



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: December 5, 2013
AGENDA DATE: December 12, 2013
PROJECT ADDRESS: 900 Channel Drive (MST2011-00246)
 Verizon Wireless Cell Tower
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4582
 Renee Brooke, AICP, Senior Planner
 Peggy Burbank, Project Planner *PB*

I. PROJECT DESCRIPTION

The project consists of the installation of a 50-foot mono-pole containing 9 cellular antennas and accompanying ground equipment in a 552 square-foot site enclosed by a 7-foot stucco wall, on a vacant parcel owned by the Santa Barbara Cemetery Association.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

- A. A Coastal Development Permit – CDP2011-00019 – to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060);
- B. A Conditional Use Permit to allow a cellular tower greater than 45 feet tall in a residential zone (SBMC §28.94.030.DD); and
- C. A Modification to allow development in the Front Setback (SBMC §28.92.110.A.2).

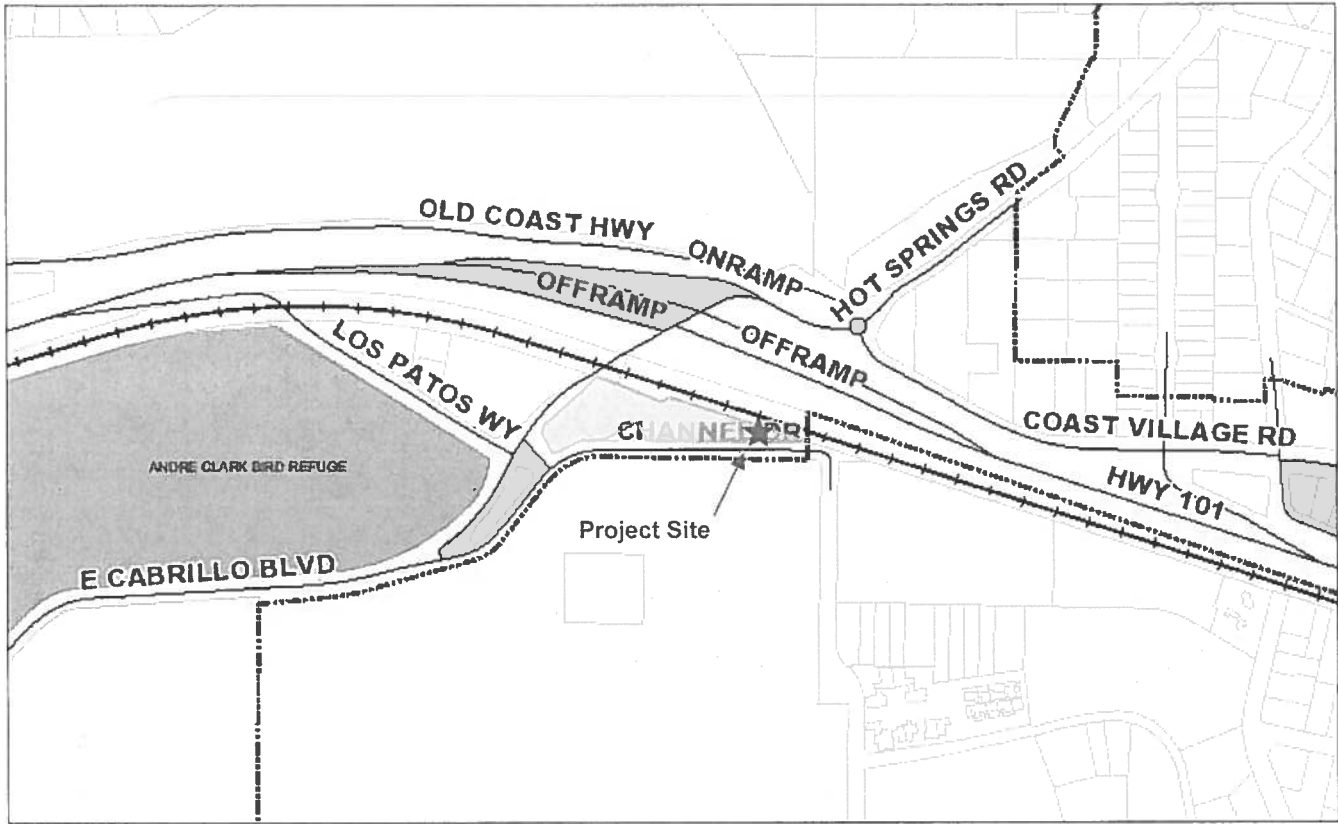
APPLICATION DEEMED COMPLETE: October 30, 2013

DATE ACTION REQUIRED: January 28, 2014

III. RECOMMENDATION

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the Coastal Act and Local Coastal Plan. In addition, the size and appearance of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

Vicinity Map for 900 Channel Drive



IV. BACKGROUND

The site for this project is located on property owned by the Santa Barbara Cemetery Association that sits north of Channel Drive between the street and the Southern Pacific rail lines. It extends east and west between the intersection of Cabrillo Street and Channel Drive on the west to the Montecito Sanitary District facilities on the east where Channel Drive turns to the south. The parcel is essentially vacant. However, at the west end of the property is the Charles Caldwell Park Watering Trough and Fountain, a City Landmark. The proposed lease site for the Verizon Wireless cell tower is located approximately 690 feet east of the landmark.

Verizon Wireless looked for a site in the vicinity of Coast Village Road and Channel Drive in order to expand and improve its cellular service to the area. Discussions with Southern California Edison to co-locate the Verizon antennas on an existing SCE pole revealed they could not comply with minimum separation requirements. Verizon, therefore, concluded that locating on the Cemetery's vacant property was their best and only option. (See Exhibit B for the site plan and Exhibit C for the applicant's letter.)

A Conditional Use Permit is required because the proposed cell tower exceeds 45 feet in height.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Tricia Knight for Verizon Wireless		
Property Owner:	Santa Barbara Cemetery Association		
Site Information			
Parcel Number:	017-393-002	Lot Area:	2.4 ac
General Plan:	Parks/Open Space	Zoning:	R-1/SD-3
Local Coastal Plan:	Recreation/Open Space	Topography:	Flat or gentle slopes
Existing Use:	Vacant		
Adjacent Land Uses			
North – Southern Pacific Railway; Hwy 101		East – Montecito Sanitary District	
South – Santa Barbara Cemetery		West – Commercial; Andree Clark Bird Refuge	

B. PROJECT STATISTICS

Lease Area: 1,024 square feet

Development Area: 552 square feet

Cell Tower Height: 50 feet

Cell Tower Diameter: 3 feet (All antennas are mounted internally in the tower)

Ground Equipment Enclosure: 552 square feet

Access Easement: 12 feet wide by 15.86 feet long

Underground Cable Easements: 5 feet wide by a total of 176 linear feet

VI. POLICY AND ZONING CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	30 feet	NA	20 feet*
-Interior	10 feet	NA	10 feet
Tower Height	45 feet	NA	50 feet*
Parking	NA	NA	NA

*Modification/waiver requested

With the approval of the Modification and waiver described below, the project would meet the requirements of the R-1 Zone, the Antenna Height Limitations (SBMC §28.87.260), and the CUP requirements for cellular telephone antennas (SBMC §28.94.030.DD.2).

