



Placentia Planning Commission Agenda

Regular Meeting
February 8, 2011
6:30 p.m.

Vic Tomazic
Vice Chairman

Frank Perez
Commissioner

Michael Ebenhoch
Commissioner

Floyd Farano
Commissioner

Christine Schaefer
Commissioner

John Scull
Commissioner

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8124
Fax: (714) 961-0283
Website: www.placentia.org

Procedures for Addressing the Commission

Any person who wishes to speak regarding an item on the agenda or on a subject within the Planning Commission's jurisdiction during the "**Oral Communications**" portion of the agenda should fill out a "**Speaker Request Form**" and give it to the Commission Secretary BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "**Speaker Request Form**" and give it to the Commission Secretary BEFORE the item is called.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Commission discourages clapping, booing or shouts of approval or disagreement from the audience.

PLEASE SILENCE ALL PAGERS, CELL PHONES, AND OTHER ELECTRONIC EQUIPMENT WHILE THE COMMISSION IS IN SESSION.

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City staff to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)

Copies of all agenda materials are available for public review in the Office of the City Clerk, City Planning Division Counter and at the Placentia Library Reference Desk. Persons who have questions concerning any agenda item may call the City Planning Division at (714) 993-8124 to make inquiry concerning the nature of the item described on the agenda.

In compliance California Government Code Section 54957.5, any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room.

City of Placentia
City Council Chambers
401 E Chapman Avenue
February 8, 2011

REGULAR MEETING

6:30 p.m. – City Council Chambers

MEETING CALLED TO ORDER

ROLL CALL: Commissioner Ebenhoch
Commissioner Farano
Commissioner Schaefer
Commissioner Scull
Commissioner Perez
Vice Chairman Tomazic

PLEDGE OF ALLEGIANCE

MINUTES

Regular Meeting: January 11, 2011
Recommended Action: Approve

ELECTION OF CHAIRMAN:

ELECTION OF VICE CHAIRMAN:

ORAL COMMUNICATIONS

At this time, the public is invited to address the Planning Commission concerning any items on the agenda, which are not public hearings, or other items under the jurisdiction of the Placentia Planning Commission

PUBLIC HEARINGS

- Applicant:** Charlene Aldana
Location: 1205 E. Yorba Linda Boulevard

Use Permit (UP) 2010-14:

Request to permit the sale of alcoholic beverages (Type 41 On Sale Beer and Wine for Bona Fide Public Eating Place) for on-site consumption, in conjunction with a +/- 1,875 square foot new Mexican restaurant (El Gran Pollo Mexican Grill), located at 1205 E. Yorba Linda Boulevard in the Neighborhood Commercial (C-1) District.

Recommended Action:

Adopt Resolution No. PC-2011-03 approving Use Permit (UP) 2010-14, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

2. **Applicant:** Tim Miller (Trillium Consulting)

Location: 2210 Valencia Avenue (Koch Park)

Use Permit (UP) 2010-09:

Request to permit the construction of a +/- 78 foot high freestanding AT&T co-locatable wireless communication facility designed as a "Mono-pine," consisting of twelve (12) panel antennas, one microwave dish and associated communications equipment and equipment cabinets within an adjacent equipment enclosure, located at 2210 Valencia Avenue (Koch Park) in the Residential (R-1) District.

Recommended Action:

Adopt Resolution No. PC-2011-04 approving Use Permit (UP) 2010-09, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

OLD BUSINESS

NONE

NEW BUSINESS

NONE

DEVELOPMENT REPORT

PLANNING COMMISSION REQUESTS

Commission members may make requests or ask questions of staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners ADJOURN to a Regular meeting on Tuesday, March 8, 2011 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

CERTIFICATION OF POSTING

I, Kenneth A. Domer, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the February 8, 2011 Regular meeting of the Planning Commission of the City of Placentia was posted on February 3, 2011.

Kenneth A. Domer

**PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING**

January 11, 2011

The regular meeting of the Placentia Planning Commission of January 11, 2011 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, California by Chairman Green.

ROLL CALL: Present: Michael Ebenhoch, Commissioner
Christine Schaefer, Commissioner
Frank Perez, Commissioner
Vic Tomazic, Vice Chairman
Craig Green, Chairman

Absent: Commissioner Farano
Commissioner Scull

PLEDGE OF ALLEGIANCE: Led by Commissioner Ebenhoch

Others Present: Ken Domer, Assistant City Administrator
Andrew V. Arczynski, City Attorney
Monique Schwartz, Associate Planner
Sara Salazar, Administrative Assistant

Motion by Commissioner Ebenhoch, seconded by Commissioner Tomazic to APPROVE THE MINUTES of November 9, 2010. Passed by a 4-0-2-1 vote. (Farano and Scull Absent Excused, Schaefer Abstained)

ORAL COMMUNICATIONS: The Chair invited the public to make oral comments on matters not on the agenda, but none were offered.

Public Hearings:

- Applicant: Mr. Dale Roach**
Location: 1150 E. Yorba Linda Boulevard

Use Permit (UP) 2011-01:

Request to permit the operation of a pawn shop that will buy and write collateral loans on jewelry, gold, watches, guitars, laptops and other miscellaneous items, located within a +/- 1,200 square foot commercial/retail suite at 1150 E. Yorba Linda Boulevard in the Neighborhood Commercial (C-1) District.

Ms. Schwartz gave the staff report.

Commissioner Schaefer referenced the diagram that was provided by Ms. Schwartz and

commented that some of the businesses in the complex are not easily visible from the street which may contribute to the pre-existing loitering problem.

Commissioner Ebenhoch asked for the source of the document titled "Chapter 6.64, Pawnbrokers and Secondhand Dealers". Ms. Schwartz responded it is from the Placentia Municipal Code.

Chairman Green opened the Public Hearing.

The applicant, Dale Roach of 1150 E. Yorba Linda Boulevard, Placentia addressed the Commission. He stated he currently owns two (2) other pawn shops and neither have a problem with loitering. He stated his businesses use a 'short form police report' to document all items, regardless of price. Additionally a thumbprint and copy of the drivers license is taken for each transaction.

Commissioner Ebenhoch greeted the applicant and asked for clarification on his Sunday business hours, specifically what is meant by appointment only. Mr. Roach, explained that he does not take Sunday appointments, and would only be open for business on a Sunday if there were an upcoming holiday.

Commissioner Schaefer asked if the applicant holds parties in his business. Mr. Roach responded that he does not hold 'Gold Parties'.

Commissioner Ebenhoch asked the applicant about the intention of window displays in this new location. Mr. Roach responded that he will be using a different approach at this location as he intends to make it a more upscale location selling mostly jewelry.

Commissioner Ebenhoch asked about the allowance of Mexican Consulate Cards versus Canadian Consulate Cards or other countries. Mr. Roach responded that he does a lot of business with the Hispanic community and that as of January, 2011 the law changes and he is allowed to accept these cards versus others.

Chairman Green asked staff about the City's window signage limitations. Ms. Schwartz responded that there is a 25% window signage limitation. Mr. Domer added that the City's window signage code is different from other cities and the applicant will be required to comply with the City standards.

Commissioner Schaefer asked the applicant why he has chosen to come to Placentia. Mr. Roach responded that it is local to his home in Villa Park. She asked him to confirm that he will not be selling firearms to which he responded that he will not, and has not since 1996.

Chairman Green invited Captain Ward Smith to address the commission. Capt. Smith approached the podium.

Commissioner Schaefer referred to the opposition letter received, and asked if the Police have had a loitering problem in this area. Capt. Smith responded that officers frequent this complex due to the presence of an alcohol establishment as well as a liquor store. As for loitering, he indicated he would need to research what calls for service have been made to dispatch but that it is not known to him as it being a high loitering area. For current loitering

problems, he would have the area patrolled more frequently.

Commissioner Schaefer asked about the history of enforcement at the other two (2) pawn shops in Placentia. Capt. Smith responded that one of the locations is actually a second hand shop, and not a pawn shop. The only existing pawn shop in the city has been around for more than 30 years and the Police Department has a great working relationship with them. He added that it has been more than 20 years since the shop was burglarized.

Chairman Green opened the Public Hearing.

Ms. Sue Ellen Crider of the Cralow Company, 17910 Skypark Circle, Irvine addressed the commission and introduced herself as the property manager. She stated that they recently allowed a pawn shop to occupy a space in a complex they manage in the City of Brea and they are very pleased with them. She added that the shops in the back of the subject complex were designed as garden offices and not for retail use. She addressed the current loitering issue by stating that she believes it is in part due to the law which prevents smoking in bars so patrons are forced to go outside.

Ms. Vicky Ingall, introduced herself as co-owner of Ken Carr's Martial Arts School at 1146 Yorba Linda Boulevard, Placentia. She stated that she has been able to speak with the Police Department as well as Mr. Roach and feels that most of her opposition concerns have been addressed. She requested a review by the Planning Commission be changed from three (3) years to one (1) year.

Ms. Schwartz added that Special Condition number 17 already states that the initial review shall occur at one (1) year and thereafter every three (3) years.

Motion by Vice Chairman Tomazic, seconded by Commissioner Ebenhoch, TO ADOPT RESOLUTION NO. PC-2011-01 APPROVING USE PERMIT (UP) 2011-01, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 5-0-2 vote. (Farano and Scull Absent)

**2. Applicant: Western Realco, LLC
Mr. Vance Mape
Location: 200 Boysenberry Lane**

Use Permit (UP) 2010-13:

Request to permit the operation of various industrial related uses within an existing +/- 198,275 square foot industrial building located on a 11.6 acre site at 200 Boysenberry Lane in the Manufacturing (M) District.

Mr. Domer gave the staff report and made a change to Special Condition number 5. Verbiage was added to the last sentence reading, 'unless amended by the Director of Development Services'.

Commissioner Ebenhoch asked how long ago the structure was built. Mr. Domer responded that it was built in 1985. Commissioner Ebenhoch asked when the mobile home

park was built. Mr. Domer responded that it was built prior to the structure. Commissioner Ebenhoch asked if the applicant has secured a tenant. Mr. Domer said the applicant will confirm, but it was his understanding that the applicant is doing tenant improvement to make the structure more desirable for manufacturing tenants. Commissioner Ebenhoch if any noise complaints were made concerning the prior tenant. Mr. Domer responded that no complaints were made to the City. Commissioner Ebenhoch asked if there is any anticipation that the railway will be used by a new tenant. Mr. Domer responded that it would be up to the new tenant. Commissioner Ebenhoch asked if we changing the verbiage of Special Condition number 5 based on one opposition letter. Mr. Domer responded it was requested by the applicant and that it is an effort to address the potential for noise issues.

Commissioner Schaefer asked if the City was aware of noise complaints being made to someone other than the City. Mr. Domer responded that the City spoke with the prior owners, who did not make the City aware of noise complaints they had received.

Commissioner Ebenhoch asked if the current owners had met with the mobile home park. Mr. Domer stated that the applicant could address that question.

Commissioner Perez suggested that a tenant could potentially load and unload on the North or East sides to reduce noise.

Chairman Green opened the Public Hearing.

The applicant, Vance Mape of Western Realco, 200 Boysenberry Lane addressed the commission. He stated that in order to market this structure, they need to be able to respond to inquiries about use with confidence. In response to using the North or East sides for loading and unloading, he stated it would not ideal due to their exposure to the elements and reduced space.

Commissioner Ebenhoch asked Mr. Mape if his firm had made contact with the Hacienda Mobile Estates. Mr. Mape responded that only took ownership in the last two (2) months and have not done that. He also stated that in speaking with the prior property manager, he was told that in 25 years there was never a noise issue raised from the mobile home park.

Commissioner Schaefer expressed that she was pleased that the building has changed ownership and asked if Mr. Mape has received any interest. Mr. Mape indicated that they had just begun to advertise.

Mr. Domer added that Special Condition number two (2) was amended to allow the Director of Development Services to grant a one (1) year extension before the use permit lapsed between occupancies, if requested.

Chairman Green closed the Public Hearing.

Mr. Arczynski amended language on Special Condition number five (5) to read 'the Director of Development Services hereby is authorized to modify, delivery hours upon written request of the applicant, any such modification may be changed at any time by the Director of Development Services'. Mr. Domer added that such change would be related to excess noise complaints.

Motion by Commissioner Ebenhoch, seconded by Vice Chairman Tomazic TO ADOPT RESOLUTION NO. PC-2011-02 APPROVING USE PERMIT (UP) 2010-13, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 5-0-2 vote. (Farano and Scull Absent)

Old Business:

None

New Business:

PLANNING COMMISSION REQUESTS:

Mr. Domer advised the Commission that Chairman Green was appointed City Treasurer and will be sworn in on January 18, 2011. At that time he will resign from the Planning Commission. Elections will be held at the next meeting. Mr. Domer thanked Chairman Green for his work with the Planning Commission and congratulated him on his selection to City Treasurer.

Chairman Green adjourned the Planning Commission meeting in memory of Commissioner Farano's wife, Alice Farano, at 7:25 p.m. to the next regularly scheduled meeting on February 8, 2011 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

Monique Schwartz
Associate Planner



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.: 1	DATE: February 8, 2011	PUBLIC HEARING: Yes
APPLICATION: Use Permit (UP) 2010-14		
DESCRIPTION: To permit the sale of alcoholic beverages (Type 41 On Sale Beer and Wine for Bona Fide Eating Place) for on-site consumption, in conjunction with a +/- 1,875 sq. ft. new Mexican restaurant (El Gran Pollo Mexican Grill), located at 1205 E. Yorba Linda Boulevard in the Neighborhood Commercial (C-1) District.		
RELATED APPLICATIONS: None		
APPLICANT: Charlene Aldana		
PROPERTY OWNER: The Remm Group		
LOCATION: 1205 E. Yorba Linda Boulevard		
CEQA DETERMINATION: Categorically Exempt: Class 5, Section 15305		
ZONING: Neighborhood Commercial (C-1)		APN(S): 334-161-02
GENERAL PLAN: Commercial		CITY COUNCIL ACTION REQUIRED: No
PREPARED BY: Monique B. Schwartz, Associate Planner		
REVIEWED BY: Kenneth A. Domer, Assistant City Administrator, Development Services		

REQUEST:

To permit the sale of alcoholic beverages (Type 41 On Sale Beer and Wine for Bona Fide Public Eating Place) for on-site consumption in conjunction with the operation of a new +/- 1,875 square foot Mexican restaurant (El Pollo Mexican Grill), located at 1205 E. Yorba Linda Boulevard the Neighborhood Commercial (C-1) District.

