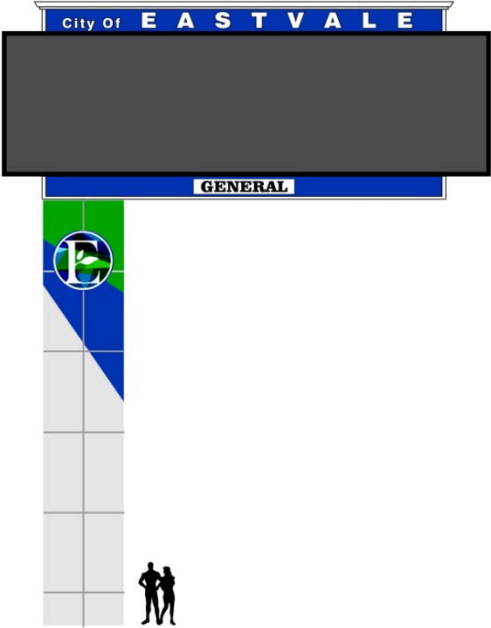
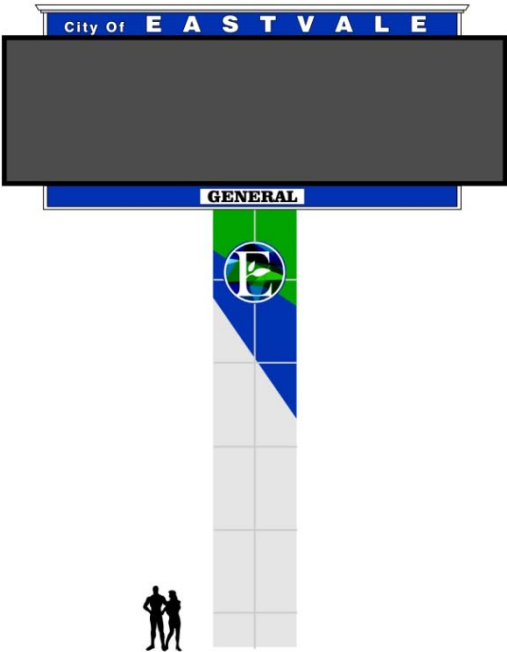
Figure 3: Cornice Design—Two Color Options



14X48 LED Faces
Center mount V type design
Halo Lighting on "EASTVALE"
Internal lighting on cabinet with City Logo
Internal lighting on General imprint

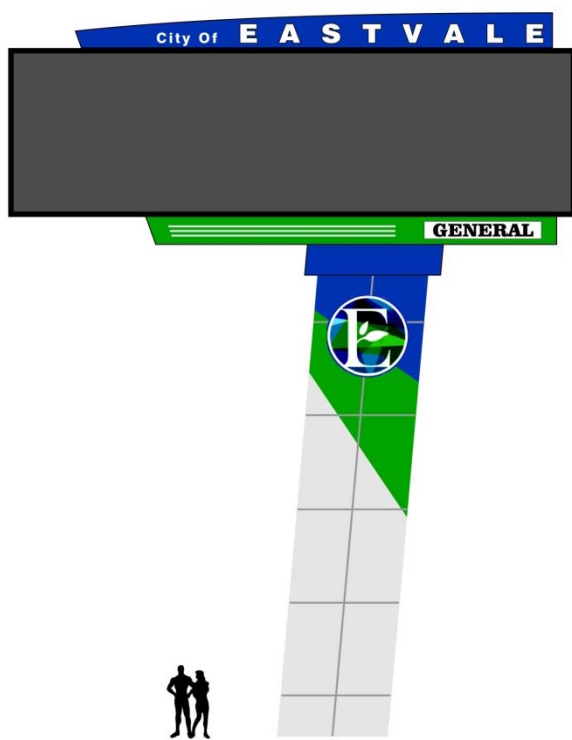


14X48 LED Faces
Flag mount V type design
Halo Lighting on "EASTVALE"
Internal lighting on cabinet with City Logo
Internal lighting on General imprint

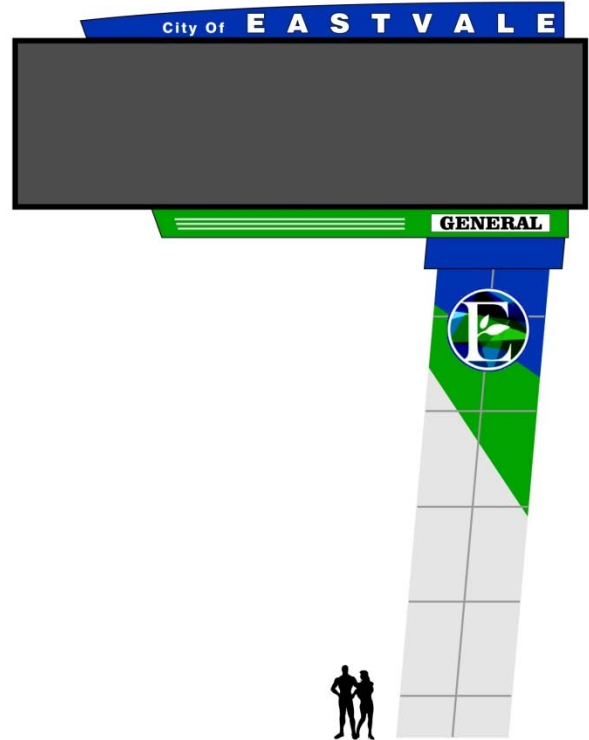


Asymmetrical Modern Design—The asymmetrical lines of this design have a distinctly modern feel. The diagonal angles of the decorative surround structure minimize the boxy nature of the reader board, and the vertical height of the sign is deemphasized by the diagonal support structure. While the design might be a little edgy in a residential setting, it would work well in the industrial area along I-15.

Figure 4: Asymmetrical Modern Design



14X48 LED Faces
Off-center mount V type design
Internal Lighting on "EASTVALE"
Internal lighting on cabinet with city logo
Internal lighting on General imprint

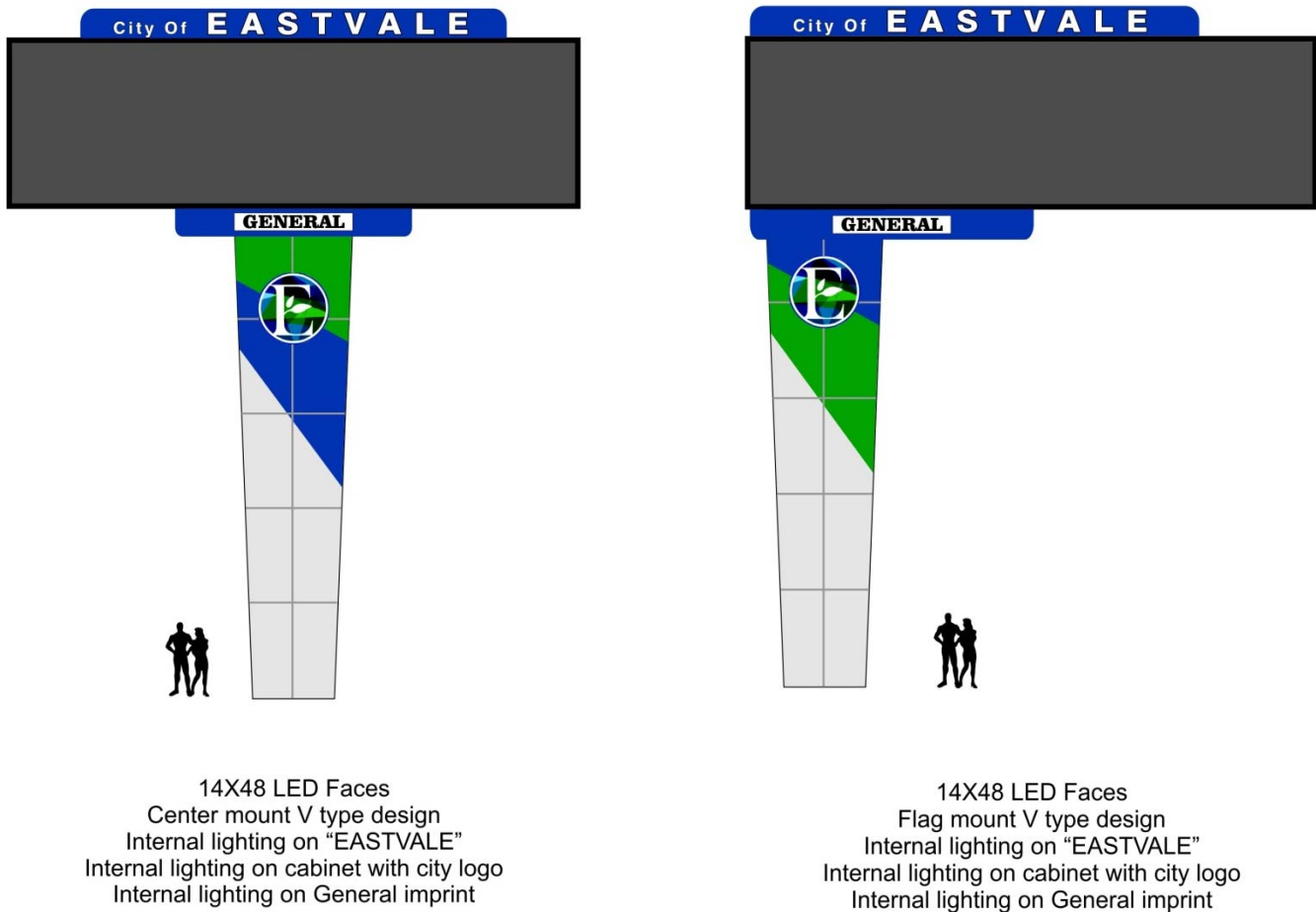


14X48 LED Faces
Flag mount V type design
Internal Lighting on "EASTVALE"
Internal lighting on cabinet with city logo
Internal lighting on General imprint

Contemporary Design—This design is clean and modern without extraneous embellishments or design features that could become dated over time. Rather than attempt to conceal the reader board, this design plants it squarely atop a gently tapered support structure. The sign is neatly capped off with the name of the city.

The diagonally painted upper portion of the center support structure ties in well with the City logo and appears to expand the prominence of that feature. In this design scheme, the center post alternative appears to work most effectively.

Figure 5: Contemporary Design



PLANNING COMMISSION ACTION

The Planning Commission should review the proposed design alternatives and recommend a preferred design for inclusion in the development agreement (to be considered by the City Council on July 25).

The Commission should note that there are no design standards or criteria for a sign of this type. The Commission’s decision, therefore, can be based entirely on the members’ opinions regarding which sign “looks best.” Staff does suggest that the following be considered when making a recommendation:

- The sign should fit into the industrial context in which it will be located.
- The sign should include both the City’s logo and the words “City of Eastvale” (to reinforce the presence of the City).
- The sign should reflect a high level of quality and be recognizable (that is, different from other freeway-oriented signs in the area).

Staff will be available at the meeting to help the Commission select a final design.

