















0 1' 2' 3' SCALE: 3/8" = 1'-0" (24x36)

(OR) 3/16" = 1'-0" (11x17)

**EQUIPMENT LAYOUT** 

**PANEL ANTENNA LAYOUT** 

**ISSUE STATUS** 

LEASE EXHIBIT



PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS



2785 MITCHELL DRIVE, BLDG 9 WALNUT CREEK, CA 94598

PSL# 263382 GOLETA

642 N KELLOGG AVE GOLETA, CA 93117

0 1' 2' 3' SCALE: 3/8" = 1'-0" (24x36)

(OR) 3/16" = 1'-0" (11x17)

**EQUIPMENT & ANTENNA** SPEC SHEET

**EXHIBIT-D** 

## ATTACHMENT B: CONDITIONS OF APPROVAL

## N. Goleta Verizon Telecommunications Facility @ N. Kellogg Avenue Case No. 17CUP-00000-00045 December 5, 2018

Proj Des-01 Project Description. This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-L, dated December 5, 2018, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project includes a request by Tricia Knight (the agent) for Verizon Wireless (the applicant) for a Conditional Use Permit to allow the construction and operation of an unmanned telecommunications facility pursuant to Section 35.82.060 and Chapter 55.44 of the LUDC for property zoned REC. The facility vould be sited on a 625-square foot lease area of a 2.02-acre parcel (APN 069-350-031) owned by the County of Santa Barbara(known as the Kollogg Open Space) located approximately 1,250 feet south of the intersection of Cathedral Oaks Rd. and N. Kellogg Avenue in the Goleta area, Second Supervisorial District.

The unmanned wireless facility would include nine, 8 ft-tall panel antennas in three sectors oriented in azimuths of 0, 140, and 250 degrees with three antennas per sectors. The antennas are directional and would be mounted at a 55-ft, center height on a proposed 60-ft, monopole All support equipment for the antennas would be incated at the base of the structure on a 25' by 25' concrete pad and sercened with a 10-ft, tall fence with black slats. Equipment cabines and a standby generator would be installed in a 65-sq. ft, equipment are at ground level at the tower base. The generator would only be used during maintenance and in the event of an emergency and would not be used for longer than 8 hours at a time. Additional support equipment within the lease area would include an H-ftrame with attached equipment, an ICE bridge with twelve coaxial cables, three raycaps, 490-amp electrical service with two electrical meters, and a mounted GPS antenna. The facility would comply with all FCC standards for health and safety, and the effective radiated power of the antennas would not be in excess of 32.2% of the FCC public safety standard. The proposed facility would provide additional capacity, coverage, and high speed data in a residential area of Goleta North of Hwy 101, with a range of approximately 0.5-miles in each direction from the site.

The equipment would be serviced by 180 feet of new utility lines extending from an existing SCE power pole. The majority of new utility line would be placed in conduits within an approximately 2 ft.-wide trench; under the trail connector and for the last 32 feet, new lines would be installed using directional boring at a depth of 5 ft. to avoid potential damage to the trail and to the root system of a California Sycamore (Platanus racemosa) near the power pole. A 5-ft. wide channel will be fenced around the bored area from the beginning of the ESII buffer setback to the existing power pole to avoid accidental damage to adjacent habitat. The proposed facility would require less than 50 cubic yards of grading for utility trenching, boring, and tower foundation work. The soil under the proposed concrete pad will be compacted to level prior to pouring concrete. All excess earth materials from trenching and the caisson for the tower legs will be redistributed on site.

Access to the facility would be from N. Kellogg Avenue. Street parking would be utilized for routine maintenance. The facility would be secured by a 10-ft high chain link fence with a locked access gate enclosing the lease area. The entire facility (excluding the utility trenching) would be contained in the lease area. The project would include new vegetative landscaping along the north and east sides and the northwest corner of the lease area to provide additional screening at varying heights. Vegetation would include three 15-gallon (gal.) Coast Live Oaks (Quercus agrifolia), seven 5-gal tovon (Heteromeles arbutifolia), and four 5-gal California coffeeberry (Frangula californica). All protected trees on the property would be preserved. Protected trees (on the basis of their status as mature native trees)

N. Golota Verizon Telecommunications Facility at N. Kellogg Avenue; 17CUP-00000-00045 Attachment B – Conditions of Approval Page B-2

include two California Syeamores (*Platanus racemosa*) and seven Coast Live Oaks (*Quercus agrifolia*). All protected oaks would be fenced with tree protection fencing beginning three feet from the lease area boundary. Any excavation in the space between fencing and the lease area boundary would be done under arborist supervision. The only tree slated for removal is a non-mature Coast Live Oak tree.