1. MODIFICATION

a. Front Setback Modification

Santa Barbara Municipal Code (SBMC) §28.15.083.D requires double the required setback distance for non-residential uses in the R-1 Zone. The parcel for the proposed cell tower is 66.5 feet wide at the proposed project location. The tower and related equipment are setback approximately 20 feet from the property line along Channel Drive and 10 feet from the interior property line, such that the project can achieve the required double setback of 10 feet from the interior property line along the railroad property but cannot meet the necessary 30-foot set-back from Channel Drive. Staff supports this modification because: the proposed tower location is between the railroad tracks, cemetery and sanitary district facilities; there are no residential uses in the immediate vicinity of the site; and there are existing mature trees and bushes that obscure the site from Channel Drive and Highway 101.

2. CONDITIONAL USE PERMIT REQUIREMENTS

a. Tower Height

A cell tower is allowed in a Residential Zone without a Conditional Use Permit (CUP) provided it meets certain criteria and is no taller than 45 feet. A tower in excess of this height requires a CUP. SBMC§28.94.030.DD.2 allows the Planning Commission to waive the height limitations if it finds that feasible alternative locations or designs would also require such a waiver.

While the tower exceeds the 45-foot height limit imposed by its location in the R-1 Zone, there are no residential uses in the vicinity of the site. Verizon did explore alternative locations with Southern California Edison attempting to co-locate its antennas on an existing utility pole.

The Historic Landmarks Commission (HLC) requested revisions to the original tower design and the inclusion of a stucco wall covered by a suitable variety of vine to both minimize the visibility of the tower and ground equipment and render them more aesthetically palatable. The HLC was supportive of the increase in height over the 45-foot limit to compensate for the reduced efficiency resulting from enclosing the antennae inside the pole, and to improve the proportions of the tower. When the project returns to the HLC they will determine an appropriate color scheme for the tower and wall to minimize visibility from any public vantage points.

b. Health and Safety.

Noise levels are restricted in residential areas by SBMC §9.16.025. The equipment cabinets and enclosure wall would muffle any noise emissions to a level in compliance with the limit of 60 dB(A) CNEL at the property line. The setback from Channel Drive and existing mature vegetation may further reduce sound levels. There are no residential uses in the vicinity of the proposed cell tower site.

A Conditional Use Permit for a cell tower must protect the general public from excessive radiation and microwave exposure. The antennas would be located inside the top half of the pole, placing the lowest set 26 feet above ground level. This vertical separation and the seven-foot enclosure wall at ground level would prevent emission of radiation or microwaves above the standards set by the Federal Communications Commission.

B. GENERAL PLAN CONSISTENCY

A project requiring a CUP must be consistent with the policies of the City's General Plan. The site is designated as Parks/Open Space on the General Plan Map and is located in the East Beach Neighborhood. The General Plan policies relevant to this project address issues of visual quality, historic and archaeological resource protection, water resource protection and provision of public services. (For relevant General Plan Policies see Exhibit E.)

1. VISUAL QUALITY.

New development should preserve the existing character of neighborhoods and views. Policy PS1 is particularly relevant to this project stating that, "City services and facilities shall be built, maintained and operated in a manner to provide adequate services to all residents and coexist compatibly with surrounding land uses." The proposed cell tower is designed and sited on a vacant parcel amongst existing tall eucalyptus trees to minimize its visibility. Existing tall bushes will obscure ground-level views of the tower and its equipment enclosure. It does not block public views of the ocean or the mountains. The project is compatible with surrounding uses as this portion of the East Beach Neighborhood is removed from the beach and waterfront areas, and is non-residential in nature. No existing trees will be removed to accommodate the project.

2. WATER RESOURCES.

Policy ER16 lends policy support to the City's Storm Water Management Plan (SWMP). The proposed project complies with the Tier 3 SWMP requirements, retaining all storm water on-site and allowing it to percolate into the soil.

3. HISTORIC AND ARCHAEOLOGICAL RESOURCES.

The policies of the City's new Historic Resources Element advocate for protection and enhancement of both historic and archaeological resources and compatible siting and design of new development. While the 2.4-acre cemetery property is essentially vacant, the Charles Caldwell Park Watering Trough and Fountain is located on its western edge at the intersection of Cabrillo Blvd. and Channel Drive. The proposed project is sited at the eastern end of the parcel and is unlikely to be visible from the landmark due to existing topography and mature vegetation. A condition of approval requiring that a registered archaeologist monitor all excavation activities would satisfy the policy requirements to protect and preserve archaeological resources.

4. PUBLIC UTILITIES.

Several General Plan policies promote provision of telecommunications and other essential services for the benefit of business and residents, provided they are sited and designed to fit into their setting. As a result of the Historic Landmarks Commission's revisions to the project's design, the project is consistent with these policies.

C. LOCAL COASTAL PLAN CONSISTENCY

The project site is located within the Coastal Zone and thus must be found consistent with the City's Local Coastal Plan (LCP), which implements the California Coastal Act. The project is in Component Eight of the LCP, which includes the waterfront extending from Leadbetter Beach to East Beach, inclusive, and inland to Highway 101. The LCP states that the primary land uses of this area are public beaches or parks, and related visitor-serving uses. The major coastal issues identified for Component Eight include both fresh-water and marine environments including the Harbor and Mission Creek, coastal hazards of flooding tsunami or seiche, public access and recreation, visitor-serving uses, ocean-dependent uses of the harbor and wharf, visual quality, and provision of public services including circulation, transit and parking as related to public access to the shoreline. (For relevant Coastal Act and LCP policies, see Exhibit E.)

1. WATER AND MARINE ENVIRONMENT

LCP Policy 6.9 urges the use of best management practices to protect Santa Barbara's watersheds and marine environment. The proposed project complies with the City's Storm Water Management Program Tier 3 requirements for reduction, retention and treatment of storm water, by incorporating a three-foot wide drainage swale that wraps around the down-slope half of the equipment enclosure. The remainder of the lease site and access easement will be restored to its current natural earthen condition, upon the conclusion of construction.

2. VISUAL QUALITY

The parcel and project site are not visible from East Beach as they are separated by the hill occupied by the Santa Barbara Cemetery.