Prepared By,

Reviewed By,

Jerry Guarracino
Senior Planner

Eric Norris
Planning Director

ATTACHMENT:

- A. City Council Staff Report 3-14-12

ATTACHMENT

City Council Staff Report 3-14-12

**CITY OF EASTVALE
CITY COUNCIL
AGENDA SUBMITTAL**

Meeting Date: March 14, 2012

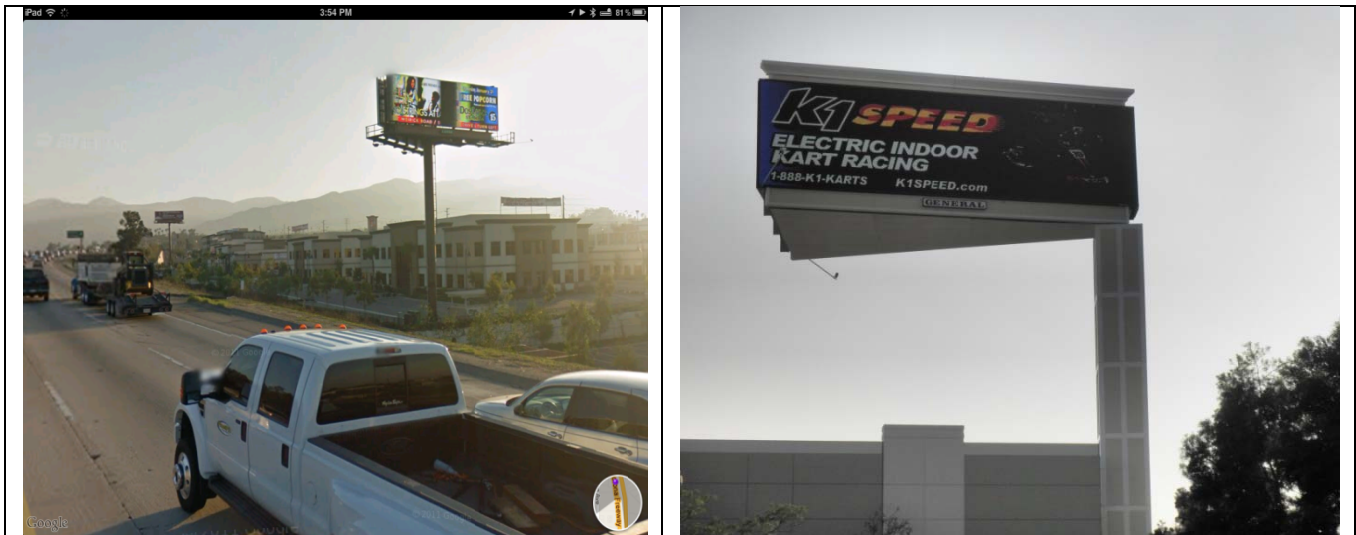
SUBJECT: FREEWAY-ORIENTED ELECTRONIC BILLBOARDS

REQUESTED ACTION: PROVIDE DIRECTION TO STAFF TO PREPARE ZONING CODE LANGUAGE TO ALLOW AND REGULATE FREEWAY-ORIENTED ELECTRONIC BILLBOARDS

CONTACT: ERIC NORRIS, PLANNING

BACKGROUND:

The City has been contacted in recent months by a sign company which wishes to begin negotiating the construction of a large, freeway-oriented electronic message sign (a “billboard,” because it would advertise goods and services from businesses located elsewhere). This type of sign is becoming more common, and a number of examples (such as those shown below) are already in operation. In some communities, according to the applicant, these signs are developed under agreements which provide income to the local agency; the sign developer sells advertising time on the sign, and sends a portion to the local agency.



The Zoning Code inherited from Riverside County (as well as the draft updated Eastvale Zoning Code) does not allow this type of sign. This type of prohibition is the rule for most agencies in California; existing billboards are generally “grandfathered” (built before they were no longer allowed).

Signs along freeways are also regulated by federal and state law. Federal law, dating back to the 1960s, seeks to limit the placement of new billboards along interstate highways. There are “gaps” in this prohibition that affect older (pre-1956) portions of interstate highways—it is this provision in the law that the proposed developer wishes to take advantage of to build a sign in Eastvale.

DISCUSSION:

Should the City Council wish to allow such a sign, staff recommends that the most appropriate way to do this would be to include provisions in the updated Eastvale Zoning Code governing the location, height, size, and other aspects of these signs, as well as requiring an agreement between the sign developer and the City regarding financial payment to the City. Staff would also need to work with private property owners whose land would be needed for the sign.

Because this type of change to the Zoning Code was not included in the Council’s direction to staff last year, staff is seeking the Council’s approval at this time to begin the process of writing these rules. Should these rules be written, staff suggests allowing only one sign of this type.

The terms of any agreement with a sign developer would be developed at a later date, and would be subject to City Council review and approval.

BUDGET (or FISCAL) IMPACT:

Staff does not anticipate that creating draft rules for these signs will be a major work effort. Regulations are already available from other communities which have permitted these signs and can be relatively easily tailored to fit Eastvale.

Allowing this type of sign could ultimately result in direct revenues to the City through an agreement with the sign developer. At this time, staff does not have an estimate of potential revenues.

Recommendation:

Staff recommends that the Council direct staff, if desired, to prepare language for the updated Eastvale Zoning Code to allow and regulate this type of sign, and to work with the Planning Commission to bring final Zoning Code regulations to the Council for approval.

Attachments:

Description and maps of “gaps” in Eastvale in which billboards could be built.

Consent:

Public Hearing:

Business Item: Old New

Reviewed by:

City Manager _____

City Attorney _____

Finance Director _____

8.1 - PLOT PLAN NO. 11-0749 – VERIZON WIRELESS FACILITY AT MCCUNE PARK



City of Eastvale

Planning Commission Staff Report

July 18, 2012

Project: Verizon Cell Tower at McCune Park (Project No. 11-0749)
Request: Approval of a Plot Plan for a 70-foot-high cell tower disguised as a ball field light
Location: McCune Park, 7450 Eastvale Parkway
APN: 144-140-003
Planner: Alfredo Garcia, Planner

Applicant

Los Angeles, SMSA LP DBA Verizon Wireless
Fiona Hilyer, Project Manager
8390 Maple Place, #110
Rancho Cucamonga, CA 91730

Property Owner

Jurupa Community Services District
11201 Harrel Street
Mira Loma, CA 91752

STAFF RECOMMENDATION

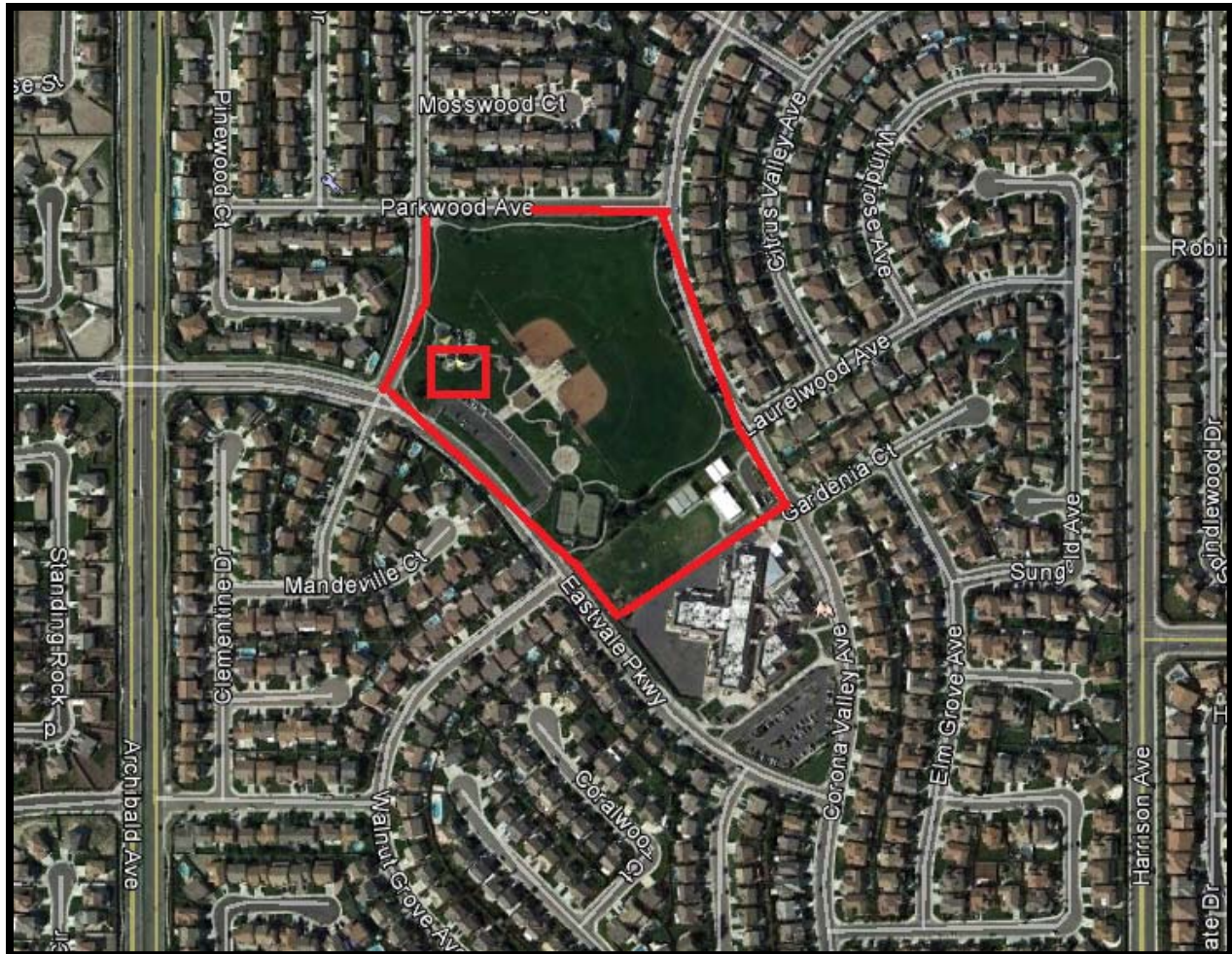
That the Planning Commission adopt the attached Resolution No. 12-___ approving a Categorical Exemption pursuant to the California Environmental Quality Act for Plot Plan No. 11-0749 and approving Plot Plan No. 11-0749, subject to conditions of approval.

PROJECT DESCRIPTION

Verizon Wireless, a provider of cellular telephone service, is proposing to replace an existing 70-foot-high ball field light with a new wireless antenna that will be designed to look and operate like the existing ball field light at McCune Park. The cellular antennae will be installed at a height of 50 feet to meet the development guidelines for wireless facilities, but the overall height of the field light will be 70 feet, consistent with the other lights in the park. According to the applicant, the tower is needed to fill in “coverage gaps” and provide better cell phone service for Verizon customers. The proposed cell tower is exempted from any environmental studies and will not have any significant environmental impacts.

McCune Park is located at the northern portion of Eastvale, adjacent to Clara Barton Elementary School. The project site is owned by the Jurupa Community Services District. The location of the proposed project is shown in Figure 1.

Figure 1: Aerial Photo/Vicinity Map



As shown in Figure 1, the project site is currently used as a public park and is surrounded primarily by residential land uses. Clara Barton Elementary School is located south of and adjacent to the park.