INTRODUCTION:

Although a restaurant facility is a permitted use by right within the Neighborhood Commercial District, there are other uses that have special characteristics which have the potential to adversely affect adjoining businesses and/or property owners and are therefore subject to Use Permit review and approval.

Pursuant to Section 23.33.040(4) of the Placentia Municipal Code, the sale of alcoholic beverages is permitted within the "C-1" District, subject to obtaining a use permit. A use permit is required to evaluate the potential impacts the proposed business may have on adjacent businesses and/or residences; impacts on existing parking, city services and concentrations of similar uses.

RECOMMENDATION:

City Planning Division is recommending approval of Use Permit (UP) 2010-14, subject to the attached recommended Special Conditions of Approval and Standard Development Requirements.

DISCUSSION:

El Gran Pollo Mexican Grill will be a new restaurant located within an existing commercial/retail shopping center that is located at the northeast corner of Rose Drive and Yorba Linda Boulevard. This shopping center is comprised of three (3) parcels, not including the parcel improved with a Walgreens Pharmacy. Other uses within this shopping center include a large retail store (Big Lots), along with a sewing machine and vacuum store, laundromat, beauty salon, barber shop, Japanese restaurant, jewelry store, clock shop, nail salon, bagel shop, cleaners and dentist office. Walgreens is located on a separate parcel at the southwest corner of the shopping center.

Subject Site and Surrounding Land Uses:

	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Existing	Commercial/Retail	"Commercial"	"C-1"
Proposed	Sale of Beer and Wine for On-Site Consumption at El Gran Pollo Mexican Grill	"Commercial"	"C-1"
North	City of Yorba Linda	----	----
South	Commercial/Retail	"Commercial"	"C-1"
East	Vacant Car Dealership	"Commercial"	"C-2"
West	Rose Drive/City of Yorba Linda	----	----

Operational Characteristics:

El Gran Pollo Mexican Grill will be a new family-owned restaurant. This restaurant will specialize in fast food style authentic Mexican cuisine. They will offer a variety of menu items including fresh whole chickens, Mexican cactus, Nopales, home-made salsa, chimichungas, tacos and homemade tortillas. The applicant is requesting approval to provide alcoholic beverages for on-site consumption in order to compliment their food menu.

El Gran Pollo Mexican Grill will operate during the following hours:

Monday through Sunday: 9:00 a.m. to 9:30 p.m.

There will be a total of six (6) full-time employees, and four (4) part-time employees. The general operations of the restaurant will be supervised by Carlos and Guadalupe Aldana as well as the applicant, Charlene Aldana.

Existing ABC Licenses Within One-Half (0.50) Mile Radius of the Subject Site:

The Alcoholic Beverage Control (ABC) license that is being applied for by El Gran Pollo Mexican Grill is “Type 41 On Sale Beer and Wine for Bona Fide Public Eating Place”, which is an on-sale beer and wine license. Listed below are other businesses within a one-half mile radius of the subject site that are permitted to sell alcoholic beverages for on and off-site consumption.

BUSINESS	ADDRESS	LICENSE TYPE
TJ’s Locker Room, Inc.	1164 E. Yorba Linda Boulevard	Type “48” On-Sale General for Public Premises
Stopper Liquor	1168-1170 E. Yorba Linda Boulevard	Type “21” Off-Sale General
CVS Pharmacy #9777	1240 E. Yorba Linda Boulevard	Type “21” Off-Sale General
ISE Japanese Restaurant	1241 E. Yorba Linda Boulevard	Type “41” On-Sale Beer and Wine for Bona Fide Public Eating Place
Rembrandt’s Beautiful Food	909 E. Yorba Linda Boulevard	Type “47” On-Sale General for Bona Fide Public Eating Place
Kelly’s Korner Tavern	909 E. Yorba Linda Boulevard	Type “42” On-Sale Beer and Wine for Public Premises

The sale alcoholic beverages in conjunction with a lunch or dinner meal is common and can complement a dining experience. Denying this restaurant the opportunity to sell alcoholic beverages could put it at a disadvantage with other restaurants in the area that are currently licensed and permitted to serve alcoholic beverages. ISE Japanese Restaurant is an existing restaurant that is located within the same shopping center that is licensed to sell beer and wine for on-site consumption. This restaurant provides direct competition to El Gran Pollo Mexican Grill.

The sale of alcoholic beverages in this restaurant will not be the primary attraction for patrons as in the case with bars and taverns. The sale of alcoholic beverages will be permitted only in conjunction with meals served for consumption on the premises. Pursuant to the attached recommended Special Conditions of Approval and Standard Development Requirements, alcoholic beverages shall be sold in conjunction with a meal and alcoholic beverages may not be sold for off-site consumption. El Gran Pollo Mexican Grill will be required to serve meals during all hours of operation.

City Staff concludes that subject to compliance with all Special Conditions of Approval and Standard Development Requirements of Use Permit (UP) 2010-14, the issuance of this Use Permit would not create a law enforcement problem. The Development Services Department and the Placentia Police Department have reviewed the request and are supporting the proposal.

Public Convenience or Necessity

A finding of public convenience or necessity is not required for this proposed Use Permit application because El Gran Pollo Mexican Grill is not located within a high crime reporting district nor is it located within an area of over concentration. El Gran Pollo Mexican Grill is located within Census Tract 0218.10, which permits a total seven (7) ABC licenses (4 on-sale and 3 off-sale). There is currently one (1) existing on-sale and one (1) existing off-sale license.

Floor Plan:

The submittal floor plan indicates that the tenant space is approximately 1,875 square feet and includes a large food service counter, dining area, kitchen and food preparation area, office, walk-in freezer, and two (2) restroom facilities. There is one (1) main double door entrance and two exit doors for the restaurant located on the west side of the tenant space, and one (1) exit door located on east side of the tenant space.

Parking:

The submittal site plan indicates that there are 160 existing parking spaces available for the shopping center. A recent site inspection revealed that there are actually 159 existing parking spaces on site, not including the parcel improved with the Walgreens Pharmacy. There are reciprocal parking agreements for the 3 shopping center parcels that provides for the total available parking of 159 spaces. According to the submittal site plan information provided by the applicant's architect and conversations with the property manager, the total retail square footage for the entire commercial/retail shopping center is 44,625 square feet (not including Walgreens), which computes to 170 required parking spaces, taking into consideration each existing use. These calculations indicate that the shopping center is deficient approximately 11 parking spaces. The applicant for El Gran Pollo Mexican Grill will be adding 11 additional parking stalls directly behind the shopping center parallel to the east property line. The locations of the proposed spaces were approved by the City Traffic Engineer and Placentia Disposal. Of the now available 170 parking stalls, the proposed restaurant will require 18 stalls. It is not anticipated that the proposed restaurant will affect the available parking within this shopping center because of additional 11 spaces added by the applicant, the existing reciprocal parking agreements and the remaining 152 parking spaces available for other tenants.

Compatibility:

The proposed restaurant and the sale of alcoholic beverages within the restaurant facility is compatible with the adjacent business uses within this existing shopping center and with the surrounding area. This business is surrounded by other commercial uses and is not located adjacent to a residential zone. The north property line of this shopping

center borders the City of Yorba Linda. This business will attract people to the center, which will in turn benefit all of the other existing businesses.

CEQA:

The proposed use is not expected to create a negative impact on the physical environment. It is City Staff's opinion that the use is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15305 and City Environmental Guidelines.

Projects exempt pursuant to the CEQA Guideline Section 15305 exempts projects consisting of minor alterations in land use limitations in areas with an average slope of less than 20% which do not result in any changes in land use or density.

Actions:

1. Adopt Resolution No. PC-2011-03.
2. Approve Use Permit (UP) 2010-14, subject to the attached Special Conditions of Approval and Standard Development Requirements.

Prepared and submitted by:

Reviewed and approved by:

Monique B. Schwartz

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SIGNATURES ON ORIGINALS WITH
PLANNING COMMISSION SECRETARY

Kenneth A. Domer
Assistant City Administrator

Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: Site Plan
- Exhibit 3: Floor Plan
- Exhibit 4: Statement of Use

Attachments:

- Attachment A: Resolution No. PC-2011-03
- Attachment B: Special Conditions of Approval and Standard Development Requirements of Use Permit (UP) 2010-14
- Attachment C: Placentia Police Department Standard Development Requirements
- Attachment D: Orange County Fire Authority Special Conditions of Approval

El Gran Pollo Mexican Grill

“El Gran Pollo, Mexican Grill” is a restaurant concept as a service offering, a variety of *authentic* Mexican Food, as well as fresh and natural whole chicken. Tables will be available as well, as take out options. We will offer freshness & quality foods and other unique dishes such as Mexican cactus (Nopales, homemade salsa, chimichangas, tacos, and later add homemade tortillas). We will offer our authentic Mexican recipes that have been brought down from generations of our grandparents. The location selected is the City of Placentia, where we believe there is a growing demand for Mexican food. “El Gran Pollo, Mexican Grill”, we feel confident fits the areas demographics in the City of Placentia. Hours of operation will be from 9:00am to 9:30p.m. We plan on hiring 10 employees, 4 of those employees will be part-time. El Gran Pollo Mexican Grill is excited to be part of the business in the City of Placentia, and plan on having a great relationship with our neighbors.

We have over 20 years combined experience in food preparation, restaurant and hotel field, along with experience in the

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accounting field, and management skills. Our restaurant will be established as a limited liability corporation, owned by, Carlos Aldana and Guadalupe Aldana, and financially management by Charlene Aldana. Mr. Carlos Aldana has worked in the food industry for over 20 years and has been trained as a cook, sou chef, and worked at major hotels. In his 20 years of experience he has worked as a supervisor in an Italian cuisine, head line lead at a major hotel (Grand Hotel in Anaheim, CA). He also brings experience including authentic unique recipes of Mexican food and other family recipes. Carlos Aldana's brother Guadalupe Aldana will also be available for assists and cooking support. Guadalupe Aldana brings over 30 years experience in the hotel and restaurant field. Guadalupe Aldana is currently a Chef at the Hilton of Irvine Hotel. Guadalupe will bring his hotel and chef experience to El Gran Pollo, Mexican Grill.

Charlene Aldana has worked in the business field for over 20 years, and has a MBA in Business and Human Resources. Her experience is in the accounting field, payroll, as well as working with the general public. Her experience comes from working at

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Black & Decker Corporations in their accounting department, performing many duties such as Accounts Payable supervisor, Accounts Receivable, and various other accounting responsibilities. Charlene Aldana will monitor all financial performances and will be available after work and weekends to do all necessary paperwork such as payroll, inventory, and other financial duties.

We have a commitment to hard work, customer service and overall management skills to make “El Gran Pollo, Mexican Grill” one of the successful *authentic* Mexican fast food businesses in the City of Placentia.

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RESOLUTION NO. PC-2011-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2010-14 PERTAINING TO PROPERTY LOCATED AT 1205 E. YORBA LINDA BOULEVARD AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Charlene Aldana, applicant and The Remm Group, owner of the property located at 1205 E. Yorba Linda Boulevard ("Applicant" hereinafter) heretofore filed an application for approval of Use Permit No. 2010-14, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the "Application".

(ii) On February 8, 2011 this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Placentia as follows:

1. The Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony and development plans, this Commission hereby specifically finds as follows:

a. The proposed use will not be: (1) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed use or within the city, or (2) injurious to the property or improvements within the neighborhood or within the city. Subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements (Attachments "B, C and D"), this use complies with all applicable code requirements and development standards of the "C-1" Neighborhood Commercial District and (3) It is not anticipated that a Type 41 (On-Sale Beer and Wine for Bona Fide Eating Place) license will generate any negative impacts on the

adjacent neighborhood. All sales shall be conducted within an enclosed building, while maintaining an environment free from objectionable noise, odor, or other nuisances, subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements.

b. The proposed use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Commercial", and the proposed use does not involve any change in the land use of the subject site. Establishments that sell alcoholic beverages for on and off site consumption are permitted in the Neighborhood Commercial (C-1) District, subject to Use Permit approval.

c. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachments B, C and D), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed use is a conditionally permitted use in the "C-1" Neighborhood Commercial District in the City of Placentia. Approval of the Use Permit for the sale of alcoholic beverages within this restaurant business would be consistent with the zoning as the site can accommodate the proposed use, and since other similar uses have been conditionally permitted within the "C-1" Neighborhood Commercial District.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the Use Permit approval. Attachments "B, C and D" contain Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2010-14 to ensure compliance with the Placentia Municipal Code.

3. Section 15305 of the CEQA Guidelines exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including minor setback variances. The relevant area has an average slope of less than 20% which will not result in any changes in land use or density. The Planning Commission specifically finds that the Application is Categorically Exempt under the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15305) and Placentia Environmental Guidelines.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2010-14, a Notice of Exemption be filed with the Orange County Clerk/Recorder.

5. Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves Use Permit 2010-14 as modified herein, and specifically subject to the conditions set forth in Attachments "B, C and D" attached hereto and by this reference incorporated herein.

6. The Secretary to the Planning Commission shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 8th day of February, 2011.

Chairman

I, Kenneth A. Domer, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 8th day of February, 2010, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 8th day of February, 2011, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

Secretary to the Planning Commission

Attachment "B"
**Special Conditions of Approval and Standard Development Requirements for
Use Permit (UP) 2010-14**

SPECIAL CONDITIONS

If the above referenced application is approved, applicant and/or property owner shall comply with the Special Conditions listed below and the Standard Development Requirements attached.

ALL OF THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

CITY PLANNING DIVISION:

1. Use Permit (UP) 2010-14 is valid for a period of twelve (12) months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void, unless an extension is applied for and approved.
2. Use Permit (UP) 2010-14 shall expire and be of no further force or effect if the use is discontinued or abandoned for a period of one (1) year.
3. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation of said action by the City of Placentia Planning Commission.
4. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, proceeding, liability or judgment against the City, its officers, employees, agents and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body or City staff action concerning applicant's project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation-related expenses, and shall reimburse the City for any and all court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein. The City agrees to promptly notify the applicant of any such claim filed against the City and to fully cooperate in the defense of any such action.

