



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
FROM: Brian Foote, Associate Planner
DATE: December 17, 2009
SUBJECT: Planning and Zoning Permit No. 09-550-11 (Major Modification to Special Use Permit).

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 09-550-11 for a Major Modification to Special Use Permit No. 96-500-41, subject to the previously adopted findings and conditions.
- 2) **Project Description and Applicant:** A request to modify a condition of the approved project to extend the expiration date to October 3, 2019, for a monopole wireless telecommunications facility on the campus of Hueneme High School located at 500 W. Bard Rd. No new development or changes to the existing monopole facility are proposed as part of this request. The proposal is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Core Communications, 2903 Saturn St., Brea CA 92821, on behalf of TowerCo, 5000 Valleystone Drive, Cary NC 27519.
- 3) **Existing & Surrounding Land Uses:** The subject site is the Hueneme High School campus, with wireless antennas mounted on a light tower adjacent to the track and football field.

Project Site	Zoning	General Plan	Community Plan
Project Site	R-2	SCH	Hueneme High School
North	R-1	RL	Single-Family Residential Neighborhood
South	R-1 & R-3	RL	Single-Family Residential Neighborhood
East	R-1	RL	Single-Family Residential Neighborhood
West	R-1	RL	Single-Family Residential Neighborhood

- 4) **Background Information:** The subject property is the campus of Hueneme High School, approximately 30 acres in total size, and has been a school site since 1959. On October 3, 1996, Planning Commission Resolution No. 96-17 approved Special Use Permit No. 96-500-41 for a 96-foot high monopole facility with attached flood lights to illuminate the adjacent athletic field. Minor Modification No. 04-140-28 was approved on May 13, 2004, for an increase in the

equipment pad area. On October 12, 2006, additional antennas were approved with Administrative Wireless Permit No. 06-230-09.

A second and independent wireless site is located on the opposite (south) side of the football field. On December 5, 2002, Planning Commission Resolution No. 2002-104 approved Special Use Permit No. 02-530-03 for non-stealth wireless antennas mounted on an existing light pole behind the bleacher seating.

- 5) **Environmental Determination:** In accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, projects within Existing Facilities that involve “no expansion of use beyond that existing at the time of the Lead Agency’s determination” may be found to be exempt from the requirements of CEQA. This proposal involves a modification of the Conditions of Approval, with no expansion or intensification of the existing use or facilities. Staff has determined that there is no substantial evidence that the project may have a significant effect on the environment. Therefore, staff recommends that the Planning Commission accept the Notice of Exemption (Attachment C).
- 6) **Analysis:** No new development or change to the existing operation is proposed as part of the Major Modification request. The applicant will continue to utilize the monopole and equipment without any expansion or intensification of the existing use. The applicant requests a 10-year extension of time, and that the monopole be permitted to remain at its existing height of 96 feet for the purpose of maintaining the current coverage area and service level.

Staff recommends extending the expiration date of the Special Use Permit to October 3, 2019, at which time the need may be evaluated for pole or antenna replacement if new technology exists. At the time of original approval in 1996, wireless technology was widely perceived as new, and staff believed that the towers would become smaller as the technology continued to evolve. A condition of approval included a time limit and required the future approval of an extension of time, under the assumption that the technology would progress and become available in the future. At this time, however, replacement with a lower pole would cause a reduction in range and customer service area (i.e. gaps in service coverage area or reception). Antenna technology is unchanged since the time of original approval, although methods of disguising and creating “stealth” sites have progressed significantly. The current pole is very similar in appearance to numerous other light poles (approximately 80 feet high) around the athletic fields.

The likely result of reduced pole height would be requests for additional monopoles in that area of the City. According to the applicant, a cellular network consists of interdependent poles, where mobile calls are transferred between poles as the customer moves around the City. Where gaps in coverage exist, the result for the customer is a “dropped” or terminated call. The applicant has submitted propagation maps illustrating the coverage area with the existing pole, a pole at half its current height, and no pole. The maps show that service coverage gaps would occur with less height. The applicant would return in ten years to request either a minor or major modification that would extend the time for expiration or reduce the height of the monopole and antenna size based on the latest available technological advances for such uses.