Policy 9.8 seeks to preserve the unique scenic and aesthetic qualities of Highway 101. While not located in the highway corridor itself, the project could potentially be seen from the highway. The unobtrusive monopole (to be painted an appropriate color as determined by the HLC) and vine-covered seven-foot wall will be partially obscured from the highway by existing eucalyptus trees along the Southern Pacific Railroad right-of-way. Neither the pole nor enclosure would obstruct views of the ocean as the ocean is not visible from Highway 101 at this point.

3. CULTURAL RESOURCES

Section 30251 of the Coastal Act requires the use of reasonable mitigation measures to protect archaeological resources. The proposed project does not impact any known archaeological resources identified in the area. As recommended in the project archaeological study, a registered archaeologist shall be on-site at all times during excavation.

As stated earlier, the proposed cell site would be located nearly 700 linear feet east of the Charles Caldwell Park Watering Trough and Fountain. The view of the cell tower site from the landmark would be at least partially obstructed by the distance, topography and existing mature vegetation.

4. PUBLIC SERVICES

The Coastal Act is primarily concerned that new utilities and public works (infrastructure) are not growth inducing such that visitor serving amenities or land uses would be precluded. The proposed project is located on a vacant parcel at the inland edge of the City's Coastal Zone next to the Southern Pacific railroad tracks and Highway 101, out of site from the City's waterfront and existing visitor serving land uses. Cell phones and internet service have become additional essential utilities over the last twenty years. Visitor accommodations and other tourist-related businesses often advertise internet availability. The proposed antennas would improve existing cellular and internet access.

VII. ENVIRONMENTAL REVIEW

Staff has determined that the proposed cellular communication facility (cell tower and ground cabinets), located at 900 Channel Drive, is Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303 (New Construction or Conversion of Small Structures). The footprint for the project is less than 1,000 square feet, and once installed, would not produce significant noise or create a significant hazard, or increase activity other than occasional maintenance visits by Verizon personnel.

VIII. DESIGN REVIEW

This project was reviewed by the Historic Landmarks Commission (HLC) on four separate occasions (meeting minutes are attached as Exhibit D). On October 24, 2012, the HLC granted

Concept Approval and referred the project to the Planning Commission stating that the monopole is the least intrusive design, the pole shall be removed if superseded by future installation, and the Commission shall review any application for co-location of another company's equipment on this site. On April 24, 2013, the HLC made the compatibility findings for the project and again forwarded it to the Planning Commission referencing its comments of October 24, 2012.

IX. FINDINGS

The Planning Commission finds the following:

A. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

1. The project is consistent with the policies of the California Coastal Act because it would not degrade the marine environment; nor would it block views to or from the ocean, waterfront or Highway 101; potential impacts to archaeological resources would be addressed by having a monitor on-site during excavation; and the improved cellular service would not induce non-visitor serving growth, as described in Section VI. C of the Staff Report.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Municipal Code. As discussed in Section VI.B. and C of this staff report, the cell tower and enclosure would not degrade coastal water resources, and is not visible from the beach or shoreline. It would not obstruct views of the ocean from Highway 101 and would be only partially and briefly visible from highway.

B. MODIFICATION OF THE FRONT SETBACK (SBMC§ 28.15.085)

The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The purpose of doubling the setbacks for non-residential uses in residential areas is to maintain the residential character. As discussed in Section VI.A.1, in this case there are no residential uses in the immediate vicinity of the site. Given the location and characteristics of the site, the proposed cell tower is consistent with the purpose and intent of the Zoning Ordinance and R-1 Zone requirements.

C. CONDITIONAL USE PERMIT (SBMC §§ 28.94.020; 28.94.030.DD.2)

1. *Any such use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements or objectives of the Comprehensive General Plan.*

The cell tower is essential and necessary to the public convenience for both residents and visitors to Santa Barbara, and, as discussed in Sections VI.B and C, is consistent with the policies of the Coastal Act, Santa Barbara Local Coastal Plan and the Santa Barbara General Plan. The proposed cell tower will not degrade the environment, the marine or fresh waters of the Coastal Zone, the historic landmark or archaeological resources, will not obstruct views to or from the beaches or the waterfront or from Highway 101 toward the coast, or induce inappropriate development in the Coastal Zone.

2. *Such uses will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved.*

As discussed in Section VI.A.2 above, the cell tower will not emit noise at the property line above the limit of 60 dB(A) CNEL as required by SBMC §9.16.025 for residential zones, or emit hazardous microwaves or radiation above levels (both current and future) established by the Federal Communications Commission.

As discussed in Section VI, because of the surrounding uses comprising the cemetery, railroad tracks and sanitation district, the small footprint of the cell tower and enclosure on a 2.4 acre parcel surrounded by mature bushes and trees, and the 20-foot setback behind the bushes and trees along Channel Drive, the proposed cell tower will not have a deleterious effect on the property values in the neighborhood.

3. *The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.*

As discussed in Section VI.A.1 above, the setback provided from Channel Drive is sufficient because of the generally non-residential character of the neighborhood and the existing mature trees and shrubs on the property.

4. *Adequate access and off-street parking including parking for guests is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time.*

As discussed in Section VI, the cell tower does not generate any on-site activity or traffic and there is adequate room for the occasional maintenance vehicle to park inside the access gate.

5. *The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area. The Planning Commission shall have the authority to approve the design of open space. Design shall mean size, shape, location and usability for proposed private, public, or quasi-public purposes and development. Approval of such open spaces may be expressly conditioned upon an offer of conveyance by the owner to the City of Santa Barbara of the development rights, the right to prohibit the construction of additional buildings, or other property rights, necessary to achieve the purposes set forth in this title.*

As discussed in Sections VI and VIII, the minimalist design of the tower and the vine-covered enclosure wall, which will be partially obscured by existing mature vegetation, is compatible with the area.

6. *Compliance with any additional specific requirements for a conditional use permit. The Planning Commission may impose such other conditions and restrictions upon the proposed use consistent with the Comprehensive General Plan and may require security to assure satisfactory performance of all conditions and restrictions.*

Additional specific requirements:

- a. *Shared Use of Support Structure.* The applicant had made a good faith effort to demonstrate that no existing or planned support structure, including an antenna tower, is available to accommodate the proposed antenna.

As discussed in Section IV, the applicant made a good faith effort to co-locate facilities with existing power facilities and demonstrated that no existing or planned support structure is available to accommodate the proposed antenna.

- b. *Site Size.* The site is of a size and shape sufficient to provide an adequate setback from the base of the antenna support structure to any property line abutting a residential use.

As discussed in Section VI.A, the location of the site, and its size and shape are sufficient to provide an adequate setback from the base of the antenna support structure to any property line abutting a residential use.

- c. *Visual Impact.* The project has been reviewed by the ... Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District The Commission may take action on the location of the antenna(s) on the site, color and size so as to minimize any adverse visual impacts by requiring that the antenna and its supporting structure be designed and placed so as to be as visually unobtrusive as feasible, taking into consideration technical engineering and other pertinent factors. The Planning Commission may grant a waiver from height limitations if it finds that no feasible alternative location or design would not require such a waiver.