5. Prior to any changes in the days and hours of operation of El Gran Pollo Mexican Grill, the applicant shall obtain written approval from the Director of Development Services or his/her designee. The following are the specified days and hours of operation as requested by the applicant:

Monday through Sunday: 9:00 a.m. to 9:30 p.m.

6. Any modifications to the approved floor plan and any modifications which will change, expand or intensify the use shall be subject to review and approval by the Director of Development Services. The Director may determine if such modifications require approval by the Placentia Planning Commission.
7. Prior to any modification of the floor plan that would affect parking as stipulated in the zoning code, the applicant shall obtain written approval from the Director of Development Services or his/her designee.
8. If at any time in the future, the Director of Development Services determines that a parking/circulation study is necessary to address parking and/or circulation issues relative to the use, the applicant and/or current business owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant and/or current business owner shall also be responsible for the implementation costs of any mitigation measures deemed appropriate by the City based upon the findings of this study.
9. At all times when the establishment is open for business, the sale of alcoholic beverages shall be conducted entirely within the building.
10. Outside displays are not permitted at any time.
11. There shall be no deliveries to or from the premises before 6:00 a.m. or after 10:00 p.m. Monday through Friday, Saturdays from 8:00 a.m. to 10:00 p.m. and no deliveries on Sundays.
12. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
13. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
14. All trash bins shall be kept inside trash enclosures, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be done at least three (3) times a week.
15. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.

16. The applicant shall comply with Chapter 8.34 if the Placentia Municipal Code regarding the posting of alcoholic beverage warning signs.
17. Any temporary signs or permanent signs shall be reviewed and approved by the City prior to fabrication and installation.

Prior to issuance of a building permit, the applicant shall submit a sign plan for the design of all proposed signage on the site for review and approval by the Director of Development Services or his/her designee. The sign plan shall comply with the criteria and requirements set forth in Chapter 23.90, Signs-Advertising Structures, of the Placentia Municipal Code.

All portable signs are prohibited and shall be removed from the site.

Pursuant to Section 23.90.180(9), the total area occupied by window signs shall not exceed more than twenty-five (25) percent of the window area through which they are displayed. If more than 25 percent exists, the applicant shall remove the excess signage prior to the sale of alcoholic beverages.

18. This establishment shall be operated as a restaurant facility only. All activities shall be conducted within this enclosed tenant space, while maintaining an environment free from objectionable noise, odor or other nuisances.
19. The applicant/business owner shall be responsible for maintaining the property, including the landscaped areas, walkways, and all paved surfaces, free from graffiti, debris and litter. Graffiti shall be removed by the applicant/business owner within 48 hours of defacement and/or upon notification by the City.
20. The applicant/business owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid City Business License prior to operating the business.
21. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Placentia Development Services Director and the Police Department's Administrative Lieutenant at least 14 days in advance.
22. The sale and service of alcoholic beverages shall be in compliance with all local, state and federal laws, and all conditions of the Department of Alcoholic Beverage Control (ABC) for the issuance of a "Type 41" On Sale Beer and Wine for Bona Fide Eating Place shall be applicable.
23. Operator of the restaurant shall not sell alcoholic beverages at the premises until after the ABC approves and issues a license. A copy of the approved ABC license shall be transmitted to the City Planning Division upon receipt of it.

24. This use permit may be reviewed at the discretion of the Director of Development Services in order to determine if the business is operating in compliance with all required Special Conditions of Approval and Standard Development Requirements.

CITY BUILDING DIVISION:

25. The applicant shall obtain all necessary approvals from the City prior to constructing any tenant improvements. The plans for the tenant improvement shall be prepared by a California-licensed architect or engineer.
26. All contractors and sub-contractors shall obtain a city business license. Applicant and/or contractor shall request a standard sub-contractor form from the City Building Division prior to issuance of a building permit. This standard form shall be completed and submitted to the City Business License Division prior to the issuance of any building permits.
27. Existing restroom facilities shall be in compliance with Title 24 Access Regulations.
28. Applicant shall obtain approvals from Orange County Health Department and Orange County Fire Authority prior to building permit issuance.

CITY POLICE DEPARTMENT:

29. The establishment shall remain in compliance with Placentia Police Department Standard Development Requirements for security (See Attachment C).
30. Applicant/business owner of El Gran Pollo Mexican Grill shall be in compliance with all Alcoholic Beverage Control requirements.
31. This Use Permit shall be reviewed one (1) year from the date of approval and each year thereafter as necessary. The review shall be conducted jointly by the Development Services Director and Police Chief or designee. The purpose of this review shall be to identify uniquely adverse issues such as loitering, vandalism, criminal activity, noise, or nuisance resulting from the Use Permit. If such issues are identified, the Use Permit shall be presented to the Planning Commission for their consideration of conditions, modifications, or revocation.
32. The activity level of the business shall be monitored by the Special Enforcement Detail to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive or unnecessary activity resulting in high use of police services, or that the applicant has failed to comply with enforcement or application of measures related to curfew and truancy, then this use permit shall be reviewed for consideration of further conditions, modifications, or revocation.

33. Sales of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. to 9:00 p.m. Monday through Sunday.
34. At all times when the premise is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale and service of food.
35. There shall be no bar or lounge area upon the licensed premises maintained for the purpose of sale, service, or consumption of alcoholic beverages directly to patrons for consumption.
36. Food service, with an available menu, shall be made available until closing time on each day of operation.
37. The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
38. The subject alcoholic beverage license shall not be exchanged for another public type premises type license.
39. Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premises.
40. The sale of beer and wine for consumption off the premises is prohibited.
41. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
42. Signs shall be posed at all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises.
43. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
44. There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages, which are clearly visible to the exterior, shall constitute a violation of this condition.
45. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and meals during the same time period. The licensee shall at all times maintain records with reflect separately the gross sales of good and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.

46. There shall be no pool tables or coin-operated games maintained upon the premises at any time.
47. There shall be no live entertainment (including karaoke), amplified music, or dancing permitted on the premises at any time.
48. The use of any amplifying system, outdoor sound system, loudspeakers, paging system, or any other such device is prohibited on the licensed premises.
49. At no time shall there be a fee for entrance/admittance into the premises.
50. There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate.
51. No distilled spirits may be on the premises at any time.
52. Employees who sell beer and wine shall be at least 21 years of age.
53. No advertising for beer or wine shall be visible from outside the building.
54. The subject alcoholic beverage license shall not be exchanged for a "On-sale Beer and Wine" type license, nor operated as a public premise.
55. Alcoholic beverages shall be sold and packaged within accordance to Alcoholic Beverage Control standards.
56. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
57. Signs shall be posted at all exits of the premises, which prohibit alcoholic beverages from being opened or consumed on or around the premises.
58. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
59. The use of any amplifying system, outdoor sound system, loudspeakers, paging system, or any other such device is prohibited on the licensed premises.
60. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.
61. Graffiti shall be removed from the exterior walls and windows of the premises within 48 hours of discovery.

62. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
63. Lighting in the parking area of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.
64. There shall be no special promotional events held on the property/premises, unless a written request for such is received and approved by the City of Placentia Development Services Director and the Police Department's Administrative Services Lieutenant at least one week in advance.
65. All employees of the petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and the handling of violence. The applicant must provide the City of Placentia Police Department, Administrative Services Lieutenant a copy of completed Alcohol Management Program (AMP), and a certificate of completion from an ABC LEAD program within six months of the premises being licensed to sell alcohol.

ORANGE COUNTY FIRE AUTHORITY:

66. Applicant shall comply with all site development requirements specified by the Orange County Fire Authority (OCFA) (See Attachment D).

Attachment "C"
Placentia Police Department Standard Development Requirements

POLICE DEPARTMENT

APPLICATION UP 2010-14

STANDARD DEVELOPMENT REQUIREMENTS

The following standards shall be required for all commercial/industrial developments. No modifications shall be made without the approval of the Chief of Police.

COMMERCIAL/INDUSTRIAL SECURITY

Sliding Doors:

Sliding glass doors shall be of tempered glass with locking bolt that grips door and frame together and prevents the door from being pried in an upward direction. The strike area shall be reinforced to prevent prying and disengagement of the locking bolt. Anti-lift out device(s) shall be installed in the upper channel above the moving panel to prevent raising and removal from the tract while in the closed position.

Other Doors:

Wood doors and aluminum stile doors shall be used only as front entry doors. ALL OTHER DOORS SHALL BE METAL.

Wood doors shall be of solid core construction with the minimum thickness of one and three-fourths (1-3/4) inches. Wood panel doors with panels less than one (1) inch thick shall be covered on the inside with a minimum sixteen (16) U.S. gauge sheet steel, or its equivalent, which is to be attached with screws on minimum six (6) inch centers.

Metal doors shall be of a minimum sixteen (16) U.S. gauge and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed. Such reinforcement shall restrict collapsing of the door around any locking device. Metal jambs shall be used.

Doors with glass panels and/or glass within thirty-six (36) inches of locking mechanism shall be fully tempered glass or rated burglary resistant material.

Door stops on wooden jambs for in-swinging door shall be of one piece construction with the jamb. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

All swinging exterior wood and steel doors shall be equipped as follows:

Single doors: equipped with "single unit" containing door knob and single cylinder deadbolt. (Single turn of the knob also retracts the locked deadbolt.) Deadbolt must have one (1) inch throw and exterior case hardened, rotating steel cylinder guard.

EXTERIOR DOORS

Or:

Equipped with single or double cylinder deadbolt in which no other device is located in the area where door hardware is usually installed.

If double cylinder deadbolt is used, the inside key operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "opened."

In either case, a sign must also be displayed above the front door indicating that the front door is to remain "unlocked" during business hours. Letter size to be minimum one (1) inch in size on contrasting background.

Aluminum stile, single door: equipped with a double cylinder, minimum one and one-half (1-1/2) inch upswing or one (1) inch slide deadbolt and exterior case hardened, rotating steel cylinder guard and minimum of five (5) pin tumblers. The inside key-operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "open." A sign must also be displayed above the door indicating that the door is to remain "unlocked" during business hours. Letter size to be minimum of one (1) inch in height on contrasting background.

The inactive leaf of all double door(s) shall be equipped with metal flush bolts having a minimum embedment of five-eighths (5/8) inch into the head and threshold of the door frame.

The strike plate for deadbolts on all wood framed doors shall be constructed of minimum sixteen (16) U.S. gauge steel, bronze, or brass and secured to the jamb by minimum of two screws, which must penetrate at least two (2) inches into solid backing beyond the surface to which the strike is attached.

Strike area for metal or aluminum framed doors constructed or protected to prevent violation of strike area.

Hinges for out-swinging doors shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins.

Panic hardware, whenever required by the Uniform Building Code or Title 19, California Administrative Code, shall be installed as follows:

- (1) Panic hardware shall contain a minimum of two (2) locking points on each door; or
- (2) On single doors, panic hardware may have one locking point which is not to be located at either the top or bottom rails of the door frame. The door shall have an astragal constructed of steel .125 thick which shall be attached with nonremovable bolts to the outside of the door. The astragal shall extend a minimum of six (6) inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached.
- (3) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them, but not interfere with the operation of either door.

Deadbolt locks shall not be used on doors that are required to have panic hardware.

COMMERCIAL/INDUSTRIAL SECURITY, Con't.

DOORS

Overhead or sliding doors shall be secured on the inside by minimum one-half (1/2) inch slide bolt(s) protruding at least one (1) inch door frame at floor; or secured on outside by a case hardened or minimum ten (10) gauge steel construction slide bolt using a padlock having a hardened steel shackle locking both at heel and toe with a minimum five (5) pin tumbler operation. Locking bar or bolt to extend through the receiving guide minimum of one (1) inch.

Doors exceeding ten (10) feet in width shall have two locking points on opposite side.

WINDOWS

No louvered windows shall be used.

Windows and/or transoms having a pane exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected in the following manner:

- (1) Fully tempered glass or burglary resistant material*; or
- (2) Inside or outside iron bars of at least one-half (1/2) inch round or one by one-quarter (1 x 1/4) inch flat steel material, spaced not more than five (5) inches apart and securely fastened with nonremovable bolts; or
- (3) Inside or outside iron or steel grills of at least twelve (12) gauge material with not more than a two (2) inch mesh and securely fastened with nonremovable bolt.

The protective bars or grills shall be of the operable type if such windows are required to be operable by the Uniform Building Code.

ROOF OPENINGS

Skylights shall be fully tempered glass or rated burglary resistant material*; or

- (1) Protected by iron bars at least one-half (1/2) inch round material spaced not more than five (5) inches apart; or
- (2) Steel grill at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted under the skylight.

Ventilator skylights with side openings exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected as in (1) or (2) above.

Air ducts or vents exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches on roof or exterior walls shall be covered by iron or steel bars of at least one-half (1/2) inch material spaced not more than five (5) inches apart; or steel grills of at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted.

HATCHWAYS

Hatchways on the roof, if not of metal construction, shall be covered on the inside with sixteen (16) gauge sheet metal, or its equivalent, and secured from the inside with a slide bar or slide bolt. Outside hinges shall be equipped with nonremovable hinge pins.

COMMERCIAL/INDUSTRIAL SECURITY, Con't.

LADDERS

Ladders leading to the roof shall do so from the interior of the building.

*MISC

BURGLARY RESISTANT MATERIAL:

1. Products intended for use shall be permanently labeled as such.
2. Materials used shall meet UL 972 Standards for Safety Burglary Resistant Glazing Materials.
3. Only materials approved by ICBO shall be used.

ADDRESS

The address number shall be mounted near the front entry of each building or other conspicuous location and be no less than six (6) inches high. They shall be mounted on a contrasting background and easily visible from the street or walkway. If rear-vehicular access, the same numbers shall be displayed on the rear of the building.

Numerals of the street address shall be displayed on the uppermost roof, in luminous paint or other material capable of being read from the air. Minimum numeral size shall be twenty-four (24) inches. Designated building (if a complex).

LIGHTING

Exterior lighting of an intensity of at least twenty-five hundredths (.25) foot-candles shall be provided adjacent to doors and windows. Exterior bulbs shall be protected by polycarbonate or other weather and vandal resistant globe or cover. Light(s) shall be maintained during hours of darkness.