7) Development Advisory Committee: As no development is proposed as part of this request, there was no need for the Development Advisory Committee (DAC) to review this application.

8) Community Workshop: On November 4, 2009, the applicant mailed notices of the Community Workshop meeting to all property owners within the Five Points Northeast neighborhood. A sign was posted on the project site 10 days prior to the meeting. No residents from the Five Points Northeast neighborhood attended the meeting on November 16, 2009.

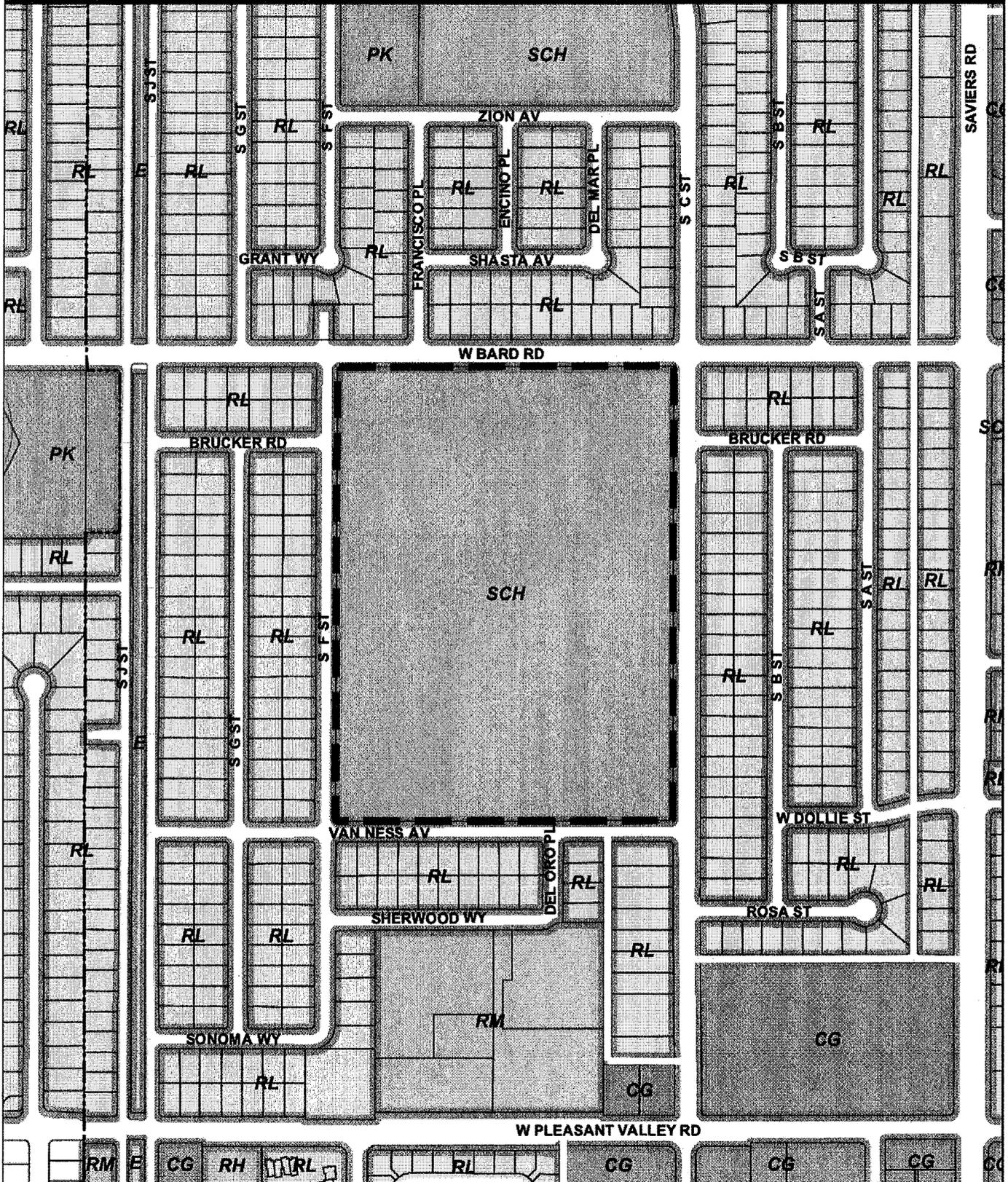
Appeal Procedure: In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal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