With the exception of security lights, no exterior lighting is proposed. Three security lights would be manually operated and on a 6-hr. timer. There are three hooded, low-wattage light fixtures, mounted at a height of 8 feet and directed downward. The lights would only be switched on if an emergency required personnel to access the site at night.

The chain link security fencing around the lease area would have black slats in order to conceal the equipment area. The antennas and pole would be painted a non-reflective color similar to existing Southern California Edison electrical towers adjacent to the new facility. The equipment cabinets would be painted a non-reflective medium grey color. In the event of a power failure, the backup generator would be used to maintain facility power. The equipment would be cooled by active cooling fans built into equipment cabinets; fans would run intermittently as needed.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

- 2. Proj Des-02 Project Conformity. The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.
- Aest-04 BAR Required. The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to BAR approval (17BAR-0000-00224). TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

- 4. Air-01 Dust Control. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

  a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.

  b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.

  c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.

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- d. Wet down the construction area after work is completed for the day and whenever
- wind exceeds 15 mph.

  When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.

- weekends and/or holidays.

  f. Order increased watering as necessary to prevent transport of dust off-site.

  g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.

  h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or, (iii) Employ any other method(s) deemed appropriate by P&D or APCD. or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans. PRF-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

a. Assure all dust control requirements are complied with including those covering weekends and holidays.

- b. Order increased watering as necessary to prevent transport of dust offsite.
   c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to first Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

Bio-01a Tree Protection Plan-Site Plan Component. The Owner/Applicant shall submit
a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and
designed to preserve existing mature native trees. The plan shall include the following site
plan components:

- The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.

  a. All trees shall be preserved except for the non-mature Coast Live Oak denoted as Tree #6 in the TPP. No grading for buildings, access ways, easements, subsurface grading sewage disposal and well placement shall take place within the area within six feet of the dripline of any of these trees except where denoted for Trees # 4, 9 and 10 under the supervision of the project arborist.

  b. Tree #6 will be removed per approved plans.

  c. Depict utility corridor and irrigation lines.

  d. Depict equipment storage (including construction materials, equipment, fill soil or rocks) and construction staging and parking areas outside of the protection area and at least 100 ft. from Environmentally Sensitive Habitat.

  e. Depict the type & location of protective fencing or other barriers to be in place to protect trees in protection areas during construction, including fencing around work areas within ESH.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above,

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graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. TIMING: The Owner/Applicant shall comply with this measure prior to issuance of Zoning Clearance. Plan components shall be included on all plans prior to the issuance of Building and Grading permits. The Owner/Applicant shall install tree protection measures onsite prior to issuance of Building and Grading permits. and Grading permits and pre-construction meeting.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed, or if damage or removal occurred, that correction is completed as required by the TPP prior to Final Pullding Ingranting Classrates. Building Inspection Clearance.

- 6. Bio-01b Tree Protection Plan Construction Component. The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to preserve existing mature native trees. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and Building Plans:
  - Fencing of all trees to be protected at least six feet outside (except where identified around Trees #4, 9 and 10 (see TPP) the dripline with barrier fencing at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
     Fencing/staking/signage shall be maintained throughout all grading and construction entitiets.
  - c. All trees located within 25 ft of the facility shall be protected from paint during
  - construction.

    d. No irrigation is permitted within 6 ft of the dripline of any protected tree unless

  - d. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.

    e. The following shall be completed under the direction of a P&D approved arboristybiologist:

    i. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction (only by hand).

    ii. Tree removal and trimming.

    f. Special equipment: Where the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked exeavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved arborist/biologist.