Parking lots for use by the general public and/or employees shall be provided with exterior lighting of an intensity of at least one (1) foot-candle of light on the parking surface and maintained from dusk until one-half (1/2) hour after the termination of business.

Attachment "D"
Orange County Fire Authority (OCFA) Special Conditions of Approval



ORANGE COUNTY FIRE AUTHORITY

Fire Prevention Department

P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602

Planning and Development Services • www.ocfa.org • (714) 573-6100 / Fax (714) 368-8843

Date: November 23, 2010

To: City of Placentia Planning Division
Attention: Monique Schwartz, Project Manager

From: Lynne Pivaroff, Fire Prevention Analyst

Subject: OCFA Service Request SR #156153, City Reference #UP 2010-14
El Gran Pollo Mexican Grill- 1205 E. Yorba Linda Blvd., Placentia
Service Code: PR105 Site Development Review/CUP

The OCFA has reviewed the proposed project and there do not appear to be any significant issues associated with this proposal that would prevent further submittals to the OCFA should the city approve the CUP. Please provide the conditions listed below on the resolution issued to the applicant.

CONDITIONS OF APPROVAL

Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of any permits or approvals:

- architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form"

Prior to concealing interior construction:

- fire sprinkler system (service codes PR430-PR455), if the building is currently sprinklered and the system requires modification
- hood and duct extinguishing system (service code PR335)

Specific submittal requirements may vary from those listed above depending on actual project conditions identified or present during design development, review, construction, inspection, or occupancy. Standard notes, guidelines, submittal instructions, and other information related to plans reviewed by the OCFA may be found by visiting www.ocfa.org and clicking on "Fire Prevention" and then "Planning & Development Services."

If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.:	DATE: February 8, 2011	PUBLIC HEARING: Yes
APPLICATION: Use Permit (UP) 2010-09		
DESCRIPTION: To permit the construction of a +/- 78 foot high freestanding AT&T wireless communication facility designed as a "Mono-pine", consisting of twelve(12) panel antennas, one microwave dish and associated communications equipment and equipment cabinets within an adjacent equipment enclosure, located at 2210 Valencia Avenue (Koch Park) in the Residential (R-1) District.		
RELATED APPLICATIONS: None		
APPLICANT: Tim Miller (Trillium Consulting)		
PROPERTY OWNER: City of Placentia		
LOCATION: 2210 Valencia Avenue – Koch Park		
CEQA DETERMINATION: Categorically Exempt: Class 3, Section 15303		
ZONING: Residential (R-1)	APN(S): 336-281-03	
GENERAL PLAN: Residential	CITY COUNCIL ACTION REQUIRED: No	
PREPARED BY: Kenneth A. Domer, ACA/Development Services		
REVIEWED BY: Monique B. Schwartz, Associate Planner		

REQUEST:

To permit the construction of a +/- 78 foot high freestanding AT&T co-locatable wireless communication facility designed as a "Mono-pine," consisting of twelve (12) panel antennas, one microwave dish and associated communications equipment and equipment cabinets within an adjacent equipment enclosure, located at 2210 Valencia Avenue (Koch Park) in the Residential (R-1) District.

The City of Placentia is the property owner of the park property and has authorized the filing of this use permit application.

INTRODUCTION:

Pursuant to § 23.82.070 of the Placentia Municipal Code, all major wireless communication facilities established in the City are required to obtain Planning Commission approval of a use permit application.

The proposed wireless communication site for AT&T will be designed to provide telecommunication services to the surrounding community around the intersection of Golden Avenue and Valencia Avenue. The site is designed to fit in with the park setting as much as possible and thus a "mono-pine" design was chosen. The City required a similar "mono-pine" at Tuffree Park and is very pleased with the results. The City, in acknowledgement of the increasing need for future wireless facility sites around the City, amended the Placentia Municipal Code to allow for such facilities within Residential

zones on public property. Additionally, City staff reviews each site and application for the ability to co-locate two or more wireless facilities in order to minimize the proliferation of wireless cell towers in our predominately residential city. A public hearing procedure before the Planning Commission, with the mailed notices to all property owners within a 300 foot radius from the perimeter of the property, is required to process the Application for Use Permit 2010-09.

RECOMMENDATION:

The City Planning Division is recommending the adoption of Resolution No. PC-2011-04, approving Use Permit (UP) 2010-09, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

DISCUSSION:

As with all potential wireless facilities, City Staff reviewed the proposed location and nearby alternatives in order to best address the need for a wireless location as well as to maintain the residential nature of the City. Koch Park, which fronts on Valencia Avenue, south of Golden Avenue, was reviewed for the potential to best fit the proposed use within the park setting while ensuring maximum distance from residential and school facilities. Additionally, staff reviewed the equipment structure location as they are generally the larger ground space requirement. The proposed wireless communication facility and related equipment cabinets will be located on the park property north of the parking lot and within the picnic shelter area. In fact, the need for locating the equipment shelter presented the City an opportunity to review the current picnic shelter and propose an equipment location which improved the current facility. Aspects of the application are discussed in detail in the following:

Subject Site and Surrounding Land Uses:

	Existing Land Use	Zoning Map Designation	Land Use Element General Plan Designation
Present	Park	Residential (R-1)	Residential
Proposed	Park with proposed +/- 78 foot high Mono-pine wireless communication facility and related equipment cabinet enclosure	Residential (R-1)	Residential
North	School recreational fields	Residential (R-1)	Low Density Residential
South	Single family residential	Residential (R-1)	Low Density Residential
East	Single family residential	Residential (R-1)	Low Density Residential
West	Street and single family residential	Residential (R-1)	Low Density Residential

Location:

The submittal site plan indicates that the new "Mono-pine" structure will be located on a grassy area immediately north of the existing picnic shelter area, approximately 100 feet east of Valencia Avenue and 100 feet north of the Koch Park parking lot. The pole structure is proposed to be surrounded by a low planter area separated from cement walking surfaces. The 200 square foot equipment enclosure (ground lease area) is proposed to be centered on the western side of the concrete surfaced picnic area and new picnic shelter canopies will be installed by the applicant both to the north and south of the equipment enclosure. The proposed ground lease area will include a split-face masonry wall equipment room, approximately 10'-0" x 20'-0," with a standing seam metal roof to match the picnic shelters. The new "Mono-pine" structure is located more than 100 lineal feet from any surrounding residential structures as specified in § 23.82.050(4)(b) of the Placentia Municipal Code. The distance to the nearest residential structure to the south is approximately 180 feet; to the west, 270 feet; and it is approximately 270 feet to the nearest temporary building at George Key School.

Height:

Pursuant to § 23.12.040 of the Placentia Municipal Code, the maximum height permitted within the Residential (R-1) District is thirty (30) feet. However, per § 23.82.060 of the PMC, a wireless facility may extend beyond the height limit if the Director of Development Services determines it necessary in order to effectively receive and transmit communication signals or to camouflage or blend the facility in with the existing environment. As submitted, the proposed antenna height is 73 feet above ground level with an additional five (5) feet allowed for completing the "pine tree" look of the tower. It is the determination of the Director of Development Services that it is necessary for the proposed facility to exceed the height limit of the Residential (R-1) District in order for the facility to effectively transmit and receive communications, be designed for co-location with other carriers, and to blend in with the natural environment.

Antennas/Operational Characteristics:

AT&T proposes to install a total of twelve (12) panel antennas divided equally into three (3) sectors on the new "Mono-pine;" a single two (2) foot microwave dish; and two (2) GPS antennas. The panel antennas will be mounted approximately 73 feet above the finished grade (as measured to the top of the antennas). Additionally, equipment cabinets with the associated electronic equipment will be mounted on a raised concrete pad within the new +/- 200 square foot ground lease enclosure area.

The proposed wireless communication facility will provide twenty-four (24) hour service to AT&T customers, seven (7) days a week. An AT&T technician will service this facility on a periodic basis; with routine maintenance/inspections of the facility occurring as needed during normal working hours. AT&T requires twenty-four (24) hour access to the facility to ensure that technical support is immediately available if warranted. AT&T will have keys to access the equipment cabinets.

Aesthetics:

The City's wireless communication facility ordinance specifically requires operators to consider visual impacts when locating and constructing a major wireless communication facility; therefore, the applicant has proposed to install a "Mono-pine" which, by design, is intended to blend into the surrounding environment. The trunk of the "Mono-pine" will be designed to have the feel, texture and color of natural bark and the pine needles will be green and brown to resemble a living pine tree. The proposed colors are subdued and the materials are non-reflective to blend with materials and colors in the surrounding area. The proposed "Mono-pine" is similar to the recently constructed facility at Tuffree Park. The ground lease area will be within an enclosed split faced masonry block structure with a standing seam metal roof to match the two (2) new picnic shelters to be installed by the carrier as specified by the City. A Special Condition of Approval has been included to require that all cable/utility runs be placed underground.

Safety:

Wireless communication facilities are regulated by the Federal Communications Commission (FCC) and must receive a federal license before transmission can begin. Providers must comply with the American National Standards Institute (ANSI) and Institute of Electrical and Electronic Engineers (IEEE) standards for safe human exposure to radio electromagnetic fields. ANSI and IEEE standards are considered the most appropriate health and safety guidelines for this type of industry. If a wireless communications facility does not maintain ANSI/IEEE mandated standards, their FCC license will be revoked and any authorized use permit would be declared null and void.

AT&T wireless telecommunication facilities operate at the lowest possible power levels and are below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proven safe by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

AT&T retained the firm of Hammett & Edison, Inc., Consulting Engineers to evaluate the proposed facility for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields. A copy of the report is an exhibit to this Staff Report. The professional opinion within the conclusion of the report is that the facility will comply with the prevailing standards for limiting public exposure to radio frequency energy and will not cause a significant impact on the environment. As stated, the highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. The finding is consistent with measurements of actual exposure conditions at other similar facilities.

Additionally, an informational piece from the American Cancer Society regarding exposure to radio frequency energy from wireless facilities is attached as an exhibit.

The applicant indicates that the equipment operates quietly or almost noise free. The equipment does not emit fumes, smoke or objectionable odors.

CEQA:

The proposed use is not expected to create a negative impact on the physical environment. It is City Staff's opinion that the use is categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guideline § 15303 and City Environmental Guidelines.

Section 15303 allows for exemptions for small new construction projects which do not result in any changes in land use or density. The proposed project involves a minor alteration to an existing site involving a negligible expansion of use beyond that presently existing, and will not result in an increase of more than 50 percent of the floor area, nor more than 2,500 square feet. As a result, City Staff recommends that the Planning Commission find that the use is categorically exempt from CEQA.

ACTION:

Adopt Resolution No. PC-2011-04 approving Use Permit (UP) 2010-09, subject to the Special Conditions of Approval and Standard Development Requirements set forth therein.

Prepared and submitted by:

Reviewed and approved by:

ELECTRONIC COPY
SIGNATURES ON ORIGINALS WITH
PLANNING COMMISSION SECRETARY

Kenneth A. Domer
ACA, Director of Development Services

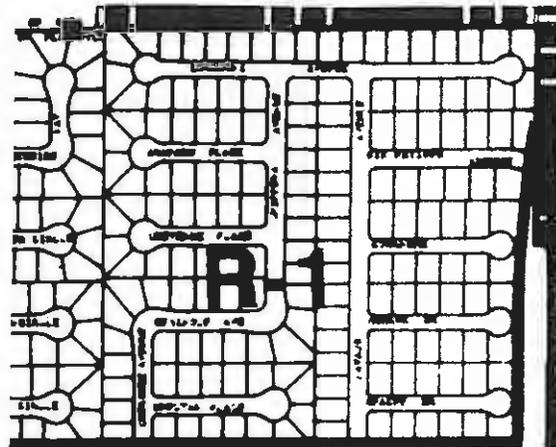
Aunique B. Schwartz
Associate Planner, Development
Services

Exhibits:

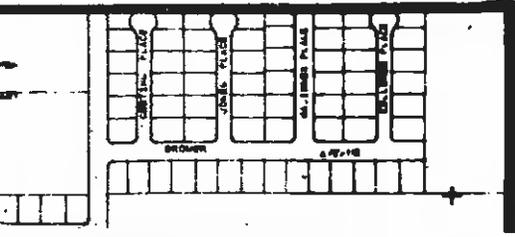
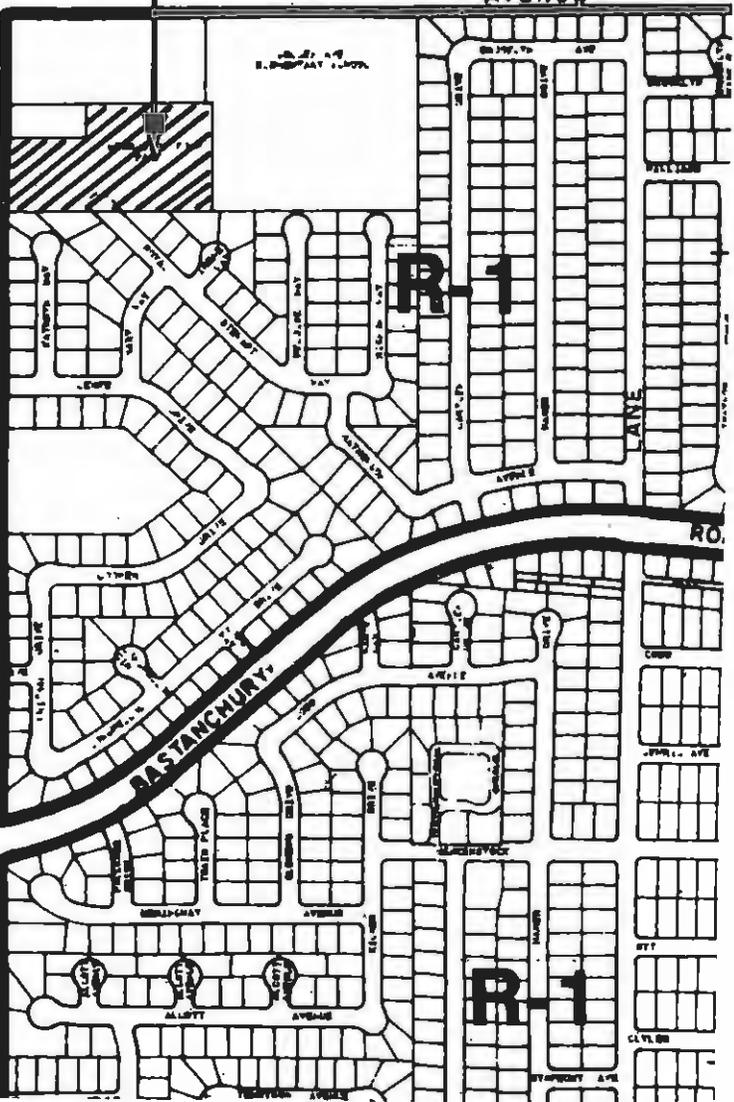
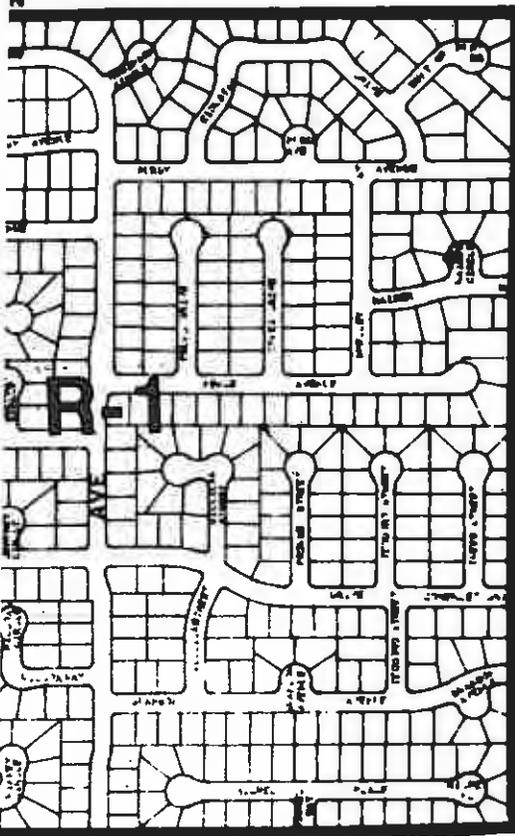
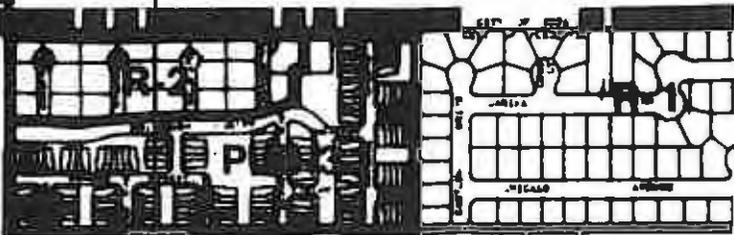
- Exhibit 1: Vicinity Map
- Exhibit 2: Site Plan
- Exhibit 3: Floor Plan
- Exhibit 4: Elevations
- Exhibit 5: Statement of Use
- Exhibit 6: Site Analysis of Radio Frequency Electromagnetic Fields
- Exhibit 7: American Cancer Society Information
- Exhibit 8: Example Pictures from Tuffree Park Wireless Facility

Attachments:

- Attachment A: Resolution No. PC-2011-04
- Attachment B: Special Conditions of Approval and Standard Development Requirements of Use Permit (UP) 2010-09
- Attachment C: Placentia Police Department Standard Development Requirements
- Attachment D: Orange County Fire Authority Special Conditions of Approval



Subject Site

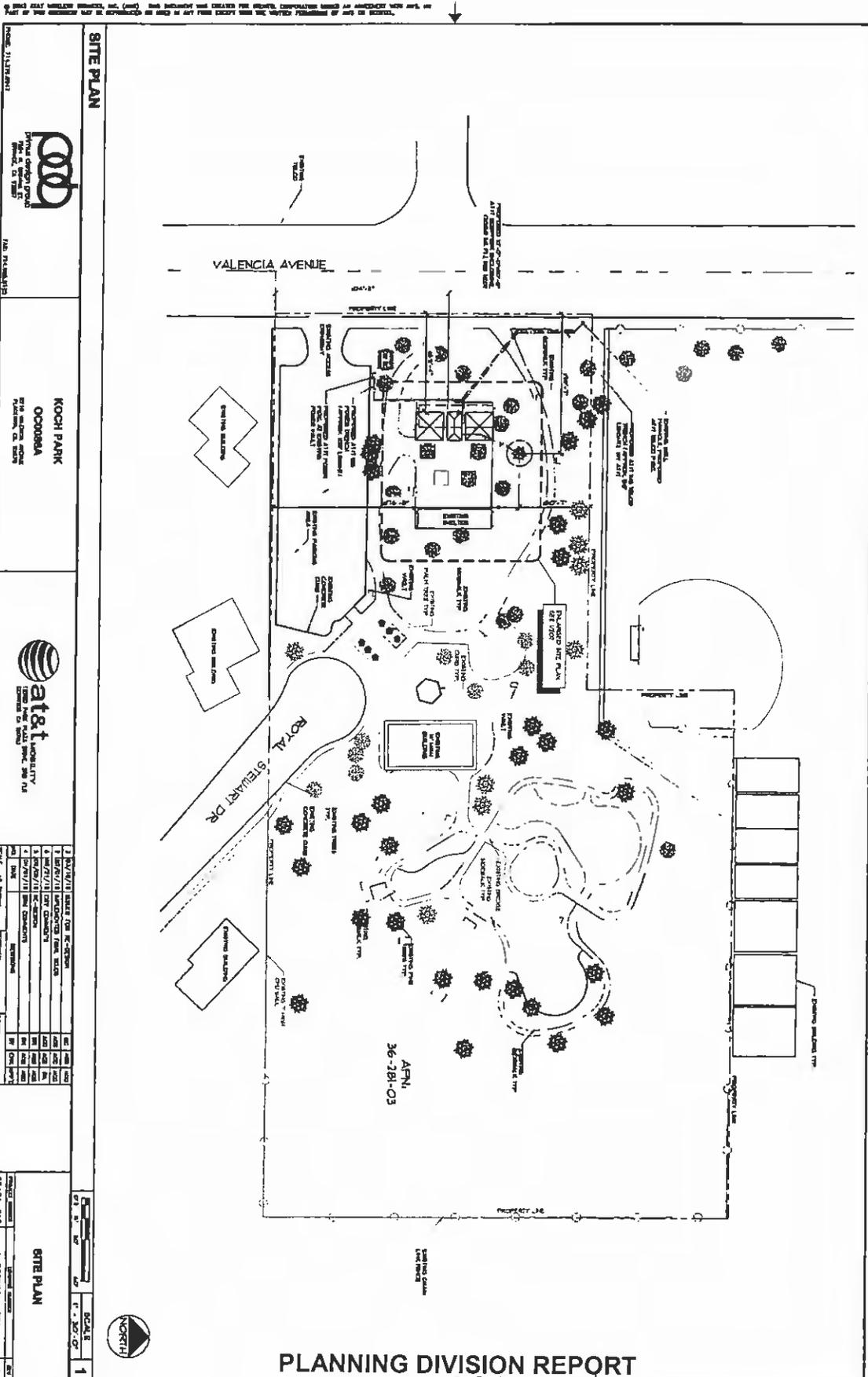


VICINITY MAP

NTS



PLANNING DIVISION REPORT
 UP 2010-09
 Exhibit 1



SITE PLAN

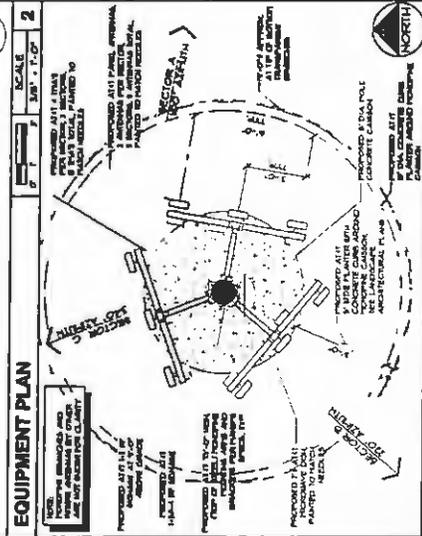
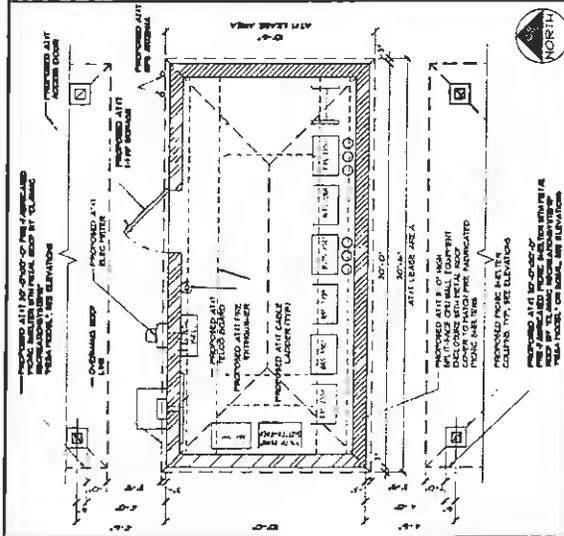
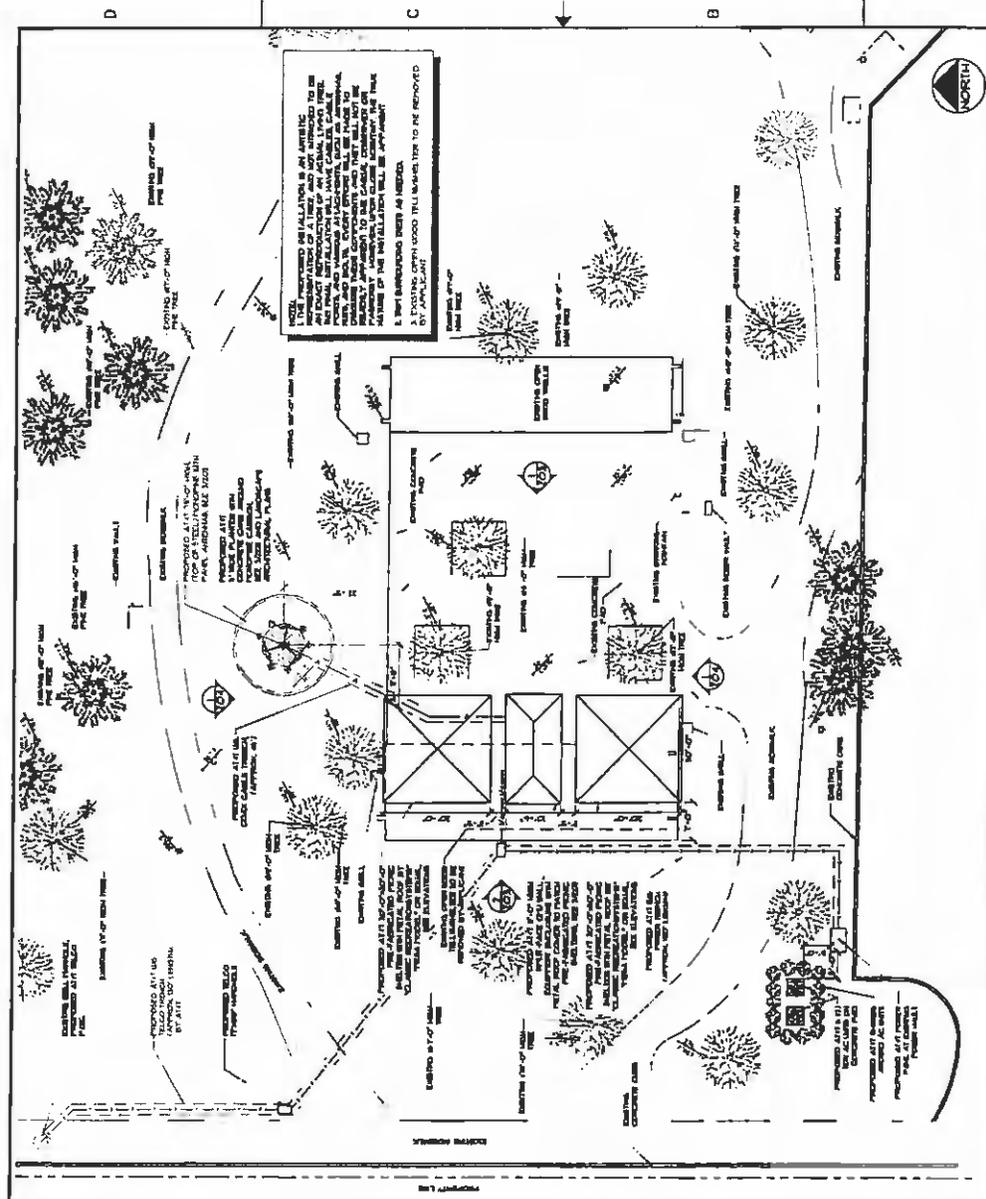
KOCH PARK
 OCC0088A
 8710 VALLEJO AVENUE
 PALM BEACH, FL 33411

NO.	DATE	DESCRIPTION	BY	CHKD BY
1	10/15/11	ISSUE FOR SCHEMATIC	...	...
2	10/27/11	LANDSCAPE PLAN SUB	...	...
3	10/27/11	CONTRACT	...	...
4	10/27/11	CONTRACT	...	...
5	10/27/11	CONTRACT	...	...