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolution

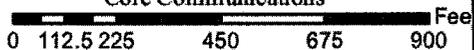
Prepared by: <u>BF</u> BF
Approved by: <u>SM</u> SM

General Plan Map



Oxnard Planning
November 18 2009

PZ 09-550-11
Location: 500 W Bard Rd
APN: 205012027
Core Communications

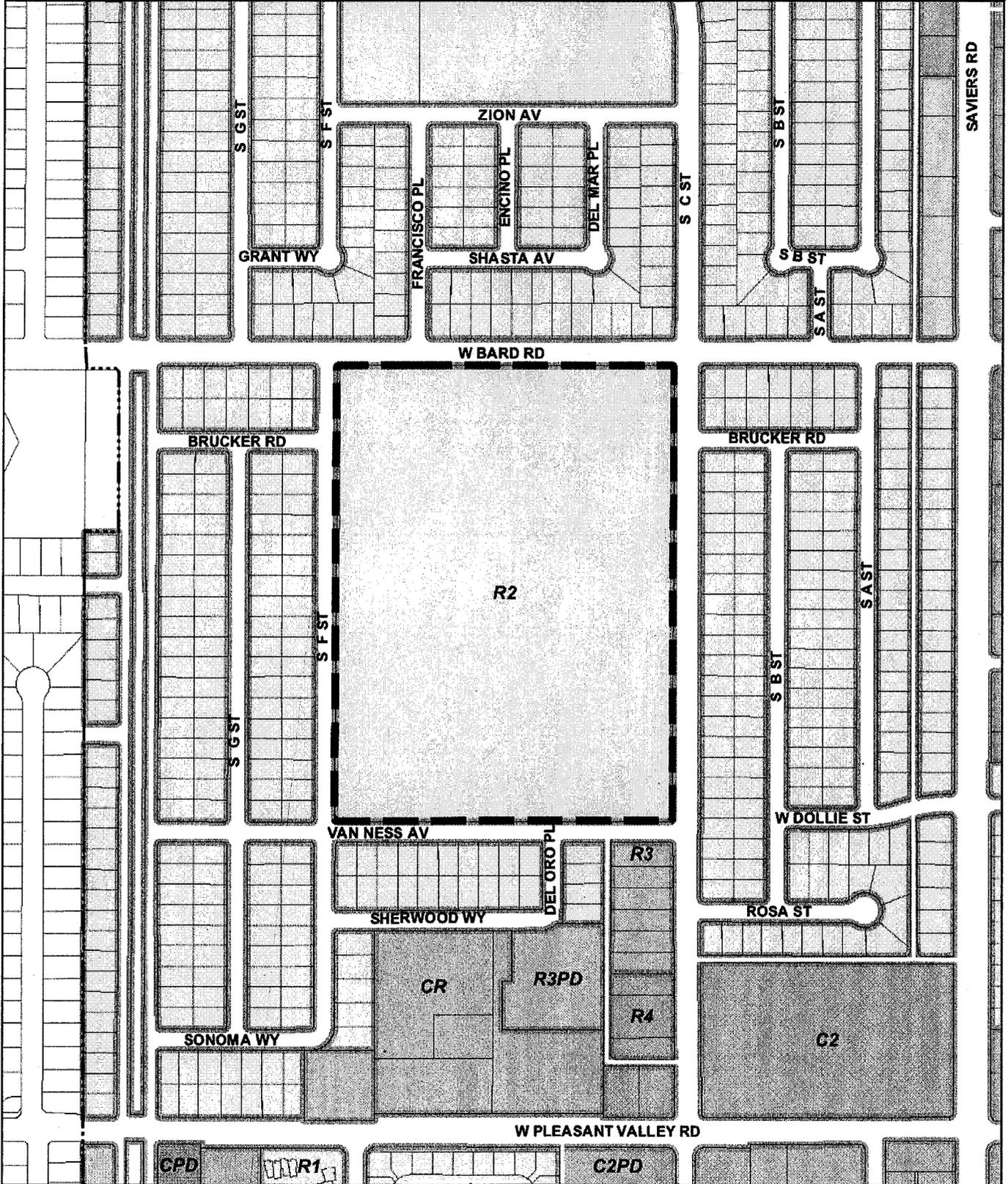


General Plan Map



1:4,728

Zone Map



Oxnard Planning
November 18, 2009

PZ 09-550-11
Location: 500 W Bard Rd
APN: 205012027
Core Communications



Zone Map



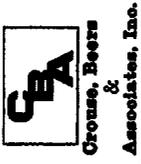
1:4,746

NEXTEL

NEXTEL COMMUNICATIONS
SITE NUMBER

642A

ZONING DRAWINGS



Crouse, Beers & Associates, Inc.
1700 Harbor Avenue, Suite 104
Irvine, California 92714
949-451-3040
Fax: 949-451-3222

PROJECT NO: DR
SITE: MAR 29, 1998
PROJECT NAME: RMB



NEXTEL COMMUNICATIONS
624 S. GARDEN ST., SUITE 100
LOS ANGELES, CA 90017
TEL: (213) 312-3222
FAX: (213) 312-3220

APPROVED BY: [Signature]
DATE: 4/22/98