    Grading shall be designed to avoid ponding and ensure proper drainage within dripline of oak trees.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. TIMING: The Owner/Applicant shall comply with this measure prior to Issuance of Zoning Clearance. Plan components shall be included on all plans prior to the issuance of Zoning Clearance. Plan components shall be owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting. MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection

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## Clearance

Bio-03a Onsite Arborist/Biologist. The Owner/Applicant shall designate a P&D-approved arborist/biologist to be onsite throughout all grading and construction activities designated in the Tree Protection Plan (TPP) which may impact Coast Live Oak trees immediately adjacent to the lease area, or boring which may impact ESH and/or the California Sycamore designated as Tree #1 on the TPP. Duties include the responsibility to ensure all aspects of the approved Tree Protection & Tree Replacement Plans are carried out

MONITORING: The Owner/Applicant shall submit to P&D compliance monitoring staff the name and contact information for the approved arborist/biologist prior to commencement of construction / pre-construction meeting. P&D compliance monitoring

- Bio-07 Habitat Setback. All ground disturbances and vegetation removal shall be prohibited in a 50-ft. setback from either side of the mapped Environmentally Sensitive Habitat (ESH). A 5-ft. wide channel shall be fenced around the bored area from the beginning of the 50-ft. ESH buffer setback to the existing power pole to avoid accidental damage to adjacent habitat. Fencing type and location shall be approved by P&D. Directional boring shall be used for all conduit located within the 50-ft. ESH buffer setback and overlay. PLAN REQUIREMENTS: The ESH area and a 50-ft. buffer shall be shown on all grading plans. TIMING: Fencing shall be installed prior to any earth movement. MONITORING: P&D compliance monitoring staff shall perform site inspections throughout the construction phase.
- Bio-20 Equipment Storage-Construction. The Owner/Applicant shall designate one or more construction equipment filling and storage areas to contain spills facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Zoning Clearance and Building Permit plans. TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and

Bio-20a Equipment Washout-Construction. The Owner/Applicant shall designate one or more washout areas for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in these areas and removed from the site as needed. The areas shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Zoning Clearance and Building Permit plans. TIMING: The Owner/Applicant shall install the area prior to commencement of construction. MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

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- 11. CulRes-09 Stop Work at Encounter. The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.
  - PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans. MONITORING: P&D permit processing planner shall check plans prior to Issuance of Zoning Clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.
- 12. Noise-02 Construction Hours. The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends of State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entires. TMINING: Signs shall be posted prior to commencement of construction and

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

13. Parking-02 Construction Parking. The Owner/Applicant shall obtain required permits from Public Works Roads Division for construction related activities occurring in the public road or right-of-way. All construction-related vehicles shall be parked on N. Kellogg Avenue in the immediate vicinity of the development, in a designated area not exceeding 350 square feet and approved by Planning and Development. The Owner/Applicant shall also provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipr

staging and storage areas shall be depicted on all building plans.

TIMING: This restriction shall be maintained throughout construction.

 $\begin{tabular}{ll} MONITORING: $P\&D$ permit compliance and Building and Safety shall confirm the availability of designated onsite parking areas during construction. \end{tabular}$ 

14. Tel-02 Landscaping. Landscaping shall be installed and maintained per the County approved landscaping plan. The project shall include landscaping that, to the maximum extent feasible, reduces visibility of the telecommunications equipment and facilities. The type, size, density and configuration of new plants shall be selected to maximize successful establishment and growth to achieve this landscaping objective within a reasonable period

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of time after installation. At the discretion of the County, a biologist/arborist may be employed to provide consultations and assist with field inspections as necessary to monitor establishment and success of such landscaping. Such biologist/arborist, if employed by the County, shall be retained at the sole expense of the Permittee. PLAN REQUIREMENTS: Final landscape and irrigation plans shall be submitted by the Permittee to the County for review and approval prior to Issuance of Zoning Clearance. TIMING: All landscaping and irrigations shall be completed and installed prior to Final Building Inspection Clearance. Plant locations may be adjusted in the field (as directed by P&D staff) to achieve landscaping objectives.

MONITORING: P&D compliance monitoring staff shall conduct a Project Compliance Inspection prior to Final Building Inspection Clearance and shall periodically conduct field checks to monitor maintenance thereafter. If the Permittee fails to either install or maintain according to the approved plan, the County may consider it a permit violation.