SCALE: 1" = 30'-0"
 NORTH

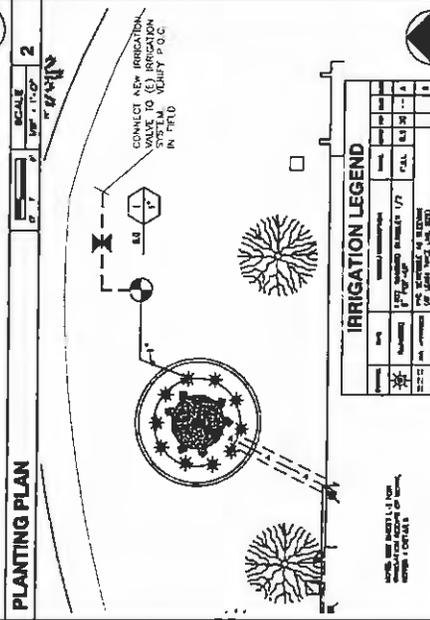
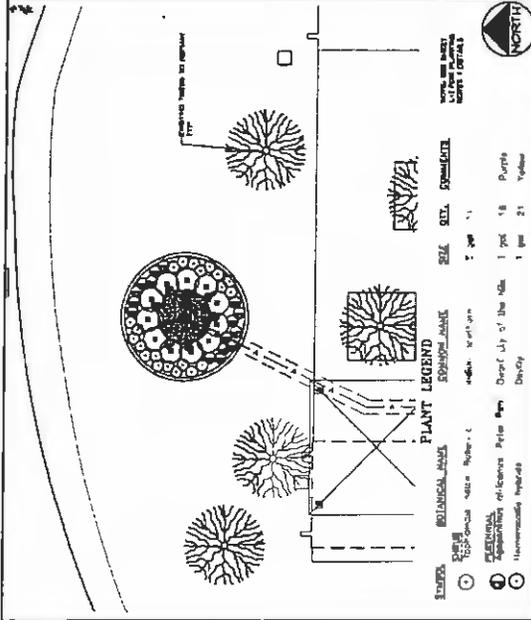
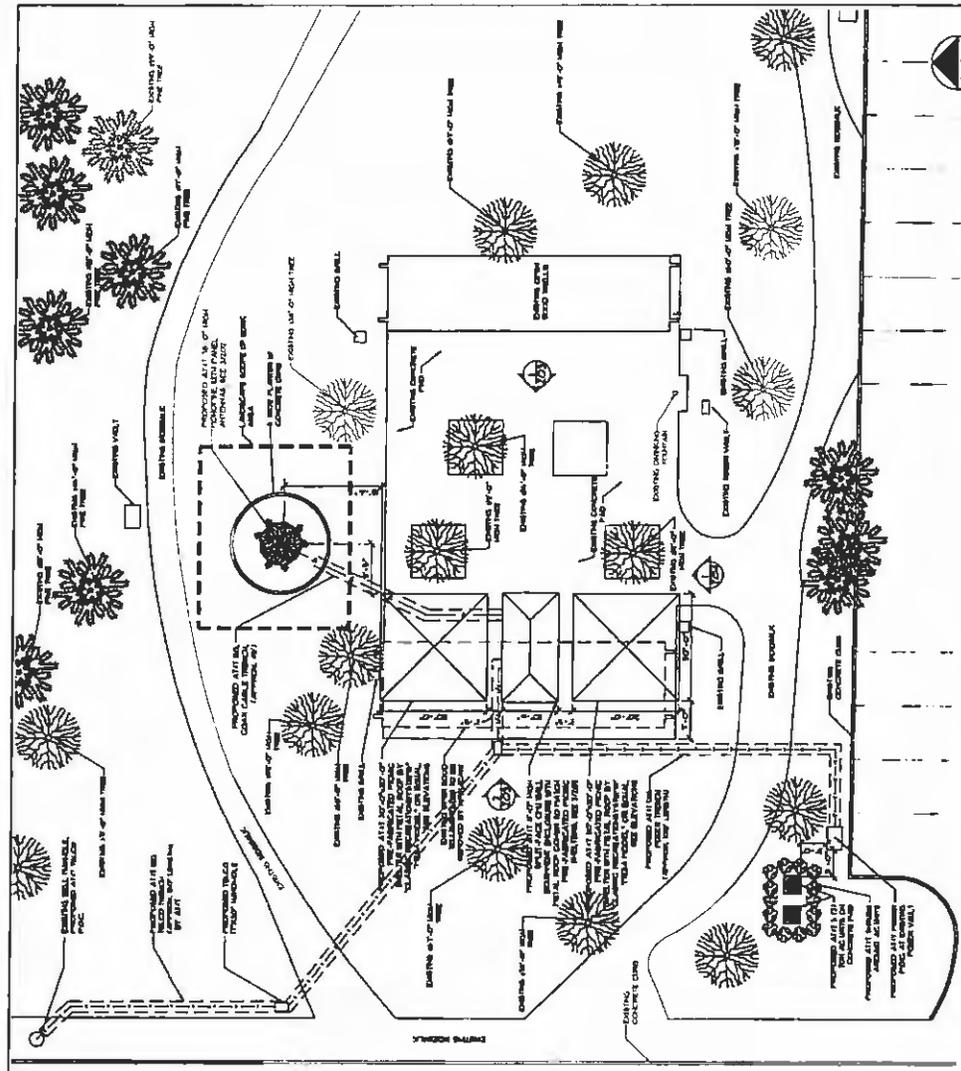
SHEET NO. 1
 TOTAL SHEETS: 5
 PROJECT NO. A-DC0088A - 201

PLANNING DIVISION REPORT
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 EXHIBIT: 2
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 DATE: Feb 8, 2011



ENLARGED SITE PLAN SCALE: 1" = 10'-0" SHEET NO. 1 OF 1	
ENLARGED SITE PLAN, EQUIPMENT PLAN, AND ANTENNA CONFIGURATION PROJECT NO. 25471-810 A-00006A - 702	
1. EXISTING CONDITIONS FOR PROPOSED ANTENNA INSTALLATION SHALL BE MAINTAINED THROUGHOUT THE PROJECT. 2. PROPOSED ANTENNA INSTALLATION SHALL BE PLACED TO MAINTAIN VISUAL INTEGRITY AND NOT BE PLACED TO MAINTAIN VISUAL INTEGRITY. 3. PROPOSED ANTENNA INSTALLATION SHALL BE PLACED TO MAINTAIN VISUAL INTEGRITY AND NOT BE PLACED TO MAINTAIN VISUAL INTEGRITY.	4. PROPOSED ANTENNA INSTALLATION SHALL BE PLACED TO MAINTAIN VISUAL INTEGRITY AND NOT BE PLACED TO MAINTAIN VISUAL INTEGRITY. 5. PROPOSED ANTENNA INSTALLATION SHALL BE PLACED TO MAINTAIN VISUAL INTEGRITY AND NOT BE PLACED TO MAINTAIN VISUAL INTEGRITY.
at&t mobility COMMUNICATIONS 1000 W. 10TH STREET, SUITE 100 DENVER, CO 80202	
KOCH PARK OC0006A 675 W. 10TH STREET DENVER, CO 80202	
ANTENNA CONFIGURATION SCALE: 1" = 10'-0" SHEET NO. 3 OF 3	
at&t mobility COMMUNICATIONS 1000 W. 10TH STREET, SUITE 100 DENVER, CO 80202	

PLANNING DIVISION REPORT
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ENLARGED SITE PLAN

SCALE: 1" = 10'-0"

**ENLARGED SITE PLAN,
PLANTING PLAN
AND IRRIGATION PLAN**

SCALE: 1" = 10'-0"

Koch Park
Ocoee, GA

at&t
COMMUNICATIONS

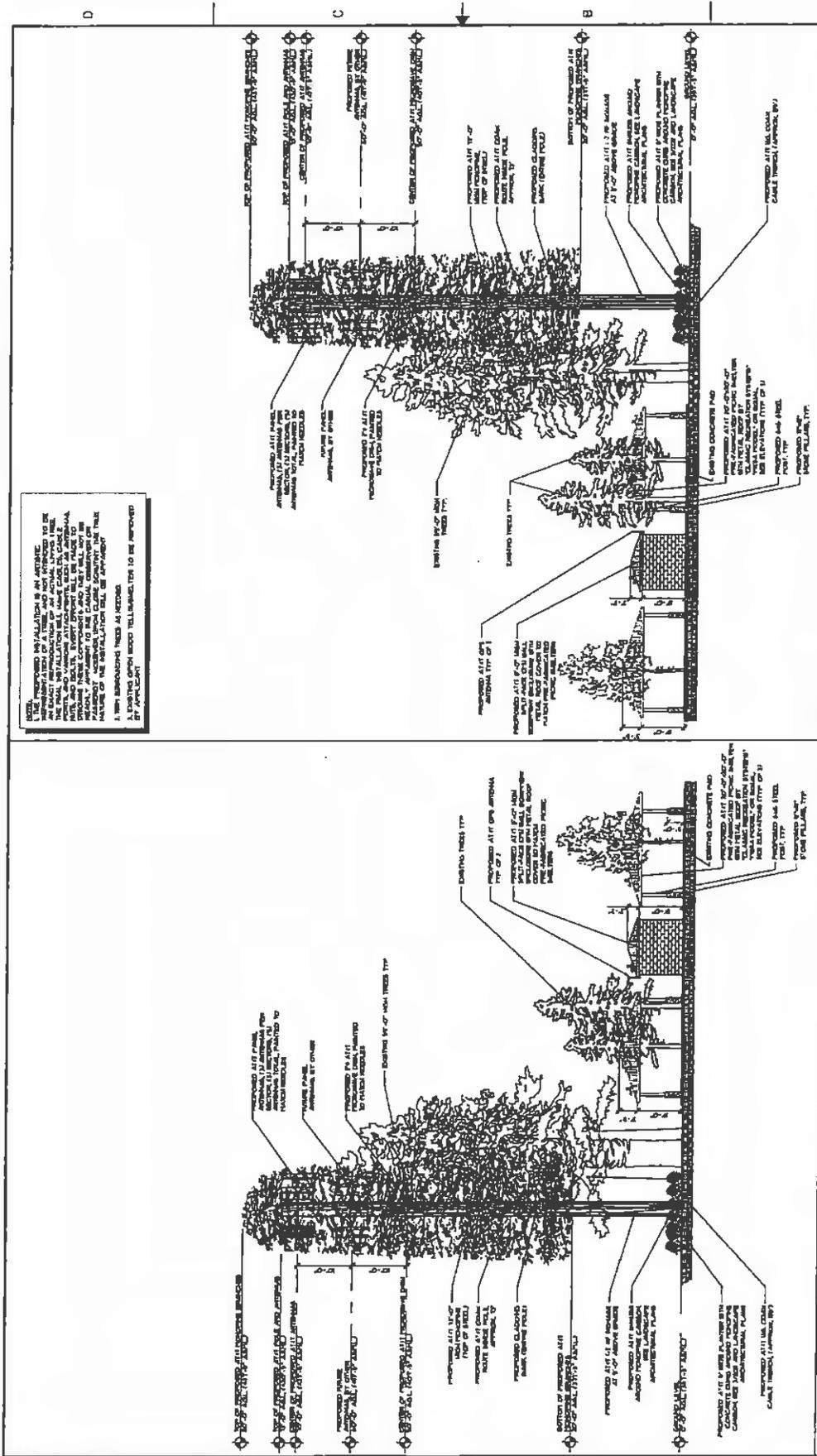
PLANNING DIVISION REPORT

Koch Park
Ocoee, GA

PLANNING DIVISION REPORT

Koch Park
Ocoee, GA

PLANNING DIVISION REPORT
 APPLICATION: UP 2010-09
 EXHIBIT: 3
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 DATE: FEB 8, 2011



NOTES:

1. NEW BRICKWORK TO BE MATCHED TO EXISTING BRICKWORK.
2. NEW BRICKWORK TO BE MATCHED TO EXISTING BRICKWORK.
3. NEW BRICKWORK TO BE MATCHED TO EXISTING BRICKWORK.
4. NEW BRICKWORK TO BE MATCHED TO EXISTING BRICKWORK.
5. NEW BRICKWORK TO BE MATCHED TO EXISTING BRICKWORK.
6. NEW BRICKWORK TO BE MATCHED TO EXISTING BRICKWORK.

WEST ELEVATION SCALE: 1/8" = 1'-0"

EAST ELEVATION SCALE: 1/8" = 1'-0"

at&t LOCALITY
1100 PINE AVE. SUITE 100
CHICAGO, IL 60607

KOCH PARK OCCORBA
218 N. WOOD ST.
MARIETTA, GA 30067

ARCHITECTURAL ELEVATIONS

PROJECT NUMBER: 25471-610 A-OCCORBA -203

DATE: 02/05/11

SCALE: AS SHOWN

PLANNING DIVISION REPORT

APPLICATION: UP 2010-09

EXHIBIT: 4

PAGE 2 OF 2

DATE: Feb. 5, 2011

City of Placentia

Conditional Use Permit Application for

AT&T Mobility

Wireless Telecommunications Facility

at

2210 Valencia Avenue
Placentia, CA 92870
APN: 336-281-03

Site Id: OC0086A – Koch Park

Applicants Representative:

Tim Miller



Trillium Consulting, Inc.

5912 Bolsa Avenue, Suite 202

Huntington Beach, CA 92649

Phone: (714) 364-7233 Fax: (714) 799-2020

tmiller@trillumcos.com

PLANNING DIVISION REPORT

APPLICATION: UP 2010-04

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PAGE 1 OF 5

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Proposed AT&T Mobility Wireless Telecommunications Facility

Application Request

AT&T requests the approval of a Wireless Telecommunications Facility at 2210 Valencia Avenue. The proposed project will consist of installing a new wireless facility disguised as a pine tree on the northwest area of the park. AT&T's antennas are proposed to be located at 73 feet AGL with the branches extending an additional 5 feet to provide a more realistic tree appearance. The associated equipment cabinets are to service the facility and will be located at ground level within the picnic area. The equipment will be located in a new 8 foot high CMU wall roofed enclosure. In addition, AT&T proposes to install two covered picnic area, one on each side on the equipment enclosure.

Antenna and Equipment Details

A total of 12 panel antennas are proposed mounted on the monopine at an overall height of 78 feet. The associated equipment cabinets will be located in a new 8 foot high CMU wall roofed enclosure.

Detailed project synopsis.

- Twelve (12) panel antennas.
- Indoor equipment located within a new 8 foot high CMU wall roofed enclosure.
- One (1) two foot microwave dish.
- Two (2) GPS antennas to serve for satellite positioning and E911 Compliance.
- Coax cable runs from equipment to panel antennas.
- Telephone and electrical service will be extended to the site.
- The facility will operate in compliance with all applicable local, state and federal regulations.

Land Use Analysis

The site is zoned R-1 Residential and is developed with a public park. AT&T Mobility proposes panel antennas mounted on a new 78 foot monopine facility.

The proposed telecommunications facility was designed to provide efficient PCS coverage without creating off-site visual impact. The proposed extension will still allow the facility's design to be screened and will blend in with the surrounding

PLANNING DIVISION REPORT

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mature trees; thereby minimizing any off-site visibility (see attached photo simulations).