REVISIONS: [Signature]
DATE: 4/22/98
DATE: 4/22/98

SITE NUMBER: 642A
SITE ADDRESS: FORT HENRIE 600 BAY RD. FORT HENRIE, CA
SHEET TITLE: [Blank]

TITLE SHEET
SHEET NUMBER: 1 of 3
T-1

File: 642A
Site #: 642A
Section: 03
Date: 4-22-98

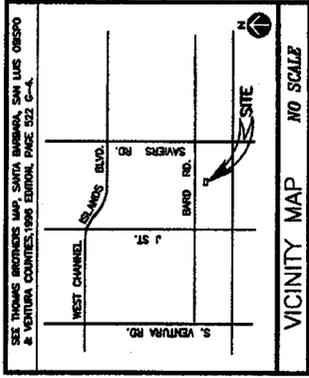
RECEIVED
PLANNING DIVISION
CITY OF OXFORD

DATE	ISSUED BY:	DESCRIPTION
1. 2/24/98	DR	NEXTEL REVIEW
2. 11/19/98	DR	NEXTEL REVIEW

DATE	ISSUED BY:	DESCRIPTION

COUNT	SHEET NO.	SHEET TITLE
1	T-1	TITLE SHEET
2	C-1	SITE SURVEY DATA SITE PLAN, ENLARGED SITE PLAN ELEVATIONS, ANTENNA CONFIGURATION PLAN, ANTENNA ADMIN DETAIL
3	C-2	

SHEET INDEX



SCOPE OF WORK: SITE NO. 642B
THIS IS AN UNIMPROVED COMMUNICATION FACILITY FOR NEXTEL.
WORK INCLUDES THE INSTALLATION OF A (CYCLOID) ARCH PREPARED STATE APPROVED EQUIPMENT SHELFER AND 1200 WATT SUPPORT STRUCTURE.
CURRENT ZONING: SCHOOL
EXISTING USE: SCHOOL
PROPOSED USE: SCHOOL / COMMUNICATIONS SITE
NET AREA OF LEASE: 700 SQ. FT.