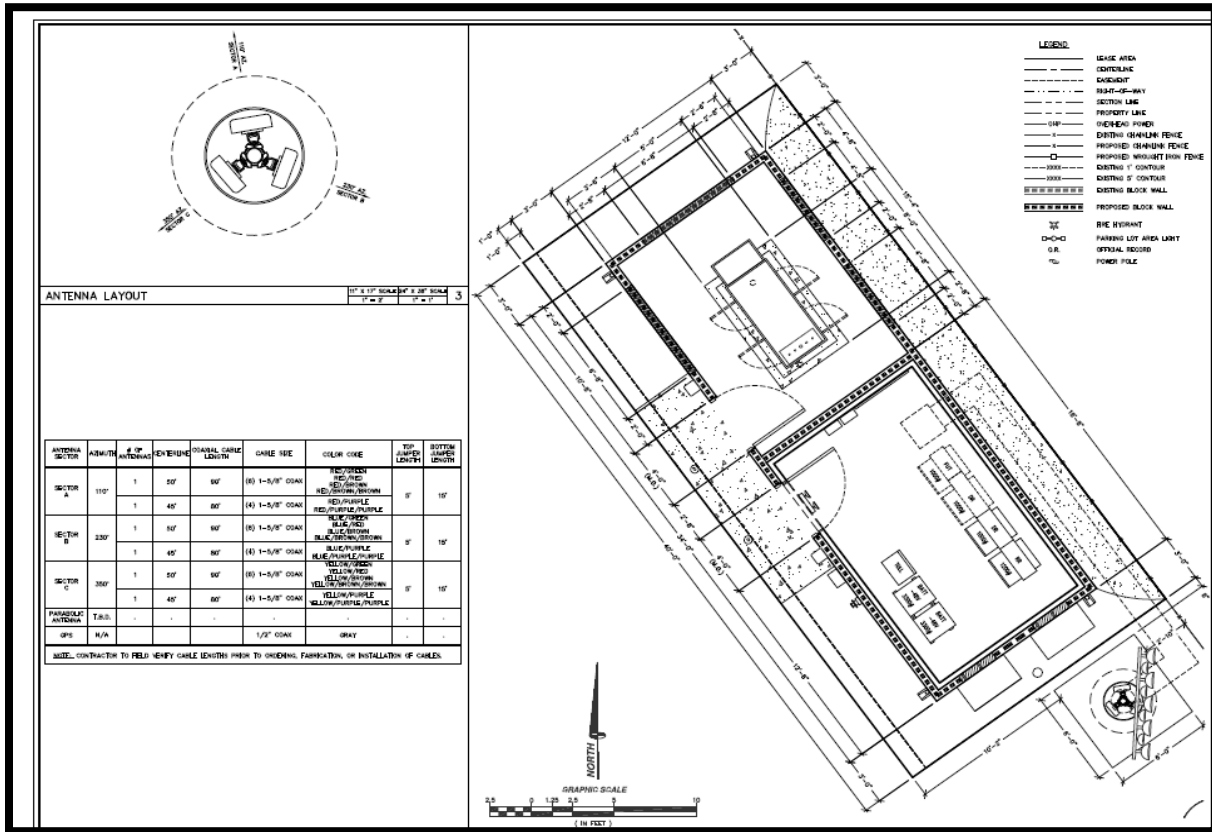
PROJECT ANALYSIS

According to Article 13 of the Eastvale Zoning Ordinance, a wireless telecommunications facility is a permitted use in the R-5 (Open Area Combining Zone-Residential Developments) zoning district, subject to the approval of a Plot Plan application. The development of the facility is also governed by the development standards of the Eastvale Zoning Code (Section 19.410).¹

The applicant is requesting to construct a 70-foot field light wireless facility. Included with this request is the development of equipment cabinets and one 30 KW emergency generator. The equipment facility will be enclosed within a decorative split-face block building similar to the restrooms located at the park.

¹ Note: This reference is to Eastvale Zoning Code as of June 2012. Per the Eastvale Zoning Code, Plot Plans for wireless telecommunications facilities can be reviewed and approved by the Planning Director at a public hearing. However, given the proximity of the facility to the residential area west of the project site, the Planning Director has forwarded the Plot Plan to the Planning Commission for review and approval.

Figure 3: Proposed Equipment Facility



According to the applicant, the site for the proposed field light was chosen because the general area in this location has significant coverage gaps that lead to dropped calls and poor reception. The applicant indicated that the proposed site best meets their need to provide better reception and service to customers.

Staff is providing the Commission with the before and after coverage gap maps (Figures 4 and 5) so the Commission can assess the applicant’s proposal. Figure 4 shows predicted coverage without the new field light facility. Figure 5 reflects the predicted coverage with the new facility. According to the applicant’s map, the coverage gap would be closed by the new cell tower, providing improved coverage for its customers.

Figure 4: Existing Coverage

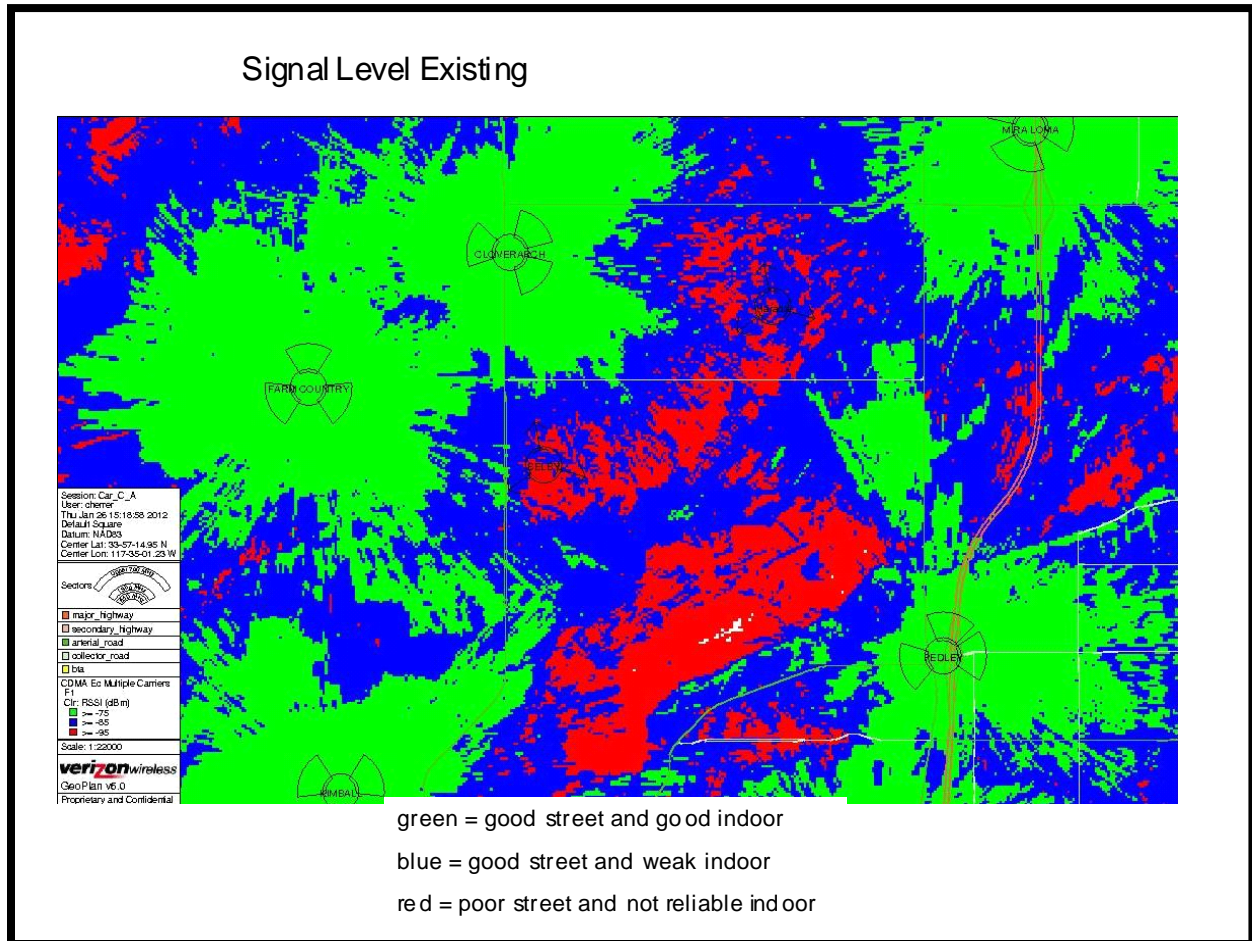
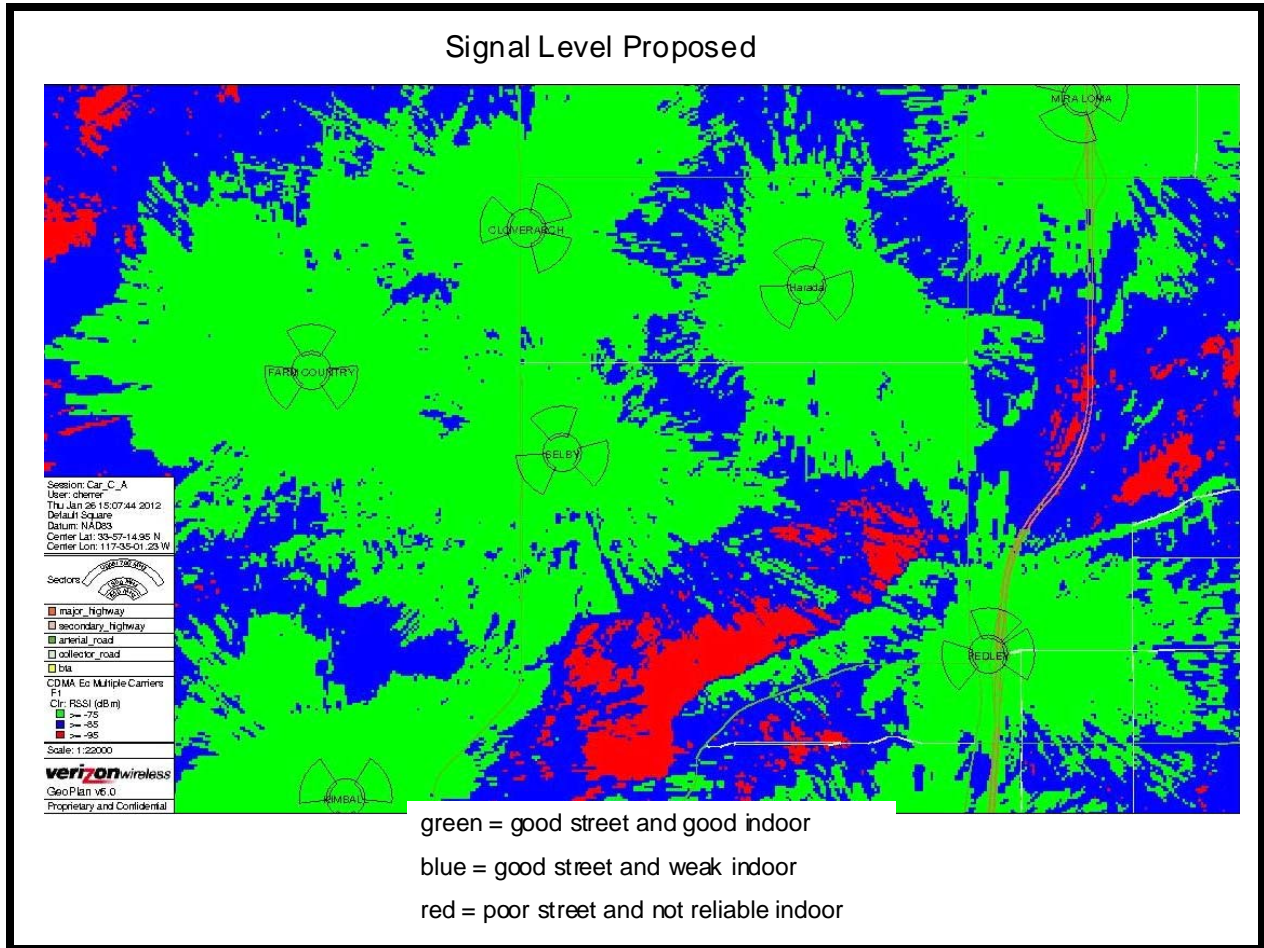


Figure 5: Coverage with New Facility



The proposed project has been reviewed in accordance with the City’s General Plan and the development standards of Article 19 of the Zoning Ordinance. The various components of the proposed project analyzed below will cover the following issues:

- Plot Plan
- Design/aesthetics
- Public health and safety

Zoning Code Requirements

The Wireless Communication Facilities Ordinance (Article 19) describes two basic cell tower types:

- 1) Concealed Facilities – Cell towers that are designed to blend into the environment so as not to be seen at all, or if seen, not to be recognized as a cell tower. One example would be a clock tower, where the antennas are inside the tower.

- 2) Disguised Facilities – Cell towers that are designed and sited so as to be minimally visually intrusive. These include, but are not limited to, disguised palm trees (monopalms), disguised pine trees (monopines).

The Zoning Code allows the applicant to choose whether to build a concealed or disguised installation, but generally requires a higher level of public review when the tower would be more visible. The applicant is proposing a disguised facility at this location.

In order to approve a disguised wireless facility (as is proposed in this case), one of the findings is that the facility must be minimally visually intrusive. This term is not specifically defined, and the Commission is free to define what is visually appropriate. Historically, facilities such as monopines and monopalms and field lights have been considered to meet the standard.

The Planning Commission is free to interpret this finding as it deems appropriate. The Commission can choose to accept the applicant's proposal or the Commission can direct the applicant to seek other alternatives.

Plot Plan Analysis

The R-5 zoning district and Article 19 include standards regulating the development of a site. The site plan proposed by the applicant has been evaluated to ensure it complies with the development standards of the R-5 zone and the Wireless Communication Facilities Ordinance as it relates to building height, setbacks, etc. As the table below illustrates, the proposed Plot Plan meets or exceeds the minimum development standards of the R-5 zoning district, with the exception of the height standard. However, the proposed height of 70 feet high for the light pole is permitted under the General Height Exception section of the Zoning Code, which allows structures such as this to exceed the height limit of the underlying zone.

Table 1 – Development Standards

Development Standard	R-5 & Article 19 Requirements	Proposed Wireless Project	Meets/Exceeds Code Requirements
Wireless Facility Height	50 feet	50 feet (Antennea) 70 feet (Light Pole)	Yes
Front Setback	50 feet	221 feet ±	Yes
Side Yard Setback	50 feet	93 feet ± and 496 feet ±	Yes
Rear Setback	50 feet	357 feet ±	Yes

Design and Aesthetics

All new wireless communications facilities are required to have the least possible visual impacts on the surrounding area. The proposed field light is considered a disguised wireless facility. As shown in Figures 5 and 6, the 70-foot-high tower is designed to look like the other light towers at the park and will be a fully functional light source for nighttime activities at the park.

The support column will be constructed of a stronger metal material but will be painted the same color as the other field lights. The equipment cabinets and all related equipment will be located within a decorative block structure that will be similar in appearance to the park's existing restrooms.

The results of this method of architectural design (i.e., concealment), the existing field lights, and the decorative block wall building to screen the related equipment cabinets will aid in reducing aesthetic visual impacts. While the field light achieves the intent to conceal the antenna within the metal structure, it is important to note that the area surrounding the project site is relatively open, with other field lights. Thus, the field light antenna will have low visual impacts with the surrounding field lights as shown in Figure 5.

Figure 5: Photosimulation of New Wireless Facility



Public Health and Safety

As cell phone use expanded during the 1990s, concerns grew that the use of cell phones and cell towers, in particular, posed a public health and safety threat resulting from electromagnetic fields, or EMFs. The Federal Communications Commission researched the issue and in the late 1990s determined that the use of cell phones and cell towers did not create a public health and safety problem, provided that the equipment is built and operated according to federal standards.

While the issue of placing cell phone towers in residential areas is often controversial, the Planning Commission should recognize that federal law prohibits local agencies from denying land use entitlements for cell phone providers like Verizon based solely on health risk issues. As noted above, cellular equipment (including the cell phones themselves) must be designed and operate according to federal standards, which have been designed to limit exposure to cellular signals to safe levels. If the antenna and equipment do not meet federal standards, federal permits will not be issued.

ENVIRONMENTAL ANALYSIS

The proposed project replaces an existing light tower of 70 feet in height with a similarly sized tower that will also support a cellular antenna. The physical change to the tower is negligible in terms of height and appearance, and the existing use of the tower for field lighting remains. Staff is recommending that the Commission approve filing of a notice of exemption pursuant to Section 15302(C) Class 2, Replacement or Reconstruction. This exemption allows for the “replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.”

PUBLIC CORRESPONDENCE

As part of the Wireless Communication Facilities Ordinance, an application for a Plot Plan shall be made to the Planning Director in accordance with Section 18.30 of the Zoning Ordinance. The application shall be classified as a Plot Plan that is subject to the California Environmental Quality Act and shall be processed in the same manner as such a Plot Plan is processed, except that the hearing notice shall be sent to all property owners within 600 feet of the subject property. In compliance with the ordinance, staff distributed a public hearing notice to each resident who lives within a 600-foot radius of the project site. A copy of the 600-foot radius map has been provided for the Commission as Attachment D.

REQUIRED PROJECT FINDINGS

CEQA

No Significant Effect: The height of the field light is proposed at 70 feet and results in impacts that are considered insignificant and do not require mitigation. The Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the Planning Commission concludes that the project will not have a significant effect on the environment.

PLOT PLAN (SECTION 18.30.C)

Finding 1: The proposed use must conform to all the requirements of the City of Eastvale General Plan and with all applicable requirements of state law and the ordinance of the City of Eastvale.

Evidence: The proposed wireless facility does conform to the requirements of the General Plan in that the site has a land use designation of Open Space Recreation, which provides for disguised wireless

communication facilities through the Plot Plan process. The proposed field light antenna will also provide Eastvale residents with improved Verizon cellular service. The project is consistent with the requirements of the Zoning Ordinance in that the use is permitted in the R-5 zoning district subject to the approval of a Plot Plan. It is also consistent with the requirements for approval as outlined in Section 19.404.C of the Zoning Ordinance. Based on staff's review of the project, it has been determined that the project conforms to City requirements.

Finding 2: The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The facility is designed and sited so that it is minimally intrusive to the surrounding area. The field light antenna is located 175 feet from the nearest habitable structure, consistent with the development standards for setbacks. The design of the facility is intended to simulate a field light in order to be consistent with the definition of a disguised facility. Further, all mechanical equipment will be screened from view by an enclosed building constructed of decorative split-face block, which will look similar to the existing restroom facilities at the park. The facility also meets the minimum development standards outlined in Section 19.404.C of the Eastvale Zoning Ordinance, which is intended to protect the public health, safety, and welfare.

Finding 3: The overall development of the land shall be designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to a logical pattern of development and is compatible with the present and future development of the site. The wireless facility has been placed in the northwest area of the property so as not to impede future development of the site.

Finding 4: The Plot Plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion, and take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

Evidence: The project is located on a property that is adjacent to Eastvale Parkway, which is fully dedicated and improved and provides adequate circulation to and from the site. The site has an access easement to the southwest of the property, which will provide on-site access for monthly maintenance visits and not result in parking on the street.

Finding 5: All Plot Plans that permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project will be developed on a park, which will not be subdivided.

DISGUISED WIRELESS FACILITY (SECTION 19.404.C)

Finding 1: The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed field light facility has been designed to be minimally visually intrusive, as the antenna components will be concealed within the tower.

Finding 2: The supporting equipment shall be located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view. The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed equipment cabinets will not be visible, as they will be completely located within a 408-square-foot building of decorative split-face block consistent with block typically found in newer developments.

Finding 3: The application has met the processing requirements set forth in Article 19.

Evidence: The applicant was required to process a Plot Plan application as required by Article 19. In addition, the project was reviewed based on the required Plot Plan findings specified in Section 18.30.C and the development standards of the Zoning Ordinance (refer to the findings above).

Finding 4: The application has met the location and development standards set forth in Article 19.

Evidence: The proposed field light facility has been reviewed in compliance with the development standards outlined in this article related to screening, setbacks, structure height, and access. The proposed project meets and exceeds the minimum development standards for wireless facilities.

Finding 5: The application has met the requirements for approval set forth in Section 18.30 of the Zoning Ordinance.

Evidence: The project was reviewed based on the required Plot Plan findings specified in Section 18.30.C of the Zoning Ordinance. The proposed field light facility meets the findings of this section as discussed and evidenced in this report.

CONCLUSION

The proposed field light wireless communications facility is designed and developed in a manner that is aesthetically sensitive to the project property and the surrounding neighborhood. All the antennas and related equipment cabinets will be completely screened within the light structure and within the proposed 408-square-foot building.

The proposed wireless communications facility is in compliance with R-5 zoning district standards and Article 19 (Wireless Communication Facilities Ordinance). Therefore, staff believes the proposed field light facility, with its proposed screening methods, is designed in a manner that mitigates any adverse visual impacts on the neighboring residential uses.

ALTERNATIVES

The following alternatives are available to the Planning Commission:

1. Approve the project with additional changes and/or conditions;
2. Continue the public hearing and direct the applicant to make revisions; or
3. Deny the Plot Plan.

Prepared by

Reviewed by

Alfredo Garcia
Planner

Eric Norris
Planning Director

Attachments

- A. Conditions of Approval
- B. PC Resolution No. 12-____
- C. CEQA Categorical Exemption
- D. 600-Foot Radius Notification Map
- E. Development Plans (under separate cover)

ATTACHMENT A

Conditions of Approval

CONDITIONS OF APPROVAL

Planning Application Number: Plot Plan No. 11-0749

Assessor’s Parcel Number: 144-140-003

Approval Date: July 18, 2012

Expiration Date: July 18, 2014

	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
Conditions of Approval			
General Conditions/Ongoing			
1. In compliance with Section 15062 of the CEQA Guidelines, a Notice of Exemption (NOE) shall be filed with the Riverside County Clerk no later than July 23, 2012 (within five [5] days of project approval). The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of \$64.00 no later than July 17, 2012 .	July 23, 2012	Planning Department	
2. The applicant shall review and sign below verifying acceptance of the Conditions of Approval. <div style="display: flex; justify-content: space-between; border-top: 1px solid black; margin-top: 10px;"> Applicant Signature Date </div>	Ongoing	Planning Department.	
3. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to, arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul any action of, or any permit or approval issued by, the City and/or any of its officials, officers,	Ongoing	Planning Department	

	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
<p>employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any action brought and City shall cooperate with applicant in the defense of the action.</p>			
<p>4. Approval of Plot Plan No. 11-0749 shall become effective on July 18, 2012, provided the Planning Commission’s decision is not appealed. Any appeal must be made in writing, filed with the City Clerk and include the required \$1,678 appeal fee no later than August 2, 2012 (fifteen [15] calendar days from approval date).</p>	<p>Ongoing</p>	<p>Planning Department.</p>	
<p>5. The subject property shall be developed and used in a manner consistent with the Plot Plan approved by the Planning Commission on July 18, 2012, and as illustrated in the stamped approved plans. Any modifications to the approved project shall be reviewed and approved pursuant to the Eastvale Zoning Code.</p>	<p>Ongoing</p>	<p>Planning Department</p>	
<p>6. Any approval granted by the Planning Commission shall not be final until and unless the applicant’s deposit account to cover the costs of application processing is made current and a positive balance of at least \$1,000 is on hand to cover the costs of staff review and follow-up during the construction process.</p>	<p>Ongoing</p>	<p>Planning Department and Building Department</p>	

Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
Prior to Issuance of Certificates of Occupancy			
7. Prior to the issuance of a certificate of occupancy, the Planning Department shall inspect the wireless facility to ensure that the antenna and building match the approved plans.	Prior to issuance of certificates of occupancy	Planning Department	

General Compliance Items

The following items are noted for the applicant’s information. These items are required by the City, other local agencies, or state or federal agencies and are not conditions of approval of the project.

- 1) Certification of continued use of the WCF (wireless communications facility) shall be submitted to the Planning Director on a yearly basis at the time of business license renewal for as long as the facility remains in operation. The certification shall indicate that the facility is operating as approved and that the facility complies with the most current Federal Communications Commission (FCC) safety standards. If the WCF is no longer in operation, it shall be removed within ninety (90) days of discontinuance.
- 2) The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact Jeff Thomas, Building Official, at 951-361-0900.)
- 3) The applicant shall pay all applicable Development Impact Fees and City Mitigation Fees as determined as determined by the Building and Engineering departments.
- 4) Every person conducting a business within the City of Eastvale shall obtain a business license. For more information regarding business registration, please visit the Business Registration information provided the City website (<http://www.eastvalecity.org>).
- 5) A wireless communications facility shall have an initial approval period (life) of ten (10) years that may be extended if a revised permit application is made and approved by the Planning Director or the Planning Commission, whichever was the original approving officer or body. Such extensions, if approved, shall be in increments of ten (10) years. The determination as to the appropriateness of such extensions shall be made, in part, on adherence to the original conditions of approval and the number of complaints, if any, received by the City. In the case of co-located facilities, the permits of all co-locaters shall automatically be extended until the last co-locater’s permit expires (Zoning Code Section 19.409).

Prior to the Issuance of Grading Permits

- 6) The grading plan shall include the following information in the Notes section of the Grading Plan: *“No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31, exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist.”*
- 7) The grading plan shall include the following information in the Notes section of the Grading Plan: *“If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appear to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Planning Director at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director.”*
- 8) If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable time frame. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Prior to the issuance of grading permits, the applicant shall comply with all Public Works and Engineering standards requirements and conditions as imposed by the City Engineer.

- 9) No obstruction shall be placed on any existing easement. An approval document from easement holders shall be required for any easement encroachment.
- 10) No obstruction/improvement shall be made that blocks the existing drainage pattern. Any revision may require a grading plan.

ATTACHMENT B

Planning Commission Resolution

PC RESOLUTION NO. 12-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING PLOT PLAN NO. 11-0749 FOR THE CONSTRUCTION OF A 70-FOOT-TALL FIELD LIGHT WIRELESS COMMUNICATIONS FACILITY LOCATED AT 7450 EASTVALE PARKWAY (APN: 144-140-003)

WHEREAS, an application for Plot Plan No. 11-0749 for the development of a 70-foot-tall wireless communications facility designed as a field light antenna located at 7450 Eastvale Parkway has been filed by Spectrum Surveying & Engineering on behalf of Verizon in compliance with Article 19 of the City of Eastvale Zoning Ordinance; and

WHEREAS, the proposed Plot Plan is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (“CEQA”); and

WHEREAS, the Planning Commission determined that the project qualifies for a Class 2 Categorical Exemption from environmental review pursuant to the CEQA Guidelines, Section 15302(c) (Replacement or Reconstruction); and

WHEREAS, Planning staff has determined that the project would not have potentially significant effects on the environment, using the method required under CEQA Guidelines Section 15302(c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity; and

WHEREAS, the City of Eastvale Planning Department on July 7, 2012, published a legal notice in the Press Enterprise, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Plot Plan No. 11-0749, and mailed said public hearing notice to each property owner within a 600-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on July 18, 2012, at which time they received public testimony concerning Plot Plan No. 11-0749 and considered the CEQA Categorical Exemption for the proposed project.

NOW, THEREFORE, the Planning Commission of the City of Eastvale does hereby resolve, determine, and order as follows:

SECTION 1. ENVIRONMENTAL FINDING

Pursuant to Section 15302(c) Class 2, Replacement or Reconstruction, of the California Environmental Quality Act, which allows for the “replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity,” the Planning Commission hereby finds and determines as follow:

No Significant Effect: The proposed project replaces an existing light tower of 70 feet in height with a similarly sized tower that will also support a cellular antenna. The physical change to the tower is negligible in terms of height and appearance, and the existing use of the tower for field lighting remains. Thus, the impacts are considered insignificant and do not require mitigation. The Planning Commission finds that there is substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have no significant effect on the

environment. Therefore, the Planning Commission concludes that the project will not have a significant effect on the environment.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area, and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 3. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 4. PLOT PLAN FINDINGS

Pursuant to Eastvale Zoning Ordinance No. 348, Section 18.30, and in light of the record before it, including the staff report dated July 18, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

Finding 1: The proposed use must conform to all the requirements of the City of Eastvale General Plan and with all applicable requirements of state law and the ordinance of the City of Eastvale.

Evidence: The proposed wireless communications facility does conform to the requirements of the General Plan in that the site has a land use designation of Open Space Recreation (OS), which provides for disguised wireless communications facilities through the Plot Plan process. The proposed field light facility will also provide Eastvale residents with improved Verizon cellular service. The project is consistent with the requirements of the Zoning Ordinance in that the use is permitted in the R-5 zoning district subject to the approval of a Plot Plan. It is also consistent with the requirements for approval as outlined in Section 19.404.C of the Zoning Ordinance. Based on staff's review of the project, it has been determined that the project conforms to City requirements.

Finding 2: The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The facility is designed and sited so that it is minimally intrusive to the surrounding area. The field light antenna is located 175 feet from the nearest habitable structure, which is consistent with the development standards for setbacks. The design of the facility is intended to simulate one of the many existing field lights to be consistent with the definition of a disguised facility. Further, all mechanical equipment will be enclosed within a proposed 407-square-foot decorative-block building. The facility also meets the minimum development standards outlined in Section 19.404.C of the Eastvale Zoning Ordinance, which is intended to protect the public health, safety, and welfare.

Finding 3: The overall development of the land shall be designed to conform to the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to a logical pattern of development and is compatible with the present development of the site. The wireless communications facility has been placed at the northwest portion of the property so as not to impede any future development of the site.

Finding 4: The Plot Plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion, and take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof.

Evidence: The project is located on a property that is adjacent to Eastvale Parkway, which is fully dedicated and improved and provides adequate circulation to and from the site.

Finding 5: All Plot Plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project will be developed in an existing public park. There is no evidence that the park will be subdivided.

SECTION 5. DISGUISED WIRELESS FACILITY FINDINGS

Pursuant to Eastvale Zoning Ordinance No. 348, Section 19.404.C, and in light of the record before it, including the staff report dated July 18, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

Finding 1: The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed field light facility has been designed to be minimally visually intrusive, as the antenna components will be contained within the field light structure.

Finding 2: The supporting equipment shall be located entirely within an equipment enclosure that is architecturally compatible with the surrounding area. The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed equipment cabinets will not be visible, as they will be completely located within a 407-square-foot decorative-block building, which will be consistent with the park's restroom facilities.

Finding 3: The application has met the processing requirements set forth in Article 19.

Evidence: The applicant was required to process a Plot Plan application as required by Article 19. In addition, the project was reviewed based on the required Plot Plan findings specified in Section 18.30.C and the development standards of the Zoning Ordinance (refer to the findings above).

Finding 4: The application has met the location and development standards set forth in Article 19.

Evidence: The proposed field light facility has been reviewed in compliance with the development standards outlined in Article 19 related to screening, setbacks, structure height, and access. The proposed project meets and exceeds the minimum development standards for wireless communications facilities.

Finding 5: The application has met the requirements for approval set forth in Section 18.30 of the Zoning Ordinance.

Evidence: The project was reviewed based on the required Plot Plan findings specified in Section 18.30.C of the Zoning Ordinance. The proposed field light facility meets the findings of this section as discussed and evidenced in this report.

SECTION 6. PLANNING COMMISSION ACTIONS

The Planning Commission hereby adopts PC Resolution No. 12-____ approving the California Environmental Quality Act Categorical Exemption for Plot Plan No. 11-0749 and approving Plot Plan No. 11-0749, subject to conditions attached hereto as Exhibit 1.

PASSED, APPROVED, AND ADOPTED this 18th day of July 2012.

Bill Link, Chairman
Eastvale Planning Commission

APPROVED AS TO FORM:

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

CERTIFICATION

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution No. 12-____, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of July 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

Exhibit 1

Conditions of Approval (Included as Attachment A to the Staff Report)

ATTACHMENT C

CEQA Categorical Exemption

CITY OF EASTVALE, CA

NOTICE OF EXEMPTION

TO BE SENT TO:

County of Riverside County Clerk
P.O. Box 12004
Riverside, CA 92502

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

PROJECT CASE NO: 11-0749

PROJECT APPLICANT/SPONSOR: Spectrum; Fiona Hilyer, Project Engineer; (949) 412-4272

PROJECT LOCATION: 7450 Eastvale Parkway, Eastvale, CA 92880

APN(s): 144-140-003

PROJECT DESCRIPTION: The proposed project will require an approved Plot Plan to replace an existing 70-foot-high field light with a 70-foot cellular tower antenna that will also function as a field light. The proposed project will also require the construction a 408-square-foot building within a 760-square-foot leased area of McCune Park. The property is currently zoned R-5 allowing for this use.

The project or activity identified above is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).

EXEMPTION STATUS:

- Ministerial (*Sec. 21080(b)(1); Sec. 15268*)
- Declared Emergency (*Sec. 21080(b)(3); Sec. 15269(a)*)
- Statutory Exemption (*Sec.*)
- ✓ **Categorical Exemption Class 2 (*Sec 15302(c)*) Replacement or Reconstruction**
- Other: (*Sec. .*)

REASONS TO SUPPORT EXEMPTION FINDINGS: The proposed project is a replacement of an existing utility system and involves negligible expansion of capacity.

LEAD AGENCY CONTACT:

PHONE NUMBER: (951) 361-0900

CITY OF EASTVALE PLANNING DEPARTMENT
Eric Norris, Planning Director

ATTACHMENT D

600-Foot Radius Notification Map

ATTACHMENT E

**Development Plans
(under separate cover)**

8.2 - PLOT PLAN NO. 12-0076 – VERIZON WIRELESS FACILITY AT HARADA PARK



City of Eastvale

Planning Commission Staff Report

July 18, 2012

Project: Verizon Cell Tower at Harada Park (Project No. 12-0076)
Request: Approval of a Plot Plan for a 78-foot-high cell tower disguised as a ball field light
File: Plot Plan No. 12-0076
Location: Harada Park, 13099 65th Street
APN: 164-190-016
Planner: Alfredo Garcia, Planner

Applicant

Los Angeles, SMSA LP DBA, Verizon Wireless
Fiona Hilyer, Project Manager
8390 Maple Place, #110
Rancho Cucamonga, CA 91730

Property Owner

Jurupa Community Services District
11201 Harrel Street
Mira Loma, CA 91752

STAFF RECOMMENDATION

That the Planning Commission adopt the attached Resolution No. 12-___ approving a Categorical Exemption pursuant to the California Environmental Quality Act for Plot Plan No. 12-0076 and approving Plot Plan No. 12-0076, subject to conditions of approval.

PROJECT DESCRIPTION

Verizon Wireless, a provider of cellular telephone service, is proposing to replace an existing 78-foot-high ball field light with a new wireless antenna that will be designed to look and operate like the existing ball field light in Harada Park. The cellular antennae will be installed at a height of 50 feet to meet the development guidelines for wireless facilities, but the overall height of the field light will be 78 feet, consistent with the other lights in the park. According to the applicant, the tower is needed to fill in “coverage gaps” and provide better cell phone service for Verizon customers. The proposed cell tower is exempted from any environmental studies and will not have any significant environmental impacts.

Harada Park is located on the southwest corner of 65th Street and Scholar Way and is owned by the Jurupa Community Services District. As shown in Figure 1, the project site is currently used as a public park and is surrounded by residential land uses.

Figure 1: Aerial Photo/Vicinity Map



PROJECT ANALYSIS

According to Article 13 of the Eastvale Zoning Ordinance, a wireless telecommunications facility is a permitted use in the R-4 (Planned Residential Development) zoning district, subject to the approval of a Plot Plan application. The development of the facility is also governed by the development standards of the Eastvale Zoning Code (Section 19.410).¹

The applicant is requesting to construct a 78-foot field light wireless facility. Included with this request is the development of equipment cabinets and one 30KW emergency generator. The equipment facility will be enclosed within a decorative split-face block building similar to the restrooms located at the park. Access to the facility will occur off the park's existing parking lot adjacent to 65th Street via a 12-foot-wide access easement to be used on a monthly basis for maintenance purposes as shown in Figure 2. A floor plan of the proposed equipment facility is shown in Figure 3. Staff has also provided a full-size set of plans for the Commission as a separate attachment to this report.

¹ Note: This reference is to the Eastvale Zoning Code as of June 2012. Per the Eastvale Zoning Code, Plot Plans for wireless telecommunications facilities can be reviewed and approved by the Planning Director at a public hearing. However, given the proximity of the facility to the residential area, the Planning Director has forwarded the Plot Plan to the Planning Commission for review and approval.

According to the applicant, the site for the proposed field light was chosen because the general area in this location has significant coverage gaps that lead to dropped calls and poor reception. The applicant indicated that the proposed site best meets their need to provide better reception and service to customers.

Staff is providing the Commission with the before and after coverage gap maps (Figures 4 and 5) so the Commission can assess the applicant’s proposal. Figure 4 shows predicted coverage without the new field light facility. Figure 5 reflects the predicted coverage with the new facility. According to the applicant’s map, the coverage gap would be closed by the new cell tower, providing improved coverage for its customers.

Figure 4: Existing Coverage

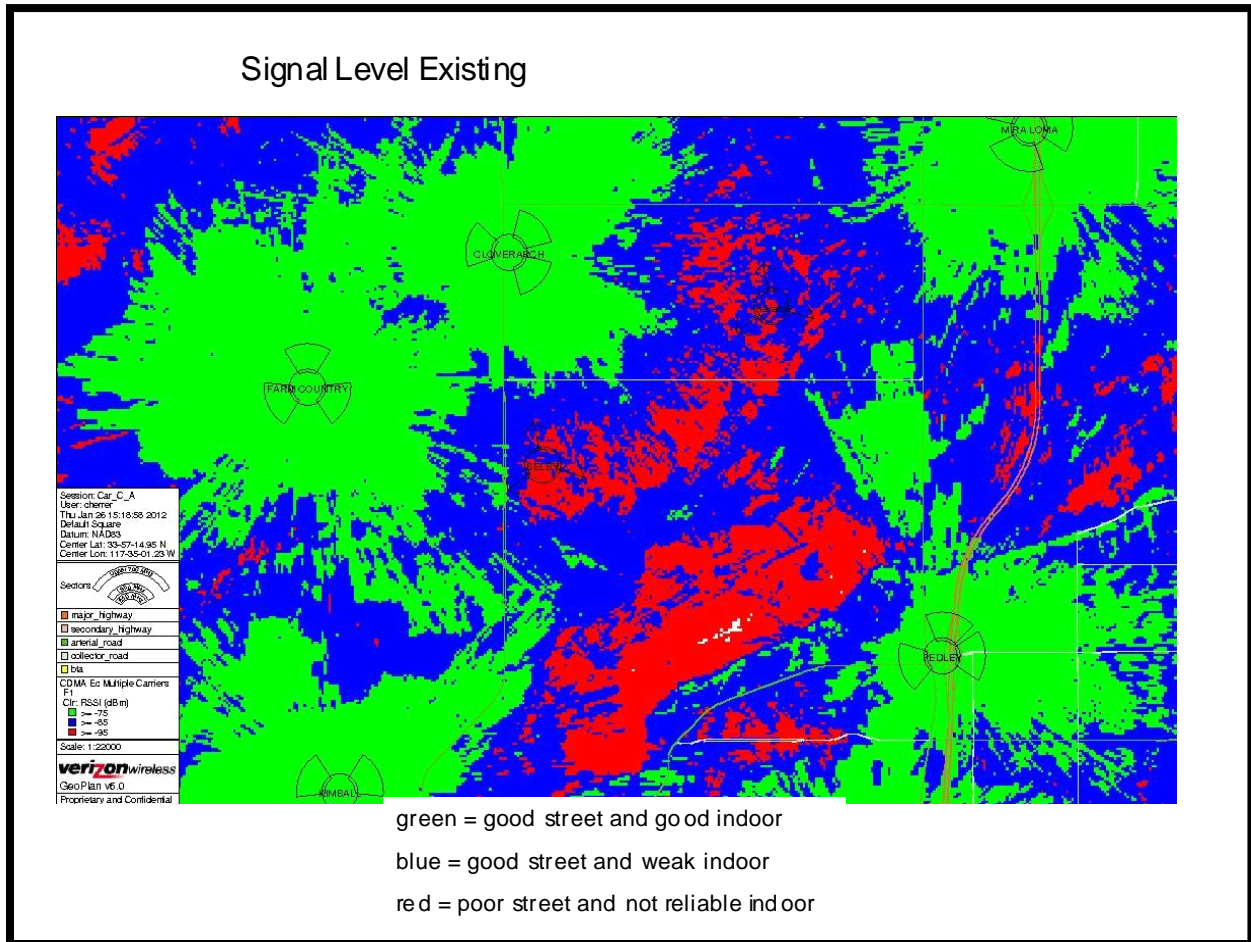
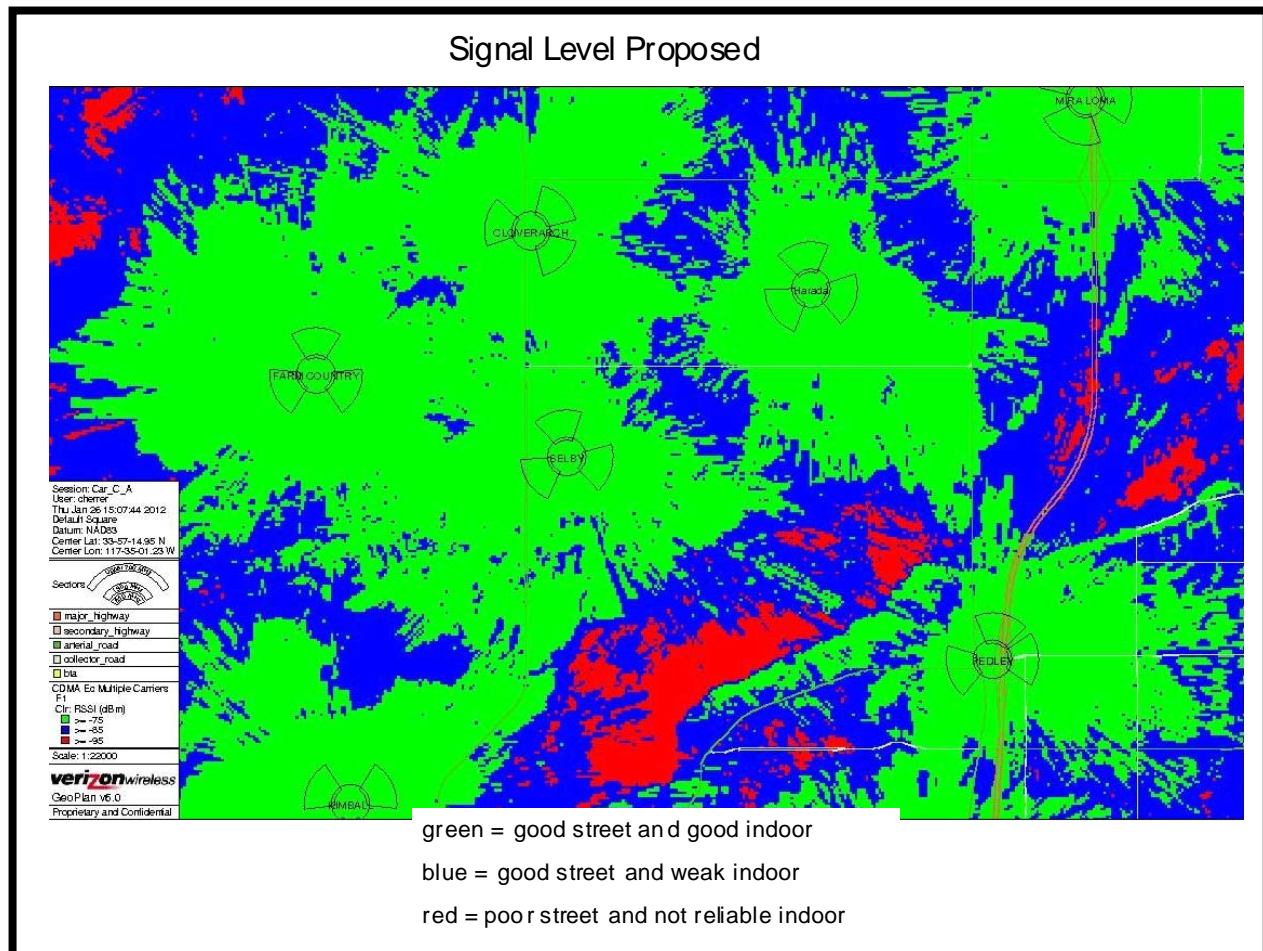


Figure 5: Coverage with New Facility



The proposed project has been reviewed in accordance with the City’s General Plan and the development standards of Article 19 of the Zoning Ordinance. The various components of the proposed project analyzed below will cover the following issues:

- Plot Plan
- Design/aesthetics
- Public health and safety

Zoning Code Requirements

The Wireless Communication Facilities Ordinance (Article 19) describes two basic cell tower types:

- 1) Concealed Facilities – Cell towers that are designed to blend into the environment so as not to be seen at all, or if seen, not to be recognized as a cell tower. One example would be a clock tower, where the antennas are inside the tower.
- 2) Disguised Facilities – Cell towers that are designed and sited to so as to be minimally visually intrusive. These include, but are not limited to, disguised palm trees (monopalms), disguised pine trees (monopines).

The Zoning Code allows the applicant to choose whether to build a concealed or disguised installation, but generally requires a higher level of public review when the tower would be more visible. The applicant is proposing a disguised facility at this location.

In order to approve a disguised wireless facility (as is proposed in this case), one of the findings is that the facility must be minimally visually intrusive. This term is not specifically defined, and the Commission is free to define what is visually appropriate. Historically, facilities such as monopines and monopalms and field lights have been considered to meet the standard.

The Planning Commission is free to interpret this finding as it deems appropriate. The Commission can choose to accept the applicant's proposal or the Commission can direct the applicant to seek other alternatives.

Plot Plan Analysis

The Planned Residential Development (R-4) zoning district and Article 19 include standards that regulate the development of a site. The site plan proposed by the applicant has been evaluated to ensure that it complies with the development standards of the Planned Residential Development (R-4) zone and the Wireless Communication Facilities Ordinance as it relates to building height, setbacks, etc. As the table below illustrates, the proposed plot plan meets and/or exceeds the minimum development standards of the R-4 zoning district, with the exception of the height standard. However, the requested height of 78 feet for the light pole is permitted under the General Height Exception section of the Zoning Code, which allows structures such as this to exceed the height limit of the underlying zone.

Table 1: Development Standards

Development Standard	R-4 & Article 19 Requirements	Proposed Wireless Project	Meets/Exceeds Code Requirements
Wireless Facility Height	50 feet	50 feet (antenna height) 78 feet (light pole height)	Yes
Front Setback	100 feet	389 feet ±	Yes
Side Yard Setback	100 feet	128feet ± and 1,144 feet ±	Yes
Rear Setback	100 feet	826feet ±	Yes

Design and Aesthetics

All new wireless communications facilities are required to have the least possible visual impacts on the surrounding area. The proposed field light is considered a disguised wireless facility. As shown in Figures 6 and 7, the 78-foot-tall light pole is designed to look like the other light poles at the park and will be a fully functional light source for nighttime activities at the park.

The support column will be constructed of a stronger metal material but will be painted the same color as the other field lights. The equipment cabinets and all related equipment will be located within a decorative block structure that will be similar in appearance to the park's existing restrooms.

The results of this method of architectural design (i.e., concealment), the existing field lights, and the decorative block building to screen the related equipment cabinets will aid in reducing aesthetic visual impacts. While the field light achieves the intent to conceal the antenna within the metal structure, it is important to note that the area surrounding the project site is relatively open, with other field lights. Thus, the field light antenna will have low visual impacts with the surrounding field lights as shown in Figure 5.

Figure 6: Photosimulation of New Wireless Facility



Public Health & Safety

As cell phone use expanded during the 1990s, concerns grew that the use of cell phones and cell towers, in particular, posed a public health and safety threat resulting from electromagnetic fields, or EMFs. The Federal Communications Commission researched the issue and in the late 1990s determined that the use of cell phones and cell towers did not create a public health and safety problem, provided that the equipment is built and operated according to federal standards.

While the issue of placing cell phone towers in residential areas is often controversial, the Planning Commission should recognize that federal law prohibits local agencies from denying land use entitlements for cell phone providers like Verizon based solely on health risk issues. As noted above, cellular equipment (including the cell phones themselves) must be designed and operate according to federal standards, which have been designed to limit exposure to cellular signals to safe levels. If the antenna and equipment does not meet federal standards, federal permits will not be issued.

ENVIRONMENTAL ANALYSIS

The proposed project replaces an existing light tower of 78 feet in height with a similarly sized tower that will also support a cellular antenna. The physical change to the tower is negligible in terms of height and appearance, and the existing use of the tower for field lighting remains. Staff is recommending that the Commission approve filing of a notice of exemption pursuant to Section 15302(c) Class 2, Replacement or Reconstruction. This exemption allows for the “replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.”

PUBLIC CORRESPONDENCE

As part of the Wireless Communication Facilities Ordinance, an application for a Plot Plan shall be made to the Planning Director in accordance with Section 18.30 of the Zoning Ordinance. The application shall be classified as a Plot Plan that is subject to the California Environmental Quality Act and shall be processed in the same manner as such a Plot Plan is processed, except that the hearing notice shall be sent to all property owners within 600 feet of the subject property. In compliance with the ordinance, staff distributed a public hearing notice to each resident who lives within a 600-foot radius of the project site. A copy of the 600-foot radius map has been provided for the Commission as Attachment D.

REQUIRED PROJECT FINDINGS

CEQA Finding

No Significant Effect: The proposed project replaces an existing light tower of 78 feet in height with a similarly sized tower that will also support a cellular antenna. The physical change to the tower is negligible in terms of height and appearance, and the existing use of the tower for field lighting remains. Thus, the impacts are considered insignificant and do not require mitigation. The Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have no significant effect on the environment. Therefore, the Planning Commission concludes that the project will not have a significant effect on the environment.

Plot Plan Findings (Section 18.30.C)

Finding 1: The proposed use must conform to all the requirements of the City of Eastvale General Plan and with all applicable requirements of state law and the ordinance of the City of Eastvale.

Evidence: The proposed wireless facility does conform to the requirements of the General Plan in that the site has a land use designation of Open Space Recreation, which provides for disguised wireless communication facilities through the Plot Plan process. The proposed field light antenna will also provide Eastvale residents with improved Verizon cellular service. The project is consistent with the requirements of the Zoning Ordinance in that the use is permitted in the R-4 zoning district subject to the approval of a Plot Plan. It is also consistent with the requirements for approval as outlined in Section 19.404.C of the Zoning Ordinance. Based on staff's review of the project, it has been determined that the project conforms to City requirements.

Finding 2: The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The facility is designed and sited so that it is minimally intrusive to the surrounding area. The field light antenna is located 128 feet from the nearest habitable structure, consistent with the development standards for setbacks. The design of the facility is intended to simulate a field light in order to be consistent with the definition of a disguised facility. Further, all mechanical equipment will be screened from view by an enclosed building constructed of decorative, split-face block, which will look similar to the existing restroom facilities at the park. The facility also meets the minimum development standards outlined in Section 19.404.C of the Eastvale Zoning Ordinance, which is intended to protect the public health, safety, and welfare.

Finding 3: The overall development of the land shall be designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to a logical pattern of development and is compatible with the present and future development of the site. The wireless facility has been placed in the northwestern area of the property so as not to impede future development of the site.

Finding 4: The Plot Plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion, and take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof

Evidence: The project is located on a property that is adjacent to 65th Street, which is fully dedicated and improved and provides adequate circulation to and from the site. The site has an access easement from the existing parking lot, which will provide on-site access for monthly maintenance visits and not result in parking on the street.

Finding 5: All Plot Plans that permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project will be developed on a park, which will not to be subdivided.

Disguised Wireless Facility Findings (Section 19.404.C)

Finding 1: The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed field light facility has been designed to be minimally visually intrusive, as the antenna components will be concealed within the tower.

Finding 2: The supporting equipment shall be located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view. The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed equipment cabinets will not be visible, as they will be completely located within a 408-square-foot building of decorative split-face block consistent with block typically found in newer developments.

Finding 3: The application has met the processing requirements set forth in Article 19.

Evidence: The applicant was required to process a Plot Plan application as required by Article 19. In addition, the project was reviewed based on the required Plot Plan findings specified in Section 18.30.C and the development standards of the Zoning Ordinance (refer to the findings above).

Finding 4: The application has met the location and development standards set forth in Article 19.

Evidence: The proposed field light facility has been reviewed in compliance with the development standards outlined in this article related to screening, setbacks, structure height, and access. The proposed project meets and exceeds the minimum development standards for wireless facilities.

Finding 5: The application has met the requirements for approval set forth in Section 18.30 of the Zoning Ordinance.

Evidence: The project was reviewed based on the required Plot Plan findings specified in Section 18.30.C of the Zoning Ordinance. The proposed field light facility meets the findings of this section as discussed and evidenced in this report.

CONCLUSION

The proposed field light wireless communications facility is designed and developed in a manner that is aesthetically sensitive to the project property and the surrounding neighborhood. All the antennas and related equipment cabinets will be completely screened within the light structure and within the proposed 408-square-foot building.

The proposed wireless communications facility is in compliance with R-4 zoning district standards and Article 19 (Wireless Communication Facilities Ordinance). Therefore, staff believes the proposed field light facility, with its proposed screening methods, is designed in a manner that mitigates any adverse visual impacts on the neighboring residential uses.

ALTERNATIVES

The following alternatives are available to the Planning Commission:

1. Approve the project with additional changes and/or conditions;
2. Continue the public hearing and direct the applicant to make revisions; or
3. Deny the Plot Plan.

Prepared by

Reviewed by

Alfredo Garcia
Planner

Eric Norris
Planning Director

Attachments

- A. Conditions of Approval
- B. PC Resolution No. 12-_____
- C. CEQA Categorical Exemption
- D. 600-Foot Radius Notification Map
- E. Development Plans (under separate cover)

ATTACHMENT A

Conditions of Approval

CONDITIONS OF APPROVAL

Planning Application Number: Plot Plan No. 12-0076

Assessor's Parcel Number: 164-190-016

Approval Date: July 18, 2012

Expiration Date: July 18, 2014

Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
General Conditions/Ongoing				
1.	In compliance with Section 15062 of the CEQA Guidelines, a Notice of Exemption (NOE) shall be filed with the Riverside County Clerk no later than July 23, 2012 (within five [5] days of project approval). The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of \$64.00 no later than July 17, 2012 .	July 23, 2012	Planning Department	
2.	The applicant shall review and sign below verifying the acceptance of the Conditions of Approval. <hr/> <div style="display: flex; justify-content: space-between;"> Applicant Signature Date </div>	Ongoing	Planning Department.	
3.	The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to, arbitrations, mediations, and other such procedures) (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities	Ongoing	Planning Department	

	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
<p>thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any action brought and City shall cooperate with applicant in the defense of the action.</p>			
<p>4. Approval of Plot Plan No. 12-0076 shall become effective on July 18, 2012, provided the Planning Commission’s decision is not appealed. Any appeal must be made in writing, filed with the City Clerk and include the required \$1,678 appeal fee no later than August 2, 2012 (fifteen [15] calendar days from approval date).</p>	Ongoing	Planning Department.	
<p>5. The subject property shall be developed and used in a manner consistent with the Plot Plan approved by the Planning Commission on July 18, 2012, and as illustrated in the stamped approved plans. Any modifications to the approved project shall be reviewed and approved pursuant to the Eastvale Zoning Code.</p>	Ongoing	Planning Department	
<p>6. Any approval granted by the Planning Commission shall not be final until and unless the applicant's deposit account to cover the costs of application processing is made current and a positive balance of at least \$1,000 is on hand to cover the costs of staff review and follow-up during the construction process.</p>	Ongoing	Planning Department and Building Department	

Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date and Signature)
Prior to Issuance of Certificates of Occupancy			
7. Prior to the issuance of a certificate of occupancy, the Planning Department shall inspect the wireless facility to ensure that the antenna and building match the approved plans.	Prior to issuance of certificates of occupancy	Planning Department	

General Compliance Items

The following items are noted for the applicant’s information. These items are required by the City, other local agencies, or state or federal agencies and are not conditions of approval of the project.

- 1) Certification of continued use of the WCF (wireless communications facility) shall be submitted to the Planning Director on a yearly basis at the time of business license renewal for as long as the facility remains in operation. The certification shall indicate that the facility is operating as approved and that the facility complies with the most current Federal Communications Commission (FCC) safety standards. If the WCF is no longer in operation, it shall be removed within ninety (90) days of discontinuance.
- 2) The applicant shall comply with all provisions and procedures of the Eastvale Building Department related to the plan check review process. (Please contact Jeff Thomas, Building Official, at 951-361-0900.)
- 3) The applicant shall pay all applicable Development Impact Fees and City Mitigation Fees as determined as determined by the Building and Engineering departments.
- 4) Every person conducting a business within the City of Eastvale shall obtain a business license. For more information regarding business registration, please visit the Business Registration information provided the City website (<http://www.eastvalecity.org>).
- 5) A wireless communications facility shall have an initial approval period (life) of ten (10) years that may be extended if a revised permit application is made and approved by the Planning Director or the Planning Commission, whichever was the original approving officer or body. Such extensions, if approved, shall be in increments of ten (10) years. The determination as to the appropriateness of such extensions shall be made, in part, on adherence to the original conditions of approval and the number of complaints, if any, received by the City. In the case of co-located facilities, the permits of all co-locaters shall automatically be extended until the last co-locater’s permit expires (Zoning Code Section 19.409).

Prior to the Issuance of Grading Permits

- 6) The grading plan shall include the following information in the Notes section of the Grading Plan: *"No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist."*
- 7) The grading plan shall include the following information in the Notes section of the Grading Plan: *"If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Planning Director at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director."*
- 8) If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Prior to the issuance of grading permits, the applicant shall comply with all Public Works and Engineering standards requirements and conditions as imposed by the City Engineer.

- 9) No obstruction shall be placed on any existing easement. An approval document from easement holders shall be required for any easement encroachment.
- 10) No obstruction/improvement shall be made that blocks the existing drainage pattern. Any revision may require a grading plan.

ATTACHMENT B

Planning Commission Resolution

PC RESOLUTION NO. 12-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EASTVALE, CALIFORNIA, APPROVING PLOT PLAN NO. 12-0076 FOR THE CONSTRUCTION OF A 78-FOOT-TALL FIELD LIGHT WIRELESS COMMUNICATIONS FACILITY LOCATED AT 13099 65th STREET (APN: 164-190-016)

WHEREAS, an application for Plot Plan No. 12-0076 for the development of a 78-foot-tall wireless communications facility designed as a field light antenna located at 13099 65th Street has been filed by Spectrum Surveying & Engineering on behalf of Verizon in compliance with Article 19 of the City of Eastvale Zoning Ordinance; and

WHEREAS, the proposed Plot Plan is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (“CEQA”); and

WHEREAS, the Planning Commission determined that the project qualifies for a Class 2 Categorical Exemption from environmental review pursuant to the CEQA Guidelines, Section 15302(c) (Replacement or Reconstruction); and

WHEREAS, Planning staff has determined that the project would not have potentially significant effects on the environment, using the method required under CEQA Guidelines Section 15302(c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity; and

WHEREAS, the City of Eastvale Planning Department on July 7, 2012, published a legal notice in the Press Enterprise, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning Plot Plan No. 11-0749, and mailed said public hearing notice to each property owner within a 600-foot radius of the project site in accordance with state law; and

WHEREAS, the City of Eastvale Planning Commission conducted a duly noticed public hearing on July 18, 2012, at which time they received public testimony concerning Plot Plan No. 12-076 and considered the CEQA Categorical Exemption for the proposed project.

NOW, THEREFORE, the Planning Commission of the City of Eastvale does hereby resolve, determine, and order as follows:

SECTION 1. ENVIRONMENTAL FINDINGS

Pursuant to Section 15302(c) Class 2, Replacement or Reconstruction, of the California Environmental Quality Act, which allows for the “replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity,” the Planning Commission hereby finds and determines as follow:

No Significant Effect: The proposed project replaces an existing light tower of 78 feet in height with a similarly sized tower that will also support a cellular antenna. The physical change to the tower is negligible in terms of height and appearance, and the existing use of the tower for field lighting remains. Thus, the impacts are considered insignificant and do not require mitigation. The Planning Commission finds that there is substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have no significant effect on the

environment. Therefore, the Planning Commission concludes that the project will not have a significant effect on the environment.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area, and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 3. If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

SECTION 4. PLOT PLAN FINDINGS

Pursuant to Eastvale Zoning Ordinance No. 348, Section 18.30, and in light of the record before it including the staff report dated July 18, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

Finding 1: The proposed use must conform to all the requirements of the City of Eastvale General Plan and with all applicable requirements of state law and the ordinance of the City of Eastvale.

Evidence: The proposed wireless communications facility does conform to the requirements of the General Plan in that the site has a land use designation of Open Space Recreation, which provides for disguised wireless communications facilities through the Plot Plan process. The proposed field light antenna will also provide Eastvale residents with improved Verizon cellular service. The project is consistent with the requirements of the Zoning Ordinance in that the use is permitted in the R-4 zoning district subject to the approval of a Plot Plan. It is also consistent with the requirements for approval as outlined in Section 19.404.C of the Zoning Ordinance. Based on staff's review of the project, it has been determined that the project conforms to City requirements.

Finding 2: The overall development of the land shall be designed for the protection of the public health, safety, and general welfare.

Evidence: The facility is designed and sited so that it is minimally intrusive to the surrounding area. The field light antenna is located 128 feet from the nearest habitable structure, consistent with the development standards for setbacks. The design of the facility is intended to simulate a field light in order to be consistent with the definition of a disguised facility. Further, all mechanical equipment will be screened from view by an enclosed building constructed of decorative, split-face block which will look similar to the existing restroom facilities at the park. The facility also meets the minimum development standards outlined in Section 19.404.C of the Eastvale Zoning Ordinance, which is intended to protect the public health, safety, and welfare.

Finding 3: The overall development of the land shall be designed to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.

Evidence: The proposed project has been designed to conform to a logical pattern of development and is compatible with the present and future development of the site. The wireless communications facility has been placed at the northwestern area of the property so as not to impede future development of the site.

Finding 4: The Plot Plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion, and take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof

Evidence: The project is located on a property that is adjacent to 65th Street, which is fully dedicated and improved and provides adequate circulation to and from the site. The site has an access easement from the existing parking lot, which will provide on-site access for monthly maintenance visits and not result in parking on the street.

Finding 5: All Plot Plans which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel.

Evidence: The project will be developed on a park, which will not to be subdivided.

SECTION 5. DISGUISED WIRELESS FACILITY FINDINGS

Pursuant to Eastvale Zoning Ordinance No. 348, Section 19.404.C and in light of the record before it including the staff report dated July 18, 2012, and all evidence and testimony heard at the public hearing of this item, the Planning Commission hereby finds as follows:

Finding 1: The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed field light facility has been designed to be minimally visually intrusive, as the antenna components will be concealed within the tower.

Finding 2: The supporting equipment shall be located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view. The facility shall be designed and sited so that it is minimally visually intrusive.

Evidence: The proposed equipment cabinets will not be visible, as they will be completely located within a 408-square-foot building, which will be decorative and consistent with block typically found in newer developments.

Finding 3: The application has met the processing requirements set forth in Article 19.

Evidence: The applicant was required to process a Plot Plan application as required by Article 19. In addition, the project was reviewed based on the required Plot Plan findings specified in Section 18.30.C and the development standards of the Zoning Ordinance (refer to the findings above).

Finding 4: The application has met the location and development standards set forth in Article 19.

Evidence: The proposed field light facility has been reviewed in compliance with the development standards outlined in this article related to screening, setbacks, structure height, and access. The proposed project meets and exceeds the minimum development standards for wireless communications facilities.

Finding 5: The application has met the requirements for approval set forth in Section 18.30 of the Zoning Ordinance.

Evidence: The project was reviewed based on the required Plot Plan findings specified in Section 18.30.C of the Zoning Ordinance. The proposed field light facility meets the findings of this section as discussed and evidenced in this report.

SECTION 6. PLANNING COMMISSION ACTIONS

The Planning Commission hereby adopts PC Resolution No. 12-____ approving the California Environmental Quality Act Categorical Exemption for Plot Plan No. 12-0076 and approving Plot Plan No. 12-0076, subject to conditions attached hereto as Exhibit 1.

PASSED, APPROVED, AND ADOPTED this 18th day of July 2012.

Bill Link, Chairman
Eastvale Planning Commission

APPROVED AS TO FORM:

ATTEST:

John E. Cavanaugh
City Attorney

Ariel Berry
Deputy City Clerk

CERTIFICATION

I, Ariel Berry, Recording Secretary of the Planning Commission of the City of Eastvale, California, do hereby certify that the foregoing PC Resolution No. 12-____, was duly adopted by the Planning Commission of the City of Eastvale, California, at a regular meeting thereof held on the 18th day of July 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ariel Berry, Recording Secretary
City of Eastvale, California

Exhibit 1

Conditions of Approval (Included as Attachment A to the Staff Report)

ATTACHMENT C

CEQA Categorical Exemption

CITY OF EASTVALE, CA

NOTICE OF EXEMPTION

TO BE SENT TO:

County of Riverside County Clerk
P.O. Box 12004
Riverside, CA 92502

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

PROJECT CASE NO: 12-0076

PROJECT APPLICANT/SPONSOR: Spectrum; Fiona Hilyer, Project Engineer; (949) 412-4272

PROJECT LOCATION: 13099 65th Street, Eastvale, CA 92880

APN(s): 164-190-016

PROJECT DESCRIPTION: The proposed project will require an approved Plot Plan to replace an existing 78-foot ball field light with a new cellular tower that is 78 feet tall and capable of functioning as a ball field light. The proposed project also includes the construction of an adjacent 408-square-foot equipment housing that will be located on a 760-square-foot lease area within Harada Park.

The project or activity identified above is determined to be exempt from further environmental review requirements contained in the California Environmental Quality Act (CEQA).

EXEMPTION STATUS:

- Ministerial (*Sec. 21080(b)(1); Sec. 15268*)
- Declared Emergency (*Sec. 21080(b)(3); Sec. 15269(a)*)
- Statutory Exemption (*Sec.*)
- ✓ Categorical Exemption Class 2 (*Sec 15302(c) Replacement or Reconstruction*)
- Other: (*Sec.*)

REASONS TO SUPPORT EXEMPTION FINDINGS: The proposed project is a replacement of an existing utility system and involves negligible expansion of capacity.

LEAD AGENCY CONTACT:

PHONE NUMBER: (951) 361-0900

CITY OF EASTVALE PLANNING DEPARTMENT
Eric Norris, Planning Director

ATTACHMENT D

600-Foot Radius Notification Map

ATTACHMENT E

**Development Plans
(Under Separate Cover)**