Site Selection Considerations

Selecting a site for use as PCS telecommunications facility is a laborious task. Radio frequency (RF) engineers must first identify an area within the system where radio coverage is inadequate or non-existent. A team of AT&T representatives visits the area in order to locate a viable candidate for use as a wireless communications facility ("WCF")

There are four factors that determine a site candidate's viability:

1. *Ability to lease the necessary property.* The site candidate must have adequate space for the placement of radio equipment and antennas. Existing telecommunications facilities are first evaluated for co-location feasibility before a new site is pursued. The landowner must be willing to lease the area for use as a WCF. The ability to lease the site on acceptable terms and conditions is often the most important determinant of a site candidate's feasibility as a WCF.
2. *Ability to construct the proposed site.* The site candidate must have not only adequate space for the required equipment, but is must also be able to structurally support the antennas and the equipment. There must be adequate 24-hour access to the site for construction and maintenance of the WCF, and power and telephone lines must be accessible on site.
3. *Must conform to the zoning code.* The site candidate needs to be located within a land use (zoning) designation that is compatible with the telecommunications uses. In each search area, specific zoning classifications are researched to locate installations in areas where potentially significant environmental impacts are mitigated to a level of insignificance. Such preferred locations are often in commercial or industrial zones and property where other existing communications installations have already been approved and/or can be co-located in the future. Every effort is made to avoid, wherever possible, locating sites in area which may create a visual impact to public view-sheds.
4. *Ability to provide adequate RF coverage and connect to surrounding sites.* After the initial visits by site acquisition staff to a site, a coverage map is generated to determine how effectively each site can send and receive radio signals. Topography and other natural or man-made obstructions are evaluated for radio signal blockage to assess line-of-site transmission issues pertaining to the target coverage area. The ground elevation, height, and topography are all factors that impact the effectiveness of radio coverage for the target coverage area and ability to connect to the surrounding WCF sites within the existing AT&T network.

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Proposed Site Selection, Collocation and Local Coverage

The need for improved service is determined by three factors:

1. Market demand
2. Capacity requirements for a specific geographic area.
3. Need to provide continuous coverage from one site to another in a particular geographic region

Collocation – There are no viable candidates for collocation within the search ring area which meet the coverage objectives for this site. The proposed project will allow for future collocation by another carrier.

Proposed Site Selection – The proposed site was chosen because it was the only viable candidate within the designated search ring that was allowed per the City's ordinance. The location in the park was chosen because it is consistent with the surrounding environment and minimizes off site visibility by blending in well with surrounding trees.

The maximum height of the proposed antennas is 73 feet. The necessary height for the PCS antennas is determined by an engineering study. This study evaluates radio signal propagation over the desired coverage area based on topography, geographic features and possible signal attenuation due to season changes in vegetation. It is desirable to have a direct line of sight from the array of panel antennas to the required coverage objective.

The purpose of the proposed site is to provide continuous coverage to the City of Placentia within the AT&T wireless antenna network. Please see attached RF Coverage Maps for further detail and signal propagation.

Technical Site Description

The type of antenna proposed is a panel antenna. There will be a total of three (3) sectors, with four (4) antennas per sector located on the monopine. In addition, two (2) Ground Positioning System (GPS) antennas will be mounted assist with satellite position and E911 compliance. The equipment will be installed with the CMU shelter to support the facility.

AT&T maintenance personnel will periodically visit the site for maintenance and repair. These tasks are performed on an as-needed basis, approximately once a month or less.

FAA Compliance – The proposed WTF will meet and comply with all applicable FAA regulations.

FCC Compliance – The proposed communications facility will operate in full compliance with the regulations and development standards of the Federal Communications Commission (FCC).

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ANSI Compliance – The site will operate under full compliance with United States standards for radio emissions as published by the American National Standards Institute (“ANSI”).

Potential for Future Collocation

The lease agreement between AT&T and the property owner does not preclude collocation of other wireless telecommunication facilities.

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**AT&T Mobility • Proposed Base Station (Site No. OC0086A)
2210 Valencia Avenue • Placentia, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of AT&T Mobility, a personal wireless telecommunications carrier, to evaluate the base station (Site No. OC0086A) proposed to be located at 2210 Valencia Avenue in Placentia, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

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 wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5–80,000 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 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.

**AT&T Mobility • Proposed Base Station (Site No. OC0086A)
2210 Valencia Avenue • Placentia, California**

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 AT&T, including drawings by Primus Design Group, dated June 9, 2010, it is proposed to mount nine Powerwave Model P65-15-XLH-RR directional panel antennas on a new 73-foot pole, configured to resemble a pine tree, to be sited near the southwestern corner of George J. Koch Park located at 2210 Valencia Avenue in Placentia. The antennas would be mounted with up to 2° downtilt at an effective height of about 70 feet above ground and oriented in groups of three toward 100°T, 220°T, and 340°T. The maximum effective radiated power in any direction would be 1,720 watts, representing simultaneous operation at 800 watts for PCS and 920 watts for cellular. Also proposed to be mounted on the pole is a microwave "dish" antenna, for interconnection of this site with others in the AT&T network. There are reported no other wireless telecommunications base stations located nearby.

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed AT&T operation, including the contribution of the microwave antennas, is calculated to be 0.0011 mW/cm², which is 0.18% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby residence* is 0.26% of the public exposure limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels.

No Recommended Mitigation Measures

Due to their mounting locations, the AT&T 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 AT&T will, as an FCC licensee, take adequate steps to ensure that its employees or

* Located at least 180 feet away, based on aerial photographs from Google Maps.



**AT&T Mobility • Proposed Base Station (Site No. OC0086A)
2210 Valencia Avenue • Placentia, California**

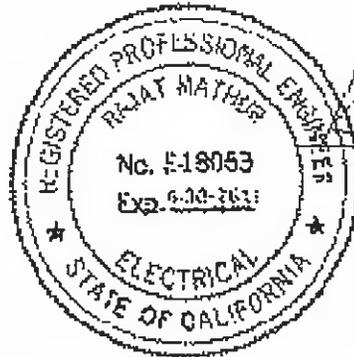
contractors comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the proposed operation of the AT&T Mobility base station located at 2210 Valencia Avenue in Placentia, 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 No. E-18063, which expires on June 30, 2011. 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.



Rajat Mathur
Rajat Mathur, P.E.
707/996-5200

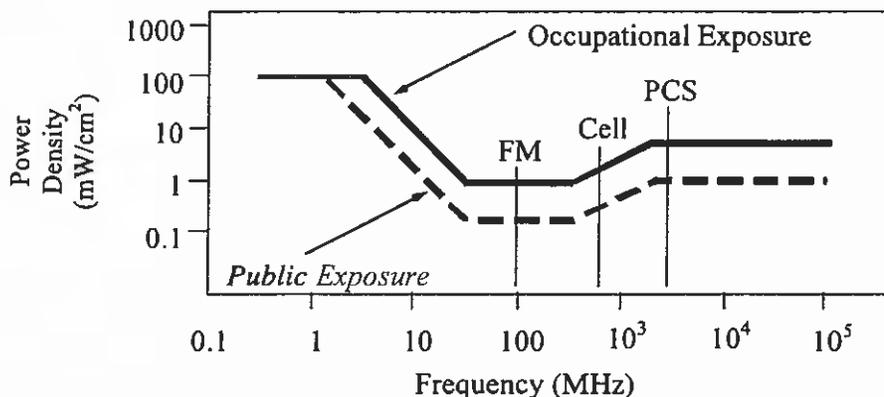
August 5, 2010

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>	<i>f/300</i> <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.



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

PLANNING DIVISION REPORT

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DATE: Feb 8, 2011

FCC Guidelines
Figure 1

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.



[Learn About Cancer](#) [What Causes Cancer?](#) [Other Carcinogens](#) [At Home](#)

Cellular Phone Towers

Cellular (cell) phones first became widely available in the United States in the 1990s, but their use has increased dramatically since then. The widespread use of cell phones has led to the placement of cell phone towers in many communities. These towers, also called base stations, consist of electronic equipment and antennas that receive and transmit radiofrequency (RF) signals.

How do cellular phone towers work?

Cell phone base stations may be free standing towers or mounted on existing structures, such as trees, water tanks, or tall buildings. The antennas need to be located high enough so they can adequately cover the area. Base stations usually range in height from 50-200 feet.

Cell phones communicate with nearby cell towers mainly through radiofrequency (RF) waves, a form of energy in the electromagnetic spectrum between FM radio waves and microwaves. Like FM radio waves, microwaves, visible light, and heat, they are forms of non-ionizing radiation. This means they cannot cause cancer by directly damaging DNA. RF waves are different from stronger types of radiation such as x-rays, gamma rays, and ultraviolet (UV) light, which can break the chemical bonds in DNA.

At very high levels, RF waves can heat up body tissues. (This is the basis for how microwave ovens work.) But the levels of energy used by cell phones and towers are much lower.

When a person makes a cell phone call, a signal is sent from the phone's antenna to the nearest base station antenna. The base station responds to this signal by assigning it an available radiofrequency channel. RF waves transfer the voice information to the base station. The voice signals are then sent to a switching center, which transfers the call to its destination. Voice signals are then relayed back and forth during the call.

How are people exposed to the energy from cellular phone towers?

As people use cell phones to make calls, signals are transmitted back and forth to the base station. The RF waves produced at the base station are given off into the environment, where people can be exposed to them.

The energy from a cellular phone tower antenna, like that of other telecommunication antennas, is directed toward the horizon (parallel to the ground), with some downward scatter. Base station antennas use higher power levels than other types of land-mobile antennas, but much lower levels than those from radio and television broadcast stations. The amount of

energy decreases rapidly with increasing distance from the antenna. As a result, the level of exposure to radio waves at ground level is very low compared to the level close to the antenna.

Public exposure to radio waves from cell phone tower antennas is slight for several reasons. The power levels are relatively low, the antennas are mounted at high above ground level, and the signals are transmitted intermittently, rather than constantly.

At ground level near typical cellular base stations, the amount of RF energy is thousands of times less than the limits for safe exposure set by the Federal Communication Commission (FCC) and other regulatory authorities. It is very unlikely that a person could be exposed to RF levels in excess of these limits just by being near a cell phone tower.

When cellular antennas are mounted on rooftops, it is possible that a person on the roof could be exposed to RF levels greater than those typically encountered on the ground. But even then, exposure levels approaching or exceeding the FCC safety guidelines are only likely to be found very close to and directly in front of the antennas. If this is the case, access to these areas should be limited.

The level of RF energy inside buildings where a base station is mounted is typically much lower than the level outside depending on the construction materials of the building. Wood or cement block reduces the exposure level of RF radiation by a factor of about 10. The energy level *behind* an antenna is hundreds to thousands of times lower than in front. Therefore, if an antenna is mounted on the side of a building, the exposure level in the room directly behind the wall is typically well below the recommended exposure limits.

Do cellular phone towers cause cancer?

Some people have expressed concern that living, working, or going to school near a cell phone tower might increase the risk of cancer or other health problems. At this time, there is very little evidence to support this idea. In theory, there are some important points that would argue against cellular phone towers being able to cause cancer.

First, the energy level of radiofrequency (RF) waves is relatively low, especially when compared with the types of radiation that are known to increase cancer risk, such as gamma rays, x-rays, and ultraviolet (UV) light. The energy of RF waves given off by cell phone towers is not enough to break chemical bonds in DNA molecules, which is how these stronger forms of radiation may lead to cancer.

A second issue has to do with wavelength. RF waves have long wavelengths, which can only be concentrated to about an inch or two in size. This makes it unlikely that the energy from RF waves could be concentrated enough to affect individual cells in the body.

Third, even if RF waves were somehow able to affect cells in the body at higher doses, the level of RF waves present at ground level is very low -- well below the recommended limits. Levels of energy from RF waves near cell phone towers are not significantly different than the background levels of RF radiation in urban areas from other sources, such as radio and television broadcast stations.

For these reasons, most scientists agree that cell phone antennas or towers are unlikely to cause cancer.

Studies in people

Very few human studies have focused specifically on cellular phone towers and cancer risk. In the largest study published to date, British researchers compared a group of more than 1,000 families of young children with cancer against a similar group of families of children without cancer. They found no link between a mother's exposure to the towers during pregnancy (based on the distance from the home to the nearest tower and on the amount of energy given off by nearby towers) and the risk of early childhood cancer.

The amount of exposure from living near a cell phone tower is typically many times lower than the exposure from using a cell phone. About 30 studies have looked at possible links between cell phone use and tumors in people. Most studies to date have not found a link between cell phone use and the development of tumors, although these studies have had some important limitations. This is an area of active research. For more information, see the document, [Cellular Phones](#).

Studies done in the lab

Laboratory studies have looked at whether the types of RF waves used in cell phone communication can cause DNA damage. Most of these studies have supported the idea that the RF waves given off by cell phones and towers don't have enough energy to damage DNA directly.

Some scientists have reported that the RF waves may produce other effects in human cells (in lab dishes) that might possibly help tumors grow. However, these studies have not been verified. Several studies in rats and mice have looked at whether RF energy might promote the development of tumors caused by other known carcinogens (cancer-causing agents). These studies did not find evidence of tumor promotion. Research in this area continues.

What expert agencies say

The 3 expert agencies that usually classify cancer-causing exposures (carcinogens) -- the International Agency for Research on Cancer (IARC), the National Toxicology Program (NTP), and the US Environmental Protection Agency (EPA) -- have not classified cell phone towers as to their cancer-causing potential.

According to the World Health Organization:

Considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects.

In commenting on cell phone towers near homes or schools, the Federal Communications Commission states:

Radiofrequency emissions from antennas used for cellular and PCS [personal communications service] transmissions result in exposure levels on the ground that are typically thousands of times below safety limits. These safety limits were adopted by the FCC based on the recommendations of expert organizations and endorsed by agencies of the Federal Government responsible for health and safety. Therefore, there is no reason to believe that such towers could constitute a potential health hazard to nearby residents or students.

Do cellular phone towers cause any other health problems?

While high levels of RF waves can cause a warming of body tissues, the energy levels on the ground near a cell phone tower are far below the levels needed to cause this effect. Thus far, there is no evidence in published scientific reports that cell phone towers cause any other health problems.