PROJECT DATA

OWNER: UNION HIGH SCHOOL DISTRICT
3900 SOUTH K STREET
OXFORD, CA 95000
APPLICANT: SMART SAR OF CALIF. DBA NEXTEL COMMUNICATIONS
624 S. GARDEN ST., SUITE 100
LOS ANGELES, CA 90017
(213) 312-3009
POWER: SOUTHERN CALIF. Edison CO.
TELEPHONE: PNC BELL

PROJECT TEAM

LEGAL DESCRIPTION
APR: 7440-016-008
SOUTH OF S. GARDEN BLVD. & S. OF GARDEN BLVD. IN THE CITY OF OXFORD, CALIFORNIA, ACCORDING TO THE EXISTING PARTIAL COUNTY OF SAN DIEGO PLAT 151, TRACTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 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1000.



CFA Associates, Inc.
 1700 Beverly Avenue, Suite 104
 Beverly Hills, CA 90212
 Tel: 310-355-2040
 Fax: 310-355-2522

JOB NUMBER	FILED
642A	MAR 28 2006
DATE	
ISSUED FOR:	

CIVIL ENGINEER


CURRENT ISSUE DATE:
APRIL 11, 2006

ZONING APPROVAL



NEXTEL COMMUNICATIONS
 6000 WILSON AVENUE
 LOS ANGELES, CA 90017
 PH (313) 317-3000
 FX (313) 317-1200

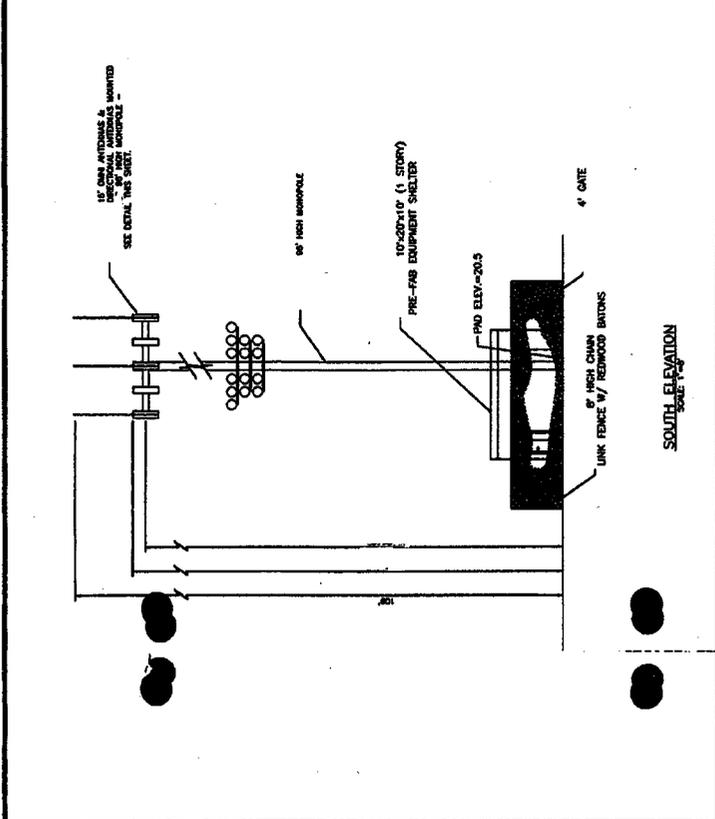
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	2	4/12/06
	3	4/12/06