The project has been reviewed by the Historic Landmarks Commission (HLC). As discussed in Section VIII, the Commission has determined the proposed cell tower and equipment enclosure is as visually unobtrusive as is feasible, and is compatible with the surrounding neighborhood. The HLC will decide on color and landscaping when the project returns to it for Project Design Approval so as to minimize any adverse visual impacts. The Planning Commission grants a waiver from height limitations because it finds that no feasible alternative location or design would not require such a waiver.

- d. *Non-ionizing Electromagnetic Radiation (NIER) Emissions.* Any new transmitters and/or antennas, when combined with existing sources of NIER emissions on or adjacent to the site and when operating as designed and licensed, shall not expose the general public to ambient radiation emissions with exceed American National Standards Institute (ANSI) C95.1-1992 standard (if the Federal Communications Commission (FCC) rulemaking committee adopts a revised standard, said standard shall apply).

As discussed in Section VI. A.2 and the Statement by Heammatt & Edison, Inc. dated June 3, 2011, (see Exhibit F) the antennas, will not expose the general public to ambient radiation emissions in excess of American National Standards Institute (ANSI) C95.1-1992 standard because of built-in safeguards, the location of the antennas well above ground level, the seven-foot enclosure wall, and the location of

the proposed cell tower remote from residential uses or areas frequented by members of the general public.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, August 8, 2013
- D. HLC Minutes
- E. Applicable General Plan and Local Coastal Plan Policies
- F. Statement of Hammett & Edison, Inc., Consulting Engineers

PLANNING COMMISSION CONDITIONS OF APPROVAL

900 CHANNEL DRIVE
COASTAL DEVELOPMENT PERMIT; CONDITIONAL USE PERMIT; FRONT SETBACK MODIFICATION
DECEMBER 12, 2013

I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner and occupant of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee.
3. Submit an application for and obtain a Building Permit (BLD) to perform rough grading. Comply with conditions in E. Construction Implementation Requirements.
4. Record any required documents (see B. Recorded Conditions Agreement section).
5. Building and Public Works Permits.
 - a. Submit an application for and obtain a Building Permit (BLD) for construction of approved development and complete said development.
 - b. Submit an application for and obtain a Public Works Permit (PBW) for all required public improvements and complete said improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Recorded Conditions Agreement.** The Owner shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on December 12, 2013 is limited to approximately 700 square feet of building area, a 50-foot mono-pole with internal antennae, and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Building Height Restriction.** The height of the mono-pole structure shall not exceed 50 feet above finished grade.
3. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Historic Landmarks Commission (HLC). Such plan shall not be modified unless prior written approval is obtained from the HLC. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the HLC, the owner is responsible for its immediate replacement.
 5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods become clogged or fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Historic Landmarks Commission (HLC). The HLC shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection and landscaping measures:
 - a. **Tree Protection.** All trees indicated on the approved site plan shall be preserved, and protected during construction, in accordance with any related Conditions of Approval. The trenches for the power and telephone lines shall be routed southward as far as possible from the base of the 64-foot eucalyptus tree, to avoid the tree's root structure.
 - b. All trees within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection, except as described in c. below.
 - c. No grading shall occur within three feet of the driplines of the existing trees, except as indicated on the grading plan for construction of the equipment enclosure/antennae pad and trenching for power/telephone lines.
 - d. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.
 - e. No heavy equipment, storage of materials or parking shall take place under the dripline of any mature trees.

2. **Landscape Screening.** Landscaping with low water use plants and a solid screen wall or fence shall be provided to screen the electrical equipment cabinets, as may be required by the Historic Landmarks Commission.
- D. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Community Development Department.**
 - a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition B “Recorded Conditions Agreement” to the Community Development Department prior to issuance of any building permits.
 - b. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the City’s Storm Water Management Requirements for treatment, rate and volume. The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City’s Storm Water Management Requirements. Project plans for grading, drainage, storm water facilities and treatment methods, and project development, shall be subject to review and approval by the City Building & Safety Division. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants including, but not limited to hydrocarbons or groundwater pollutants would result from the project.
 - c. **Archaeological Monitoring Contract.** Submit a contract with an archaeologist from the most current City Qualified Archaeologists List for monitoring during all ground-disturbing activities associated with the project, including, but not limited to, grading, excavation, trenching vegetation or paving removal and ground clearance in the areas identified in the Phase 1 Archaeological Resources Report prepared for this site by EBI Consulting, dated September 27, 2013. The contract shall be subject to the review and approval of the Environmental Analyst.

The archaeologist’s monitoring contract shall include the provisions identified in condition D.1.d “Requirement for Archaeological Resources” below.

- d. **Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

- e. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.
1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractors names, contractors' telephone numbers, construction work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
 2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
 3. **Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:
 - a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
 - b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - c. If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
 - e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
 - f. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution

Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

- g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- h. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- i. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
- j. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- k. If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- l. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- m. All construction equipment shall be maintained in tune per the manufacturer's specifications.
- n. The engine size of construction equipment shall be the minimum practical size.

F. **Prior to Final Inspection.** Prior to performance of the Final Inspection by Building & Safety staff, the Owner of the Real Property shall complete the following:

- 1. **Restore Damaged/Disturbed Earth.** Upon completion of construction, all land disturbed during construction that is not within the equipment enclosure or part of the storm water drainage swale shall be restored to its pre-construction condition and permeability.
- 2. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

3. **Archaeological Monitoring Report.** A final report on the results of the archaeological monitoring shall be submitted to the Planning Division within 180 days of completion of the monitoring or prior to performance of the Final Inspection, whichever is earlier.

G. General Conditions.

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
2. **Approval Limitations.**
 - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
 - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
 - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
3. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid at time of building permit application.
4. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing

contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

II. NOTICE OF CONDITIONAL USE PERMIT and MODIFICATION APPROVAL TIME LIMITS: The Planning Commission action approving the Conditional Use Permit and Modifications, shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

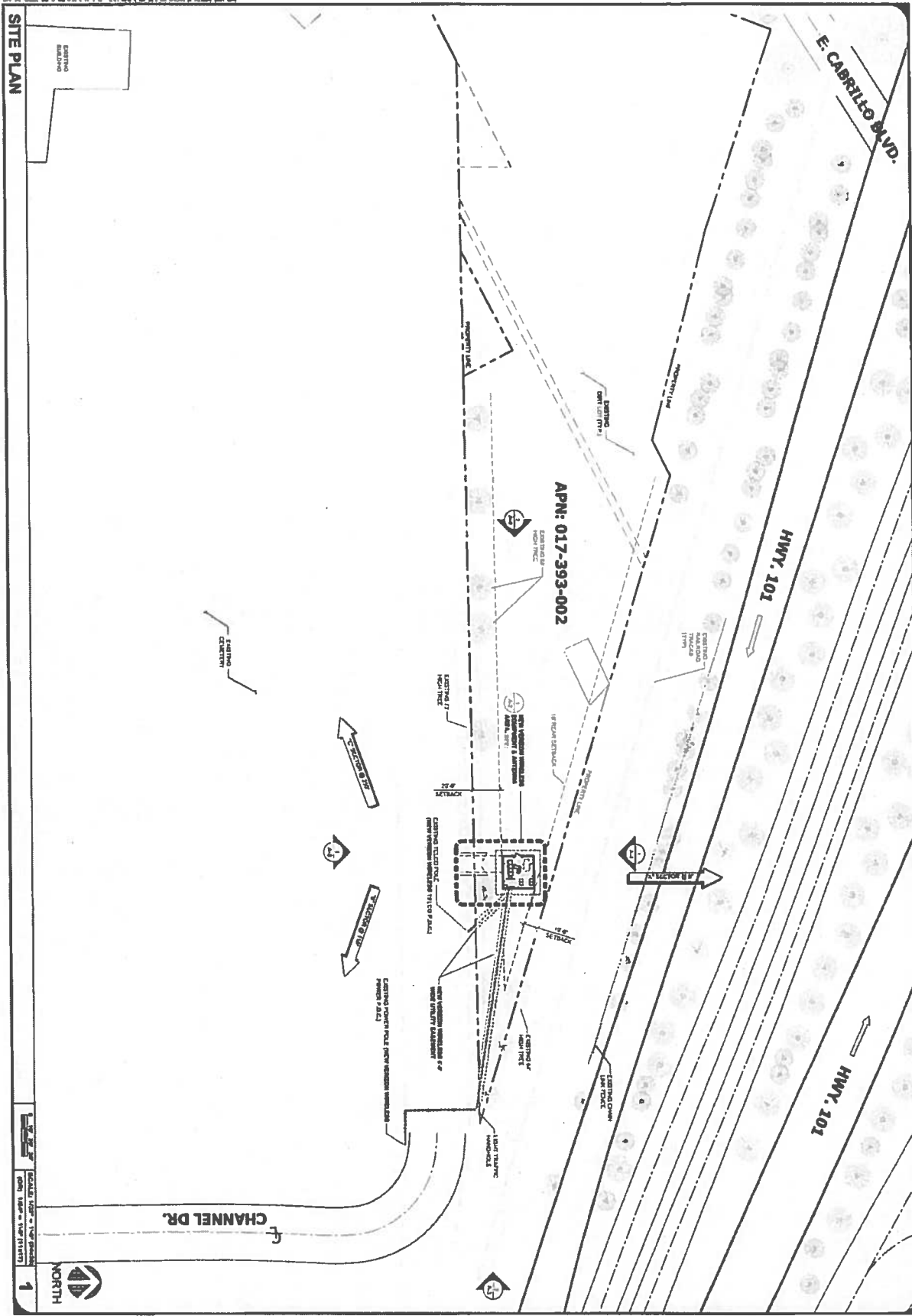
III. NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

IV. NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.



SITE PLAN

SCALE: 1" = 100'
 DATE: 12/11/11

1

A-1

SHEET TITLE:
SITE PLAN

PSL # 115168
SANTA BARBARA CEMETERY
 900 CHANNEL DRIVE
 SANTA BARBARA CA, 93103



verizonwireless
 2785 MITCHELL DRIVE, BLDG 9
 WALNUT CREEK, CA 94598

PROFESSIONAL REGISTRATION
 STATE OF CALIFORNIA
 CIVIL ENGINEER
 NO. 41878
 JOHN J. WILKINS

WILKINS ENGINEERING GROUP
 1000 WILSON AVENUE
 SUITE 100
 SANTA BARBARA, CA 93101
 (805) 965-1111

NO.	DATE	DESCRIPTION
01	12/11/11	ISSUE FOR PERMITTING

EXHIBIT B



RECEIVED
AUG 08 2013
verizon wireless -

City of Santa Barbara
Planning Division
Attn: Peggy Burbank

CITY OF SANTA BARBARA
PLANNING DIVISION

Re: DART Submittal 900 Channel Dr, MST2011-00246; APN: 017-393-002

Ms. Burbank,

Enclosed please find the following as requested in your DART Comments letter dated 4-13-13:

1. Setbacks. Per your request the required 30ft setback is shown on page A-1 of the attached drawings. However we are requesting a setback reduction to 20ft as part of this application.
2. There will be very minimal ground disturbance for the proposed project. The depth for our utility trenching will be 3ft for the power connection and 24" for the telco connection as illustrated on the attached site plans (page A-1). There will be 30 cubic yards of soil extraction for the proposed tower footing and the spoils will be redistributed on site. There is no grading proposed for the equipment pad or proposed wall.
3. Please find 13 color copies of the Archeological survey that was completed for this project by a City approved vendor and a submittal cover sheet. The report shows no areas of concern for the project.
4. Findings: There are no existing or proposed facilities in the vicinity of this project for location of the proposed antennas. The size of the pole has been reduced 20ft to ensure the size of the project is adequate for the land use. The reduction in setback from 30f to 20ft will assist to screen the proposed facility by utilizing the existing Eucalyptus trees. In addition, we will work with the HLC on paint color of the proposed pole to ensure the best option. The associated equipment will not be visible behind the existing border vegetation as well as a proposed perimeter wall. The site is compliant with all FCC guidelines as they pertain to NIER as stated in the attached report.
5. The project received its Design Review Compatibly Findings from HLC on April 24th, 2013.
6. Please see attached photos from Highway 101. The project will be barely visible and is can only be seen when stopped on the highway.
7. Application contents: I apologize for any discrepancies in the original application material. Please note that this project is requesting a modification is for a front yard setback reduction from 30ft to 20ft and a waiver from the Planning Commission for the height. The note on the C-2 page has been removed as it was an old note that does not apply to the project as proposed.
8. Please see attached spec sheets for the noise levels for the generator unit as well as the equipment cabinets that are shown on the A-5 page.
9. The site will be utilize the existing access gate and unpaved road and the access gate has been moved 20ft off the roadway to allow for vehicle turnout. No new road improvements are proposed. All is illustrated on the A-2 page.
10. There are no plans to reduce the fence or hedge height, so this application will also contain a modification request for retaining the existing fence and hedge.
11. Please find attached arborist report
12. Please find attached hydrology report.]

If you have any questions please call me at 805-448-4221.

Thank You,

Tricia Knight

EXHIBIT C

CONCEPT REVIEW - CONTINUED

5. 900 CHANNEL DR

R-1/SD-3 Zone

(2:55)

Assessor's Parcel Number: 017-393-002
Application Number: MST2011-00246
Owner: Santa Barbara Cemetery Association
Applicant: Tricia Knight
Architect: SAC Wireless

(Proposal for the installation of a new wireless communications facility consisting of nine panel cellular antennas on a new 50 foot tall tower pole structure and new ground-mounted equipment in a 700 square foot walled enclosure. An alternative design would be to conceal the tower inside a monopole. Planning Commission review is requested for a Conditional Use Permit, a Coastal Development Permit, and a zoning modification. This parcel contains a City Landmark: "Charles Caldwell Park Watering Trough and Fountain.")

(Compatibility Criteria Analysis only; project requires Environmental Assessment, Planning Commission review, and Findings of No Visual Impact. Project was last reviewed on October 24, 2012.)

Actual time: 3:22 p.m.

Staff comments: Susan Gantz, Planning Technician, stated that the Criteria Analysis was inadvertently omitted at the last review and requested the HLC Comment with respect to the Compatibility Criteria Analysis.

Motion: The Commission has reviewed the proposed project and Compatibility Analysis Criteria have been generally met for this project (per SBMC 22.22.145.B. and 22.68.045.B.) as follows:

1. Based on previous comments, the project design is acceptable because the applicant has pursued a design in its simplicity to minimize the impacts of the installation. The monopole is the least intrusive design.
2. The project size, mass, bulk, height, and scale is appropriate for its location and neighborhood.
3. The project design is appropriately sensitive to adjacent to Federal, State, or City Landmarks or other nearby designated historic resources, including City structures of merit, sites, or natural features.
4. Public views of the ocean and mountains are not greatly impacted.
5. Appropriate amount of open space and landscaping are sufficient.
6. Carry forward previous comments to the Planning Commission.

Action: La Voie/Shallanberger, 7/0/0. (Murray/Suding absent.) Motion carried.

PROJECT DESIGN REVIEW**7. 653 MISSION CANYON RD** E-1 Zone

(3:40) Assessor's Parcel Number: 023-272-002
 Application Number: MST2012-00363
 Owner: Santa Barbara Museum of Natural History
 Applicant: Suzanne Elledge Planning & Permitting Services
 Architect: Edgar Sands

(Revised project. Foundation work no longer proposed. Proposal for repairs and alterations to an existing 2,343 square foot single-family residence. Demolition of an existing 60 square foot bathroom, enclosing a 104 square foot existing deck, repair and/or rebuild existing steps and railings, extend some of the decks, and alterations to existing doors and windows. The total square footage on this site will be 2,423 square feet on a 1.55 acre parcel. The guideline floor-to-lot-area ratio (FAR) is .053 or 66% of the maximum FAR.)

(Request Final Approval of revised project with reduced scope of work.)

Actual time: 3:37 p.m.

Present: Edgar Sands, Architect
 Trish Allen, Senior Planner, SEPPS

Public comment opened at 3:43 p.m. and, with no one wishing to speak, it was closed.

Motion: Project Design and Final Approvals as submitted.
Action: Boucher/La Voie, 6/0/0. Motion carried. (Drury/Murray/Shallanberger absent.)

**** THE COMMISSION RECESSED FROM 3:46 P.M. TO 3:55 P.M. ****

CONCEPT REVIEW - CONTINUED**8. 900 CHANNEL DR** R-1/SD-3 Zone

(4:00) Assessor's Parcel Number: 017-393-002
 Application Number: MST2011-00246
 Owner: Santa Barbara Cemetery Association
 Applicant: Tricia Knight
 Architect: SAC Wireless

(Proposal for the installation of a new wireless communications facility consisting of nine panel cellular antennas on a new 45 foot tall tower pole structure concealed as an artificial eucalyptus tree and new ground-mounted equipment in a 700 square foot walled enclosure. An alternative design would be to conceal the tower inside a monopole. Planning Commission review is requested for a Conditional Use Permit, a Coastal Development Permit, and a zoning modification. This parcel contains a City Landmark: "Charles Caldwell Park Watering Trough and Fountain.")

(Fourth Concept Review. Comments only; project requires Environmental Assessment, Planning Commission review, and Findings of No Visual Impact. Project was last reviewed on October 10, 2012.)

Actual time: 3:55 p.m.

Present: Tricia Knight, Agent for Verizon Wireless

Public comment opened at 3:59 p.m. and, with no one wishing to speak, it was closed.

Motion: Continued indefinitely with comments to the Planning Commission:

1. The Commission would like to make it clear to the Planning Commission that any future company that wishes to co-locate at this site shall present the proposal to the HLC for review.
2. In the future, this pole shall be removed if other installations supersede this pole's equipment.
3. The applicant has pursued a design in its simplicity to minimize the impacts of the installation. The monopole is the least intrusive.
4. A faux tree or artificial vines are not acceptable.
5. Graffiti-proof the wall to the extent possible. A vine on the wall may be the best graffiti solution, which would require a temporary water tank.
6. The applicant shall implement a maintenance program for graffiti removal during vine establishment.
7. All antennae need to be enclosed within the pole.
8. Increase the height of the wall to screen the equipment enclosed.
9. Eliminate the fenestration on the wall.
10. The color of the pole and wall will require HLC review.

Action: La Voie/Sharpe, 6/0/0. Motion carried. (Drury/Murray/Shallanberger absent.)

CONSENT CALENDAR

REVIEW AFTER FINAL

A. 35 STATE ST

HRC-2/SD-3 Zone

Assessor's Parcel Number: 033-102-004
 Application Number: MST97-00357
 Applicant: Michael Rosenfeld
 Agent: Ken Marshall
 Architect: DesignARC, Inc.
 Landscape Architect: Suding Design
 Engineer: Penfied & Smith Engineers, Inc.

(Proposal for a mixed-use development, Entrada de Santa Bárbara, involving the private redevelopment of portions of three blocks of properties located at 35, 36, and 118 State Street. The proposal includes 114 hotel units, nine timeshare units, 21,654 square feet of commercial floor area, and 243 underground and on-grade parking spaces.)

(Review After Final of changes to approved crosswalk material and light fixtures on Helena Avenue. Project was last reviewed by the Full Board on September 26, 2012.)

Approval of Review After Final as submitted.

CONCEPT REVIEW - CONTINUED

5. **900 CHANNEL DR** R-1/SD-3 Zone

(2:30) Assessor's Parcel Number: 017-393-002
 Application Number: MST2011-00246
 Owner: Santa Barbara Cemetery Association
 Applicant: Tricia Knight
 Architect: SAC Wireless

(Proposal for the installation of a new wireless communications facility consisting of nine panel cellular antennas on a new 45 foot tall tower pole structure concealed as an artificial eucalyptus tree and new ground-mounted equipment in a 700 square foot walled enclosure. An alternative design would be to conceal the tower inside a monopole. Planning Commission review is requested for a Conditional Use Permit, a Coastal Development Permit, and a zoning modification. This parcel contains a City Landmark: "Charles Caldwell Park Watering Trough and Fountain.")

(Thrd Concept Review. Comments only; project requires Environmental Assessment, Planning Commission review, and Flndings of No Visual Impact. Project was last reviewed on September 26, 2012.)

Actual time: 2:38 p.m.

Present: Tricia Knight, Agent for Verizon Wireless

Jaime Limón, Design Review Supervisor, gave a background in the processing of wireless applications and explained the Commission's primary purview was to work with the applicant to reduce the visual impacts on the community. He further explained that the application will be forwarded to the Planning Commission for a Coastal Development Permit because of its location within the Coastal Zone.

Straw votes: How many Commissioners would support the monopole with the exposed antenna at 50 feet? 3/3 (Boucher/Orias/Suding opposed).

How many Commissioners would support the column with the capital at 45 feet? 2/4 (Boucher/Drury/Murray/Suding opposed).

How many Commissioners would support the monopole painted green at 50 feet with no exposed antenna? 6/0.

How many Commissioners would support the faux tree at 58 feet with the condition that the leaves should be replaced periodically? 2/4 (Boucher/Drury/Murray/Suding opposed).

Motion: Continued two weeks with comments:

1. The Commission prefers the monopole painted green at 50 feet with no exposed antenna.
2. Lower the height of the overall wall by eliminating the 2 foot plinth.
3. Study the wall capitals and breakups so that they read more traditional.
4. Eliminate the stair.
5. Provide details.
6. There should be a condition for removal of the pole as technology eventually makes it obsolete.

Action: Boucher/Shallanberger, 6/0/0. Motion carried (La Voie/Sharpe/Winick absent.)

CONCEPT REVIEW - CONTINUED**5. 900 CHANNEL DR**

R-1/SD-3 Zone

(3:00)

Assessor's Parcel Number: 017-393-002
Application Number: MST2011-00246
Owner: Santa Barbara Cemetery Association
Applicant: Tricia Knight
Architect: SAC Wireless

(Proposal for the installation of a new wireless communications facility consisting of nine panel cellular antennas on a new 58 foot tall tower pole structure concealed as an artificial eucalyptus tree and new ground-mounted equipment in a 700 square foot walled enclosure. An alternative design would be to conceal the tower inside a monopole. Planning Commission review is requested for a Conditional Use Permit, a Coastal Development Permit, and a zoning modification. This parcel contains a City Landmark: "Charles Caldwell Park Watering Trough and Fountain.")

(Second Concept Review. Comments only; project requires Environmental Assessment and Planning Commission approval. Project was last reviewed on July 20, 2011.)

Actual time: 3:00

Present: Tricia Knight, Agent
Dwayne Bonham, Radio Frequency Engineer

Public comment opened at 3:09 p.m. and, with no one wishing to speak, it was closed.

An email from Mary Louise Days, local historian, was acknowledged by Chair Suding.

Motion: Continued two weeks with the following comments:

1. A shorter utility pole would be more appropriate.
2. A single pole may be acceptable.
3. The *faux* tree is not acceptable.
4. There should be a condition for removal of the pole as technology eventually makes it obsolete.
5. Provide other locations in the area where the facility could be sited.
6. Consider designing a capitol for the top of the pole.
7. Simplify the top of the enclosure.
8. Taper the pole.
9. Provide photographs of other monopoles in Santa Barbara County.
10. Provide photographs of equipment site from the historic resource, including a view of the historic resource in that photograph.
11. Signage at the historic resource is not appropriate.

Action: Winick/Boucher, 7/0/0. Motion carried. (Murray/Shallanberger absent.)

**** THE COMMISSION RECESSED FROM 3:28 P.M. TO 3:40 P.M. ****

REGULAR MEETING

PRESENTATION ITEM

3. ARTIFICIAL TREE CONCEALMENT STRUCTURE MATERIALS

(5:10) Presenter: Rienk Ayers, Manager of AyerTel Communications
(Presentation of artificial tree concealment structure materials for cell towers.)

Present: Rienk Ayers, Manager of AyerTel Communications

Discussion held.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

4. 900 CHANNEL DR

R-1/SD-3 Zone

(5:39) Assessor's Parcel Number: 017-393-002
Application Number: MST2011-00246
Owner: Santa Barbara Cemetery Association
Applicant: Tricia Knight
Architect: Sac Wireless

(This parcel contains a **City Landmark: "Charles Caldwell Park Watering Trough and Fountain."** Proposal for the installation of a new wireless communications facility consisting of nine panel cellular antennas on a new 58 foot tall tower pole structure concealed as an artificial pine tree and new ground-mounted equipment in a 700 square foot walled enclosure. An alternative design would be to conceal the tower as an artificial Eucalyptus tree. Planning Commission review is requested for a Conditional Use Permit, a Coastal Development Permit, and a zoning modification to allow the project to encroach into the front setback on Channel Drive.)

(Comments only; project requires Environmental Assessment and Planning Commission review.)

Present: Tricia Knight, Applicant

Public comment opened at 5:49 p.m.

Kellam de Forest, local resident, commented on the use of plastic for concealment.

Public comment closed at 5:50 p.m.

Motion: Continued indefinitely with the following comments:

1. The proposed design is not compatible with El Pueblo Viejo Design Guidelines, the architecture of the adjacent building, and the character of the neighborhood; and it is not sensitive to historic landmarks and adjacent resources.
2. The Commission would entertain other design alternatives.

Action: Sharpe/Boucher, 7/0/0. (Drury absent.) Motion carried.

900 Channel Drive Cell Tower Project General Plan and Coastal Plan Policies

California Coastal Act

Section 30244 Archaeological or paleontological resources

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30251 Scenic and visual qualities

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30254 Public works facilities

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Santa Barbara Local Coastal Plan

Component 8: The Waterfront (from Leadbetter Beach to the east end of East Beach)

General Policies

Policy 1.1. The City adopts the policies of the Coastal Act (Public Resources Code Sections 30210 through 30263) as the guiding policies of the land use plan.

Policy 1.2. When policies in the land use plan overlap, the policy which is the most protective of resources, i.e. land, water, air, etc., shall take precedence.

Policy 1.3. Where there are conflicts between the policies set forth in the land use plan and those set forth in any other element of the City's existing General Plan or existing regulations, the policies of the land use plan take precedence.

Water and Marine Environments

Policy 6.9. The City shall support the programs, plans, and policies of all governmental agencies, including those of the Regional Water Quality Control Board with respect to best management practices for Santa Barbara's watersheds and urban areas.

Policy 6.14. Development adjacent to the Andree Clark Bird Refuge shall be designed and constructed in such a manner as to be compatible in terms of building location, character

and intensity. Furthermore, new development in this area shall protect, and, where feasible, enhance the sensitive habitat of the Andree Clark Bird Refuge, specifically addressing issues of drainage, traffic, noise and aesthetics.

Visual Quality

Policy 9.8. The City shall seek to preserve the unique scenic and aesthetic quality of Highway 101.

Cultural Resources

Policy 10. 4. Any proposed changes to the Cabrillo Blvd/Hot Springs Road/Coast Village Road interchange shall minimize changes to the location, setting or context of the C.C. Park Watering Trough and Fountain.

Santa Barbara General Plan

Economic and Fiscal Health Element

EF9. Infrastructure Improvements. Identify, evaluate and prioritize capital improvements that would assist in business retention or expansion, such as increased public transit, a rail/transit transfer center, city-wide wi-fi, sidewalk improvements, or consolidated customer parking facilities.

Historic Resources Element

HR1. Protect Historic and Archaeological Resources. Protect the heritage of the City by preserving, protecting and enhancing historic resources and archaeological resources. Apply available governmental resources, devices and approaches, such as the measures enumerated in the Land Use Element of this Plan, to facilitate their preservation and protection.

HR2. Ensure respectful and compatible development. Seek to ensure that all development within the City respects rather than detracts from individual historic and archaeological resources as well as the neighborhood and the overall historical character of the city. Assure compatibility of development, respect for the historical context of historical resources, and consideration of sustainable design alternatives where compatible.

Environmental Resources Element

ER11. Native and Other Trees and Landscaping. Protect and maintain native and other urban trees, and landscaped spaces, and promote the use of native or Mediterranean drought-tolerant species in landscaping to save energy and water, incorporate habitat, and provide shade.

ER16. Storm Water Management Policies. The City's Storm Water Management Program's policies, standards and other requirements for low impact development to reduce storm water run-off, volumes, rates, and water pollutants are hereby incorporated into the General Plan Environmental Resources Element.

ER24. Visual Resources Protection. New development or redevelopment shall preserve or enhance important public views and viewpoints for public enjoyment, where such protection would not preclude reasonable development of a property.

Conservation Element

4.0 Trees enhance the general appearance of the City's landscape and should be preserved and protected.

Circulation Element

- 16.6 Ensure adequate telecommunication and cable services are provided to meet the needs of Santa Barbara residents and businesses.
- 16.7 Ensure that utility and transportation facilities are well maintained and located, so as not to impede pedestrians or traffic, and are aesthetically pleasing.

Safety and Public Services Element

- PS1. City Services and Facilities. City services and facilities shall be built, maintained and operated in a manner to provide adequate services to all residents and coexist compatibly with surrounding land uses. (To be relocated to Economy and Fiscal Health Element, 12/10/2013.)

**Verizon Wireless • Proposed Base Station (Site No. 115168 “Santa Barbara Cemetery”)
1 Hot Springs Road • Santa Barbara, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 115168 “Santa Barbara Cemetery”) proposed to be located at 1 Hot Springs Road in Santa Barbara, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

Executive Summary

Verizon proposes to install directional panel antennas on a tall steel pole, configured to resemble a pine tree, to be located at 1 Hot Springs Road in Santa Barbara. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.35	0.47
[most restrictive frequency range]	30–300	1.00	0.20

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the

HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

RECEIVED
AUG 08 2013

H3NR
Page 1 of 3

CITY OF SANTA BARBARA
PLANNING DIVISION

**Verizon Wireless • Proposed Base Station (Site No. 115168 “Santa Barbara Cemetery”)
1 Hot Springs Road • Santa Barbara, California**

antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

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

Site and Facility Description

Based upon information provided by Verizon, including zoning drawings by SAC Wireless, dated July 13, 2010, it is proposed to install nine Andrew directional panel antennas – six Model LNX-6512DS-VTM and three Model HBX-6516DS-VTM – on a new 55-foot steel pole, configured to resemble a pine tree, to be located between Channel Drive and the railroad tracks alongside US Highway 101 in Santa Barbara, north of the Santa Barbara Cemetery, located at 901 Channel Drive. The antennas would be mounted with up to 6° downtilt at effective heights of about 42 and 49 feet above ground and would be oriented in groups of three (two LNX and one HBX) toward 0°T, 100°T, and 260°T. The maximum effective radiated power in any direction would be 7,100 watts, representing simultaneous operation at 4,670 watts for PCS, 2,030 watts for cellular, and 400 watts for 700 MHz service. There are reported no other wireless telecommunications base stations at the site or nearby.

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation is calculated to be 0.019 mW/cm², which is 3.3% of the applicable public exposure limit. The maximum calculated level at any nearby building would be 5.8% of the public exposure limit. The maximum calculated level measure at the second-floor elevation of any nearby residence* is 0.73% of the applicable public limit. It should be noted that these results include several “worst-case”

* Located at least 650 feet away, based on aerial photographs from Google Maps

**Verizon Wireless • Proposed Base Station (Site No. 115168 "Santa Barbara Cemetery")
1 Hot Springs Road • Santa Barbara, California**

assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

No Recommended Mitigation Measures

Due to their mounting locations, the Verizon antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. It is presumed that Verizon will, as an FCC licensee, take adequate steps to ensure that its employees or contractors comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the base station proposed by Verizon Wireless at 1 Hot Springs Road in Santa Barbara, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2013. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



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

707/996-5200

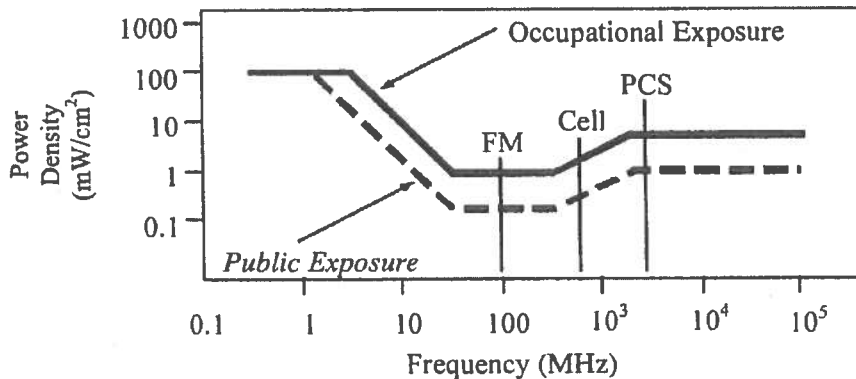
June 3, 2011

FCC Radio Frequency Protection Guide

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

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

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



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



RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

Near Field.

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

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

where θ_{BW} = half-power beamwidth of the antenna, in degrees, and

P_{net} = net power input to the antenna, in watts,

D = distance from antenna, in meters,

h = aperture height of the antenna, in meters, and

η = aperture efficiency (unitless, typically 0.5-0.8).

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

Far Field.

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

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm²,

where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.