15. Tel-03 Colors and Painting. The 60-ft, tall monopole and antennas shall be painted a non-reflective color similar to adjacent SCE electrical towers. Additionally, all exposed equipment and facilities (i.e., antennas, support structure, equipment eabinets, etc.) shall be finished (or left unfinished to achieve the same purpose) in non-reflective materials (including painted surfaces) as follows: 1 equipment cabinets, generator and other ancillary equipment in the lease area shall be painted a non-reflective medium grey and 20 chain link fencing shall be slatted with non-reflective black privacy slats. PLAN REQUIREMENTS: Color and material specifications shall be identified on final zoning plans submitted by the Permittee to the County prior to Issuance of Zoning Clearance, as well as on final building plans.

MONITORING: P&D compliance monitoring staff shall conduct a Project Compliance Inspection prior to Final Building Inspection Clearance.

16. Tel-05 Exterior Lighting. Except as otherwise noted in the Project Description and development plans, the antenna support structure shall not be lighted. The leased premises shall likewise be unlit except for three manually operated lights on a 6-fir. timer which limit lighting to the area of the equipment in the immediate vicinity of the antenna support structure. The light fixtures shall be fully shielded, full cut off and downcast so as to avoid spillage onto adjacent areas and shall be kept off except when maintenance personnel are actually present at night. PLAN REQUIREMENTS: The Permittee shall restate the lighting limitations on the construction plans. Plans for exterior lighting, if any are provided, shall be submitted to the County for review and approval. TIMING: This condition shall be satisfied prior to Issuance of Zoning Clearance.

MONITORING: P&D compliance monitoring staff shall conduct a Project Compliance Inspection prior to Final Building Inspection Clearance and respond to any complaints.

17. Tel-06 Underground Utilities. Except as otherwise noted in the Project Description and development plans, all utilities necessary for facility operation, including coaxial cable, shall be placed underground. Conduit shall be sized so as provide additional capacity to accommodate utilities for other telecommunication carriers should collocation be pursued in the future. PLAN REQUIREMENTS: The Permittee shall restate the provisions for utility undergrounding on all building and grading plans. TIMING: This condition shall be satisfied prior to Issuance of Zoning Clearance.

MONITORING: P&D staff shall check plans prior to Issuance of Zoning Clearance.

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18. Tel-07 Vegetation Protection. Existing vegetation shall be preserved and protected to the maximum extent feasible throughout construction activities and for the life of the project. Underground lines serving the facility shall be routed to avoid damage to tree root systems and any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by directional boring or hand under the supervision of a County-approved arborist. Trees or strubs which are significantly damaged or subsequently die as a result of construction activities shall be replaced with those of a comparable size, species and density as approved by P&D staff. The Permittee shall respond to agency correspondence throughout the life of the project regarding identification of declining or dead trees and shrubs and replace as necessary under P&D's discretion. PLAN REQUIREMENTS/TMING: The Permittee shall restate the requirement for vegetation protection on building plans.

 $\begin{tabular}{ll} \textbf{MONITORING:} & P\&D & permit compliance staff shall spot check in the field and respond to complaints to ensure compliance. \end{tabular}$ 

- 19. Tel-08 FCC Compliance. The facility shall be operated in strict conformance with: (i) all rules, regulations, standards and guidance published by the Federal Communications Commission ("FCC"), including but not limited to, safety signage, Maximum Permissible Exposure ("MPE") Limits, and any other similar requirements to ensure public protection or (ii) all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction. Compliance shall be governed by the following:
  - a. Permittee shall hire a qualified professional acceptable to the County (wholly independent of Permittee), to perform radio frequency ("RF") field test that measures actual RF electromagnetic exposure at the site. This RF field-testing shall measure all ambient sources of RF energy at the site & report the cumulative RF exposure, including contributions from the site together with other sources of RF exposure, including contributions from the site together with other sources of RF energy in the environment as a whole. Measurements shall be made by the responsible professional who will author the report to the County. Report of the results and the author/sprofessional's Indings with respect to compliance with federally established MPE standards shall be submitted to the County win 30 days of Final Building Clearance. Permittee shall pay for the cost of the field measurements and preparing the report. The facility shall cease & desist commercial operations until it complies with, or has been modified to comply with, applicable RF standards.
  - b. Every 5 years. Permittee shall hire a qualified professional acceptable to the County to perform RF field testing to evaluate compliance with current federally established MFE standards. In the event the adopted RF standards change, Permittee shall submit a report with calculations of the maximum potential public RF exposure from the Project with respect to the revised RF public exposure standards, win 90 days of the date the change becomes effective. If calculated levels exceed 80% of the applicable RF standards, Permittee shall notify the County and submit a MFE compliance verification report with the results from current RF field-testing at the site. Permittee shall pay for the cost of preparing the reports. For joint-carrier sites, cumulative reporting may be delegated to one carrier upon the agreement of all carriers at the site. Procedures, penalties & remedies for non-compliance with these reporting requirements shall be governed by the provisions of the Telecom Ordinance & FCC regulations.
  - c. Prior to the addition/replacement of equipment which has the potential to increase

**ISSUE STATUS** DATE

LEASE EXHIBIT 6/25/2019



5015 SHOREHAM PLACE, STE. 150 SAN DIEGO, CA 92122 www.sacw.com 619.736.3766 PROPRIETARY INFORMATION THE INFORMATION CONTAINED IN THIS SET OF

DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS



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SHEET TITLE:

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LAND USE PERMIT

**EXHIBIT-E** 

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RF emissions at any public location beyond that estimated in the initial application and is w/in the scope of the project description, Permittee shall submit a report providing the calculation of predicted maximum effective radiated power including the new equipment as well as the maximum cumulative potential public RF exposure expressed as a percentage of the public MPE limit attributable to the site as a whole. Once the new equipment has been installed, Permittee shall perform Initial Verification as stated in "1" above.

PLAN REQUIREMENTS: All building plans shall include provisions for MPE compliance. TIMING: Initial verification of compliance with RF public MPE standards shall be accomplished no later than 30 days following Final Building Clearance. Continued verification of compliance with MPE requirements shall be accomplished by RF field test reports submitted every 5 years following initial verification.

MONITORING: P&D planner shall review all RF field test reports and estimated maximum cumulative RF exposure reports providing calculations of predicted compliance with the public MPE standard. P&D planner shall monitor changes in RF standards, as well as equipment modifications, additions & RF exposures at the site as reported by the Owner/Applicant that might trigger the requirement for field-testing at intervening times between regular test periods.

- 20. Tel-09 Project Review. Five years after Issuance of the Zoning Clearance for the project and no more frequently than every five years thereafter, the Director of P&D may undertake inspection of the project and require the Permittee to modify its facilities subject to the following parameters.
  - a. Modification Criteria. Modifications may be required if, at the time of inspection it is determined that: (i) the Project fails to achieve the intended purposes of the development standards listed in the Telecommunications Ordinance for reasons attributable to design or changes in environmental setting; or (ii) more effective means of ensuring aesthetic compatibility with surrounding uses become available as a result of subsequent technological advances or changes in circumstance from the time the Project was nitfally amonoved. the time the Project was initially appr
  - b. Modification Limits. The Director's decision shall take into account the Modification Limits. The Director's decision shall take into account the availability of new technology, capacity and coverage requirements of the Permittee, and new facilities installed in the vicinity of the site. The scope of modification, if required, may include, but not be limited to a reduction in antenna size and height, collocation at an alternate permitted site, and similar site and architectural design changes. However, the Permittee shall not be required to undertake changes that exceed ten percent (10%) of the total cost of facility construction. The decision of the Director as to modifications required herein shall be deemed final unless angealed in compliance with the semiritime of the search. be deemed final unless appealed in compliance with the provisions of the Count. Code.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for emissions compliance on all building plans. TIMING: Building permit valuation data shall be used for the purpose establishing the estimated cost of installing the facility. At the time of subsequent inspection and upon reasonable notice, the Permittee shall furnish supplemental documentation as necessary to evaluate new technology, capacity and coverage requirements of the Permittee.

MONITORING: P&D compliance monitoring staff shall conduct periodic inspections

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- 39. Rules-37 Time Extensions-All Projects. The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

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and ascertain whether more effective mitigation is available with regard to design and technology. In the event of violation, the permit shall be referred to Zoning Enforcement for abatement.

- 21. Tel-10 Collocation. The Permittee shall avail its facility and site to other telecommunication earriers and, in good faith, accommodate all reasonable requests for collocation in the future subject to the following parameters: (i) the party seeking the collocation shall be responsible for all facility modifications, environmental review. Mitigation Measures, associated costs and permit processing; (fi) the Permittee shall not be required to compromise the operational effectiveness of its facility or place its prior approval at risk; (fii) the Permittee shall make its facilities and sits available for collocation on a non-discriminatory and equitable cost basis; and (iv) the County retains the right to verify that the use of the Permittee's facilities and site conforms to County policies.
- 22. Tel-11 Transfer of Ownership. In the event that the Permittee sells or transfers its interest in the telecommunications facility, the Permittee and/or succeeding carrier shall assume all responsibilities concerning the Project and shall be held responsible by the County for maintaining consistency with all conditions of approval. The succeeding carrier shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.
  - PLAN REQUIREMENTS: The Permittee shall notify the County of changes in ownership to any or all of the telecommunications facility. TIMING: Notification of changes in facility ownership shall be given by the Permittee and/or succeeding carrier to the County within 30 days of such change.
- 23. Tel-12 Site Identification. The Permittee's name and site number to distinguish from other telecommunication carriers' equipment, including but not limited to: antennas, microwave dishes, equipment shelters, support poles, and cabinetry. The Permittee shall be responsible for clearly marking with permanent paint, tags, or other suitable identification all facility equipment belonging to the Permittee as stated on the site plans.

TIMING: This condition shall be satisfied prior to Final Building Inspection Clearance. MONITORING: P&D permit processing planner shall check plans and P&D compliance monitoring staff shall conduct compliance inspections as needed to ensure permit compliance.

- Tel-13 Facility Maintenance. The facility shall be maintained in a state of good condition
  at all times. This includes, but is not limited to: painting; landscaping; site identification;
  equipment repair; and keeping the facility clear of debris, trash, and graffiti.
- 25. Tel-15 Agreement to Comply. The facility owner and property owner shall sign and record an agreement to comply with the project description and all conditions of approval on a form acceptable to P&D. Such form may be obtained from the P&D office prior to Issuance of Zoning Clearance. The Owner/Applicant shall provide evidence that he/she has recorded the Agreement to Comply with Conditions.
- 26. Tel-16 Abandonment-Revocation. The Permittee shall remove all support structures. antennas, equipment and associated improvements and restore the site to its natural pre-construction state within one year of discontinuing use of the facility or upon permit revocation or upon termination or expiration of a lease authorizing use of the site. Should the Permittee require more than one year to complete removal and restoration activities

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after discontinuance the Permittee shall apply for a one-time time extension for removal. In the event the Owner requests that the facility or structures remain, the Owner must apply for necessary permits for those structures within one year of discontinued use. Compliance shall be governed by the following provisions:

- a. Prior to Issuance of Zoning Clearance, the Permittee shall post a performance security. The security shall equal 10 percent of the installation value of the facility as determined at the time of granting the building permit. The performance security shall be retained until this condition is fully satisfied.
- Prior to demolition of the facility, the Permittee shall submit a restoration plan of proposed abandonment to be reviewed and approved by a County approved biologist
- c. If use of the facility is discontinued for a period of more than one year and the facility is not removed and no time extension has been applied for and/or granted the County may remove the facility at the Permittee's expense.

## COUNTY RULES AND REGULATIONS

- 27. Rules-01 Effective Date-Not Appealable to CCC. This Conditional Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No connection to the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020]
- 28. Rules-03 Additional Permits Required. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments ions; such clearance shall indicate that the Owner/Applicant has satisfied al ruction conditions. A form for such clearance is available from Planning and
- Rules-05 Acceptance of Conditions. The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 30. Rules-12 CUP Expiration. The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030.D of the County Land Use and Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
- Rules-17 CUP-Void. This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030.D.1.b of the County Land time as may be authorized in compitance with Section 33.84-00-01.10 of the County Leads Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any

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Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060]

- Rules-18 CUP and DVP Revisions. The approval by the County Planning Commission of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
- 33. Rules-22 Leased Facilities. The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
- Rules-23 Processing Fees Required. Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 35. Rules-30 Plans Requirements. The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 36. Rules-31 Condition Compliance Monitoring Required. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
  - Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
  - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of the Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
  - c. Note the following on each page of grading and building plans "This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval;
  - d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

0	6/25/2019	LEASE EXHIBIT	OM
1	7/17/2019	LEASE EXHIBIT	OM

**ISSUE STATUS** DESCRIPTION



www.sacw.com 619.736.3766 PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS



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LAND USE PERMIT

**EXHIBIT-E** 

- Rules-32 Contractor and Subcontractor Notification. The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
- 38. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails or cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.