SHEET NUMBER
642A

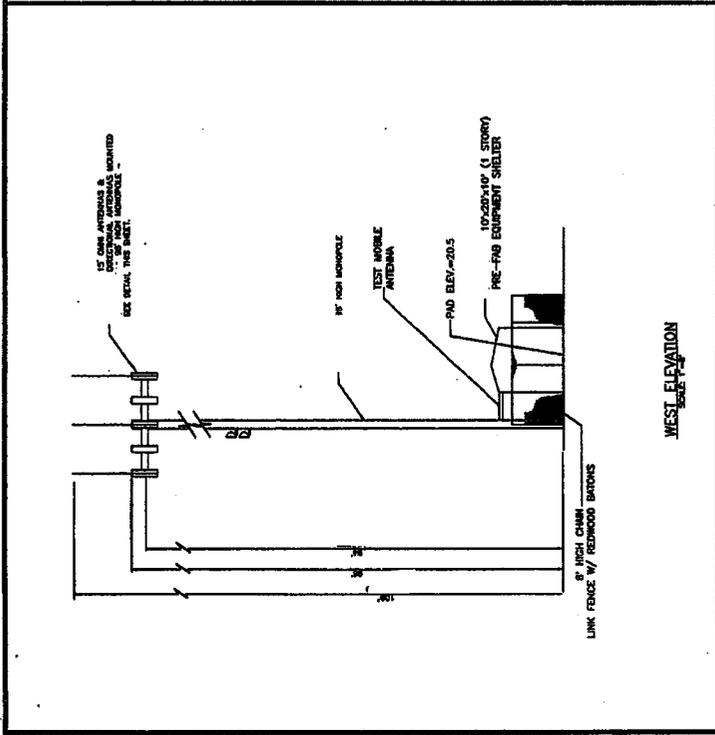
SITE ADDRESS
 PORT MARIETTA
 600 BAYVIEW RD.
 PORT MARIETTA, CA

ELEVATIONS
 ANTENNA CONFIGURATION PLAN
 ANTENNA AZIMUTH DETAIL

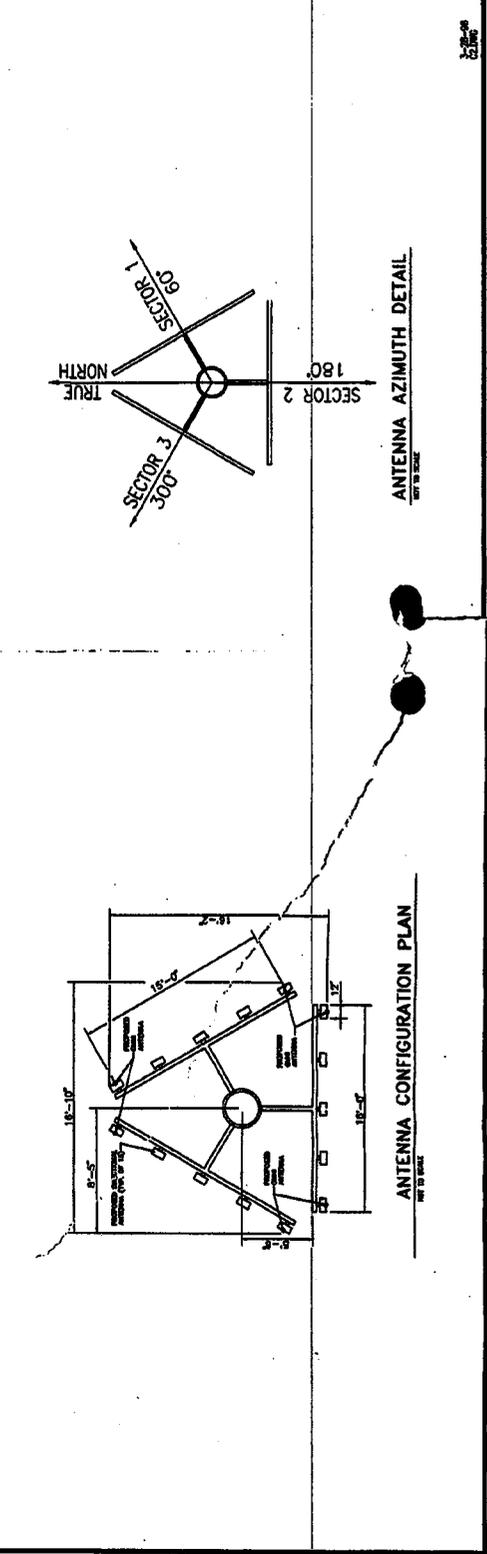
SHEET NUMBER
3 of 3 **C-2**



WEST ELEVATION
 SCALE 1/8\"/>



SOUTH ELEVATION
 SCALE 1/8\"/>



ANTENNA CONFIGURATION PLAN
 NOT TO SCALE

ANTENNA AZIMUTH DETAIL
 NOT TO SCALE

3/28/06



NOTICE OF EXEMPTION

Project Description:

Planning & Zoning Permit No. 09-550-11 (Major Modification to Special Use Permit) – A request to modify a condition of the approved project to extend the expiration date for a monopole wireless telecommunications facility on the campus of Hueneme High School located at 500 W. Bard Road. No new development or changes to the existing monopole facility are proposed as part of this request. The proposal is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Core Communications, 2903-H Saturn St., Brea CA 92821, on behalf of TowerCo, 5000 Valleystone Drive, Cary NC 27519.

Finding:

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

- Ministerial Project
- Categorical Exemption, §15301 – Existing Facilities
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines §15270]
- No Possibility of Significant Effect [CEQA Guidelines §15061(b)(3)]

Supporting Reasons: In accordance with Section 15301 of CEQA, projects involving minor alterations or minor expansions to existing facilities may be found to be exempt from environmental review. There is no substantial evidence that the project may have a potentially significant effect on the environment. Therefore, staff has determined that the project qualifies for exemption.

(Date)

Susan L. Martin, AICP
Planning Division Manager

RESOLUTION NO. 2009-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 09-550-11 (MAJOR MODIFICATION TO SPECIAL USE PERMIT) ALLOWING AN EXTENSION OF TIME FOR THE EXPIRATION DATE OF SPECIAL USE PERMIT NO. 96-500-41 AT HUENEME HIGH SCHOOL LOCATED AT 500 WEST BARD ROAD. FILED BY CORE COMMUNICATIONS, 2903-H SATURN STREET, BREA C.A. 92821, ON BEHALF OF TOWERCO, 5000 VALLEYSTONE DRIVE, SUITE 200, CARY N.C. 27519.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 09-550-11 to extend the expiration date to October 3, 2019, filed by Core Communications in accordance with Section 16-561 of the Oxnard City Code; and

WHEREAS, the Planning Commission has held a public hearing concerning this application for the proposed major modification to the Special Use Permit; and

WHEREAS, the Planning Division has determined that the proposed project is not subject to environmental review pursuant to Section 15301 of Title 14 of the California Code of Regulations. A project that involves no expansion of use beyond that existing at the time of the Lead Agency's determination may be found to be exempt from the requirements of CEQA. This proposal involves an extension of the expiration date for the previously approved Special Use Permit, with no expansion or intensification of the existing use or facility. In accordance with CEQA, the Planning Manager has determined that the proposed extension is not subject to CEQA and that a notice of exemption may be filed; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing that the following circumstances exist:

1. The proposed extension of time is in conformance with the Findings of Fact previously adopted by Planning Commission Resolution No. 96-17.
2. The proposed extension of time is permitted by Section 16-561 of the Oxnard City Code and Condition No. 21 of Planning Commission Resolution No. 96-17.
3. The proposed extension of time does not change the type or intensity of land use permitted by the previously approved Special Use Permit No. 96-500-41.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work or visit this development in particular;

*Resolution No. 2009-__
PZ 09-550-11 (Major Modification to S.U.P.)
December 17, 2009
Page 2*

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this major modification. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of December 2009 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary