



City of Camarillo

Planning Commission AGENDA REPORT

DATE: January 31, 2023

TO: Planning Commission

FROM: Joseph R. Vacca, AICP, Director of Community Development

SUBMITTED BY: Melissa Beebe, Planning Technician

SUBJECT: CUP-416, Dish Wireless

PROJECT INFORMATION SUMMARY

Request: The applicant requests approval of a Conditional Use Permit (CUP) for the installation of a new camouflaged wireless communications facility in the R-1 Zone.

Applicant: Jerry Ambrose, Eukon Group representing Dish Wireless, 3905 State Street, Suite 7-188, Santa Barbara, CA 93105

Property Owner: Pleasant Valley Recreation and Park District (PVRPD), 1605 E Burnley Street, Camarillo, CA 93010

Project Site Size, Location, and Parcel Number: The 9.38-acre project site is located at 1030 Temple Avenue in the City of Camarillo. The Tax Assessor's parcel number for the parcel that constitutes the project site is 166-0-020-200.

Decision-Making Authority: Pursuant to Camarillo Municipal Code (CMC) Sections 19.62.020 and 19.76.040, the Planning Commission is the decision-maker for the requested CUP, subject to an appeal being filed to the City Council within 10 days of the Planning Commission decision.

General Plan Land Use Designation: Public - Community Park

Zoning Designation: Single-Family Residential (R-1)

PUBLIC NOTICE

A Notice of Public Hearing has been advertised for the Planning Commission meeting of January 31, 2023, with notices mailed to all property owners and homeowner's associations within a 600-foot radius and any parties which have expressed an interest in the project. Additionally, the subject site has been posted with a sign, the notice has been posted at Camarillo City Hall and on the City's website (www.cityofcamarillo.org). Finally, the notice was published in a newspaper of general circulation within the area (Camarillo Acorn).

DISCUSSION

Environmental Review

The project was reviewed in accordance with the California Environmental Quality Act (CEQA) and the State CEQA guidelines, as well as the City's environmental guidelines, and was determined to be categorically exempt from the provisions of CEQA under Class 3 - New Construction or Conversion of Small Structures (CEQA Guidelines Section 15303). This exemption consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposal will install new equipment and build a new small equipment structure. Therefore, no additional review is necessary.

Parcel and Area Characteristics

The project site is located within Camarillo's Central Neighborhood and is surrounded by the following land uses:

	GENERAL PLAN LAND USE DESIGNATION	ZONING DESIGNATION	CURRENT LAND USE
PROJECT SITE	Public – Community Park	Single-Family Residential (R-1)	Sports Field
NORTH	Public – Community Park	Single-Family Residential (R-1)	PVRPD Property and Boys and Girls Club
SOUTH	Public - School	Single Family Residential (R-1)	Pleasant Valley School of Engineering and Arts
WEST	High-Density Residential (18.1-30 Dwelling Units per Acre)	Residential Planned Development, 24 Dwelling Units per Acre Maximum (RPD-24U)	Apartment Complexes
EAST	Low-Density Residential (2.6-5 Dwelling Units per Acre)	Single-Family Residential (R-1)	Single-Family Residential



View of the project site from Temple Avenue looking east

The subject property contains a recreation building, sports courts, and a play area.

Project Site History

On October 18, 2005, the Planning Commission approved an unmanned telecommunication wireless facility (CUP-274) located on an existing sports field light pole at 1030 Temple Avenue. The existing AT&T/Cingular Wireless facility consists of a 70-foot light standard located about 290 feet east of the proposed facility with antennas centered at 38.75 feet, 46 feet, and 54 feet high. The mechanical equipment for this wireless facility is located underground, below the light standard.

General Plan

The Camarillo General Plan Land Use designation of the property is Park. The proposed camouflaged wireless facility is a use consistent with the General Plan Land Use designation and will be subject to conditions of approval and compliance with Federal Communications Commission (FCC) requirements to ensure the use is compatible with the surrounding uses and will not constitute a nuisance. The General Plan Circulation Element identifies Temple Avenue as a major collector.

Zoning

The proposed camouflaged wireless communications facility use is permitted in the R-1 Zone, subject to the approval of a CUP (CMC Section 19.76.040.A.1).

Project Description

The request is for the construction of a new camouflaged wireless communication facility and was reviewed for consistency with CMC Chapter 19.76 – Wireless Communication Facilities. The CMC defines a “camouflaged wireless communication facility” as a wireless communication facility that is designed to mask or blend with the surrounding environment in such a manner as to render it generally unnoticeable to the casual observer.

The proposed wireless communication facility would replace a 60-foot-tall sports field light pole near the recreation building with a 63-foot-tall sports field light pole and include three eight-foot panel antennas and six radios. The antennas and radios would be screened from view by radomes that are radio wave transparent. These radomes are designed to match the color of the light pole. Dish wireless also proposes an equipment enclosure near the base of the facility that is 144 square feet and has an eight-foot-tall wall to match the exterior of the adjacent restroom facility.

Compliance Summary

Based on the attached Radio Frequency-Electromagnetic Energy (EME) report, the site complies with applicable Federal Communications Commission (FCC) regulations. Applicable FCC regulations consist of Maximum Permissible Exposure (MPE) limits. Two MPE limits apply, a MPE limit for the general public and a MPE limit for occupational activities, such as maintenance of the antennas and equipment.

A site would be out of compliance with FCC regulations if, 1) there are areas that exceed FCC exposure limits and 2), there are no control measures to limit human exposure to the power density in the EME field. The EME report presented results of predictive modeling in relation to these applicable FCC regulations. With respect to the MPE limit for the general public, based on “worst-case” predictive modeling, the EME report concluded that, at the nearest walking/working surfaces, the maximum power density generated by the antennas is

approximately 1.72 percent of the FCC's general public limit and 0.34 percent of the FCC's occupational limit.

For occupational activities, the EME report provides control measures to protect human exposure for those working on the proposed facility in an occupational capacity. As summarized in the following discussion, conditions of approval on CUP-416 incorporate these control measures.

Given there is an existing wireless carrier at the site, the EME report modeled the emitted power density from the existing carrier plus the new carrier, referred to as the composite exposure level. Any carrier with a new installation that contributes more than 5% of the applicable MPE must implement control measures. The EME report concluded that from all carriers on this site, the maximum composite exposure level would be the same for the general public limit and for the occupational limit at the nearest working surface. Therefore, the new installation would not contribute more than 5% of the applicable MPE to the composite exposure; nonetheless, the project would provide control measures to protect human exposure for occupational activities.

Control Measures

Control measures include procedures to shut down, lockout, and tagout the new wireless equipment in accordance with standard operating protocol. Condition of approval 23 requires that the site maintain compliance with the FCC regulations and condition of approval 30 requires installation of the notification markings recommended in the EME report. Additionally, condition 28 requires the applicant to submit a field verification report within sixty days of installation confirming the project is in compliance with FCC Regulations.

Per CMC Section 19.76.110, recommended special conditions of approval have been included in the attached resolution regarding maintenance and operation of the site, compliance with FCC regulations, graffiti removal, removal of the facility for non-operation, and continued compliance with the City's Noise Ordinance. Additionally, per CMC 19.76.120, condition 27 requires notification to the City if there is an ownership transfer of the wireless communication facility.

Building Height and Architecture

The maximum allowable building height in the R-1 Zone is 25 feet, except where permitted by a CUP. At the highest point, the top of the light pole and proposed antennas would be 63 feet.

The proposed facility has been reviewed for architectural compatibility with the surrounding area. The camouflage radomes would match the pole and the equipment enclosure would match the exterior finish of the existing adjacent restroom facility, thereby incorporating a design consistent with the design guidelines in the Community Design Element.

STAFF REVIEW AND RECOMMENDATION

Evaluated below is the consistency of the proposed project with the applicable policies of the City of Camarillo's General Plan.

Community Design Element Objective IA-1.7: *Work to minimize, and mitigate where necessary, a development's negative impacts on adjoining areas.*

- The proposed wireless communication facility will incorporate similar colors and materials to match the design of the light standard to minimize the impact on adjoining areas. Additionally, the project plans require that the design of the equipment

enclosure is compatible with the colors, textures, and materials of the existing adjacent restroom facility and is consistent with the Community Design Element.

Staff has reviewed the proposed project for consistency with the applicable goals and policies of the City's General Plan, and the development standards set forth in the Zoning Ordinance. The project has been reviewed and found to be in accordance with the performance standards for commercial development outlined in CMC Chapter 19.54. Staff, therefore, recommends approval of CUP-416 subject to the recommended conditions of approval attached to the resolution. At the conclusion of the public hearing, should the Planning Commission concur with the staff's recommendation, a resolution containing findings for approval of the request is attached to this report.

SUGGESTED ACTION

1. Find that the project is categorically exempt from the provisions of CEQA under Class 3 New Construction or Conversion of Small Structures (CEQA Guidelines Section 15303).
2. Adopt a resolution approving CUP-416 subject to the recommended conditions of approval. The action of the Planning Commission is final unless an appeal is filed within ten (10) days of the date of their action.

ATTACHMENTS

1. Resolution
2. EME Report
3. Location Map
4. Public Hearing Notice