Can I limit my exposure?

Cell phone towers are not known to cause any health effects. But if you are concerned about possible exposure from a cell phone tower near your home or office, you can ask a government agency or private firm to measure the RF field strength near the tower to ensure that it is within the acceptable range.

What should I do if I've been exposed to cellular phone towers?

There is no test to measure whether you have been exposed to RF radiation from cellular phone towers. But as noted above, most researchers and regulatory authorities do not believe that cell phone towers pose health risks under ordinary conditions. If you have additional health concerns, please consult your doctor.

Additional resources

More information from your American Cancer Society

The following related information may also be helpful to you. These materials may be viewed on our Web site or ordered from our toll-free number, at 1-800-227-2345.

[Cellular Phones](#)

[Known and Probable Human Carcinogens](#)

[Radiation Exposure and Cancer](#)

National organizations and Web sites*

In addition to the American Cancer Society, other sources of information and support include:

Environmental Protection Agency

Home page: www.epa.gov

Understanding radiation: www.epa.gov/radiation/understanding-radiation-overview.html

Federal Communications Commission

RF Safety Program, Office of Engineering and Technology

Web site: www.fcc.gov/oet/rfsafety

Food and Drug Administration

Home page: www.fda.gov

Radiation-emitting products: Cell phones: www.fda.gov/Radiation-EmittingProducts/RadiationEmittingProductsandProcedures/HomeBusinessandEntertainment/

National Cancer Institute

Toll-free number: 1-800-422-6237 (1-800-4-CANCER)

Home page: www.cancer.gov

Cellular telephone use and cancer risk:

www.cancer.gov/cancertopics/factsheet/Risk/cellphones

National Institute of Environmental Health Sciences

Home page: www.niehs.nih.gov

Electric and magnetic fields: www.niehs.nih.gov/health/topics/agents/emf/index.cfm

World Health Organization

Electromagnetic fields and public health: base stations and wireless technologies

Web site: www.who.int/mediacentre/factsheets/fs304/en/index.html

** Inclusion on this list does not imply endorsement by the American Cancer Society*

No matter who you are, we can help. Contact us anytime, day or night, for information and support. Call us at 1-800-227-2345 or visit www.cancer.org.

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Last Medical Review: 06/25/2010

Last Revised: 06/25/2010

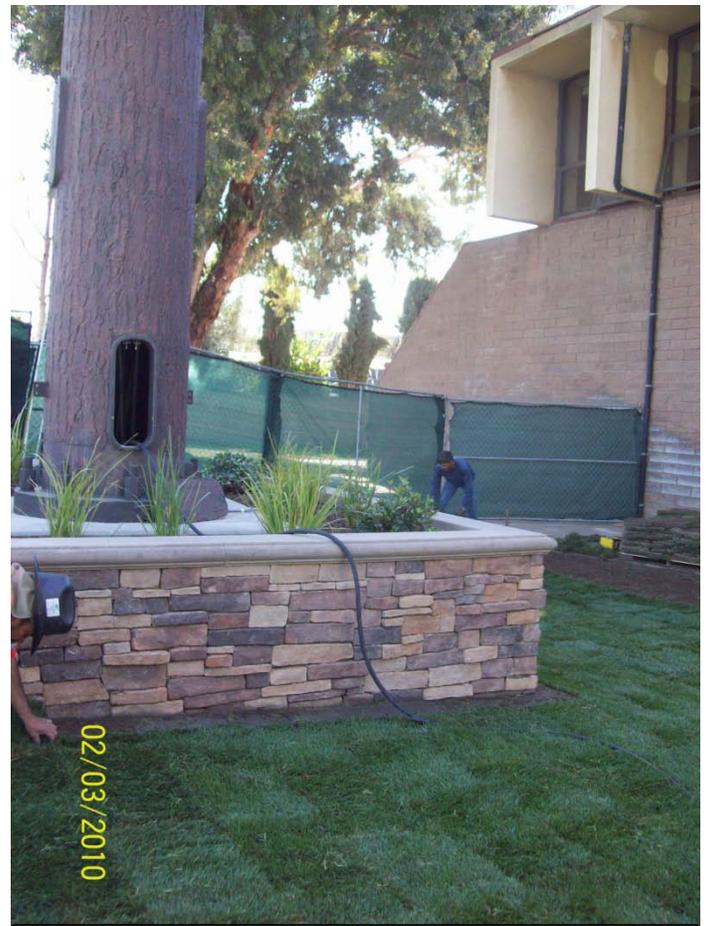
Development of Tuffree Park Wireless Facility



Pictures of Tuffree Park Wireless Facility.



Picture of planter around base of "Mono-Pine"



Picture of planter around base of "Mono-Pine"



Equipment enclosure with roof still to be completed. Also additional shelter over entrance to Tynes Gym.

RESOLUTION NO. PC-2011-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2010-09 PERTAINING PROPOSED AT&T WIRELESS FACILITY AT PROPERTY LOCATED AT 2210 VALENCIA AVENUE (KOCH PARK) AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Mr. Tim Miller, Trillium Consulting representing AT&T ("Applicant" hereinafter) and City of Placentia, the property owner, have filed an application for approval of Use Permit No. 2010-00 to be located at 2210 Valencia Avenue, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the "Application".

(ii) On February 8, 2011 this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) The Director of Development Services has determined that it is necessary for the proposed facility to exceed the height limit of the Residential (R-1) District in order to effectively transmit and receive communications, be designed for co-location with other carriers, and blend in with the natural environment.

(iv) All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Placentia as follows:

1. The Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial evidence presented to this Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony and development plans, this Commission hereby specifically finds as follows:

a. The proposed use will not be: (1) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed use or within the city, or (2) injurious to the property or improvements within the neighborhood or within the city. Subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements (Attachments "B, C and D"), this use complies with all applicable code requirements and development standards of the "R-1" Low Density Residential District and Chapter 23.82, Wireless Communication Facilities.

(3) According to the submitted Statement of Use and Site Analysis of Radio Frequency Electromagnetic Fields, the proposed AT&T "Mono-pine" structure installation is regulated by the Federal Communications Commission (FCC) and will operate within the frequencies established for Specialized Mobile Radio operators. The AT&T wireless telecommunication facility will operate at the lowest possible power levels that are below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proven safe by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE). Included with the application is a opinion from Hammett & Edison, Inc, Consulting Engineers concluding the facility will comply with the prevailing standards for limiting public exposure to radio frequency energy and will not cause a significant impact on the environment.

(4) The proposed equipment associated with the telecommunication facility installation will be located within a new 200 square foot ground lease area that will be completely enclosed within a solid block wall structure to match new picnic shelters and screened from public view. The applicant has indicated that the equipment operates quietly or almost noise free. The equipment does not emit fumes, smoke or objectionable odors.

b. The proposed use is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "Residential", and the proposed use does not involve any change in the land use of the subject site. Wireless communications facilities are permitted in the "R-1" Low Density Residential District, subject to Use Permit approval.

c. The proposed use, activity or improvements, subject to the attached Special Conditions of Approval and Standard Development Requirements (Attachments B, C and D), is consistent with the provisions of the Zoning Ordinance, or

regulations applicable to the property. The proposed use is a conditionally permitted use in the "R-1" Low Density Residential District in the City of Placentia if located on public property to include parks. Approval of the Use Permit for the wireless communication facility would be consistent with the zoning as the site can accommodate the proposed use, and since other similar uses have been conditionally permitted within the "R-1" Low Density Residential District.

d. The wireless communication facility will not have a visual or aesthetic impact on the property or in the immediate vicinity. The trunk and branches of the "Monopine" will be painted brown and the pine needles are green to resemble a natural living pine tree. The colors will be subdued and the materials will be non-reflective to blend with materials and colors in the surrounding area. Special Conditions of Approval have been included to require that all cable/utility runs are to be placed underground.

e. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the Use Permit approval. Attachments "B, C and D" contain Special Conditions of Approval and Standard Development Requirements specific to Use Permit 2010-09 to ensure compliance with the Placentia Municipal Code.

3. The Planning Commission specifically finds that the Application is Categorically Exempt pursuant to the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder (14 CCR § 15303) and Placentia Environmental Guidelines.

4. The Planning Commission hereby directs that, upon approval of Use Permit 2010-09, a Notice of Exemption be filed with the Orange County Clerk/Recorder.

5. Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves Use Permit 2010-09 as modified herein, and specifically subject to the conditions set forth in Attachments "B, C and D" attached hereto and by this reference incorporated herein.

6. The Secretary to the Planning Commission shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 8th day of February, 2011.

Chairman

I, Kenneth A. Domer, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 8th day of February, 2010, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 8th day of February, 2010, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

Secretary to the Planning Commission

APPROVED AS TO FORM:

Andrew V. Arczynski,
City Attorney

Attachment "B"
**Special Conditions of Approval and Standard Development Requirements for
Use Permit (UP) 2010-09**

SPECIAL CONDITIONS

If the above referenced application is approved, applicant and/or property owner shall comply with the Special Conditions listed below and the Standard Development Requirements attached.

ALL OF THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

1. Use Permit (UP) 2010-09 is valid for a period of twelve (12) months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void, unless an extension is applied for and approved.
2. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation of said action by the City of Placentia Planning Commission.
3. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, proceeding, liability or judgment against the City, its officers, employees, agents and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body or City staff action concerning applicant's project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation-related expenses, and shall reimburse the City for any and all court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein. The City agrees to promptly notify the applicant of any such claim filed against the City and to fully cooperate in the defense of any such action.
4. Prior to any modifications to the site plan that would affect the location or visibility of the wireless communication facility and/or the ground installation, the applicant shall obtain prior written approval from the Development Services Department.
5. No expansion or modification of the wireless communications facility shall occur at any time without first obtaining approval from the Development Services Department. The Director, or designee, may require that an expansion or future modification of the use permit requires Planning Commission discretionary review.

6. Applicant shall obtain approval of a Building and Zoning Compliance Application and shall obtain a valid Business License prior to the issuance of any building permits. Business Licenses for all sub-contractors shall be obtained.
7. Applicant shall provide to the Development Services Department a preliminary report and field report, both prepared by a licensed engineer, indicating that the operation of the facility is in full conformance with the standards established by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE) for safe human exposure to electromagnetic fields (EMF) and radio frequency radiation (RFR). If not completed, these reports are due within ninety (90) days after the start of operations.
8. Applicant shall receive and maintain a license by the Federal Communications Commission (FCC) to operate a wireless communication facility in this location. A copy of this FCC license shall be submitted to the Development Services Department prior to the issuance of any building permits.
9. The major wireless communications facility shall be approved for a period not to exceed the term of the lease. A copy of the lease shall be submitted to the Development Services Department prior to the issuance of a building permit for the new wireless communication facility.
10. If the lease is extended or terminated, notice and evidence thereof shall be provided to the Development Services Department.
11. Upon expiration or termination of the lease, the use permit for the wireless communication facility shall become null and void and the wireless communication facility shall be removed within sixty (60) calendar days. Removal of the "Mono-pine" structure (pole) and related equipment within the lease hold area shall be at the expense of the leaseholder. Structures containing equipment shall remain unless otherwise directed by the Development Services Director.
12. Use Permit (UP) 2010-09 shall be reviewed by the Development Services Department five (5) years from the date of approval to insure compliance with all Special Conditions of Approval and Standard Development Requirements.
13. Applicant shall place all cable/utility runs underground.
14. The applicant's new ground-mounted equipment shall be located within the proposed new enclosed ground lease area. Applicant shall maintain the new "Mono-pine" and related enclosure in good visual and physical condition at all times.
15. The ground-mounted equipment shall be located as indicated on the submittal site plan.
16. Wireless communication facilities shall not bear any signs or advertising devices other than certification, warnings or other required seals or signage at any time.

17. The applicant shall maintain the wireless telecommunication facility (“Mono-pine”) tower and associated equipment) in good condition and shall make repairs and replacements of equipment, stealth and structural components, due to damage caused by outdoor exposure and/or inclement weather. Under this condition, if the faux branch attachments and/or trunk bark features, among others, fade in color due to outdoor exposure, the applicant shall replace such components within 60 days of written notice by the Director of Development Services or his/her designee. If the work cannot be completed within 60 days, the applicant shall provide the City with a bond or certification of deposit in the amount of the valuation of the requested repair and completion timeline to guarantee the work. The applicant shall be responsible for maintaining the leased property, including any applicable landscaped areas, walkways and all paved surfaces, free from graffiti, debris and litter at all times.
18. The applicant shall comply with all provisions of the Placentia Municipal Code, including Chapter 23.76, Noise Control.
19. Branch foliage shall vary in density, spacing, size and angle to avoid rigid symmetry; overall tree shape shall integrate with the context of the site; colors of the faux trunk and branches shall be non-reflective; green needles shall be interspersed with brown to provide more natural appearance, and the exterior surface of the faux trunk shall emulate the texture of a real tree; all antennas (panels, microwave and GPS), mounting brackets, and coaxial cables shall be completely screened from public view by the faux foliage and painted to match; branch foliage shall continue down the faux trunk so as to fully conceal the trunk from prominent public vantage points; and the overall design shall substantially conform to and implement the visual effect of an actual pine tree. The branches at the top of the “Mono-pine” shall form a natural peak and not appear to have a flat top. All aesthetic design shall be approved by the Director of Development Services prior to issuance of building permits.
20. The new “Mono-pine structure and foundation shall be structurally designed and engineered to accommodate the installation of identified antennas for the applicant wireless carrier as well as future co-locators as specified on the submittal plans and any additional branches as needed to adequately screen the proposed antennas on the pole in a form acceptable to the Development Services Department.
21. Applicant shall submit material and color samples for the equipment enclosure/structure. Final materials and colors for the equipment enclosure shall be approved by the Development Services Department.
22. The applicant shall work with and obtain the approval of the Development Services Department on the final design of the proposed equipment enclosure.

23. Applicant shall submit landscape/irrigation plans that depict the replacement of existing and the installation of new landscaping around the new Mono-pine and equipment enclosure.

CITY BUILDING DIVISION:

24. The building plans shall be prepared by a California licensed structural/civil engineer, with structural details and calculations regarding wind and seismic loads. Each page of plans shall be wet-signed.
25. Building and electrical permits shall be required for the new antenna's, microwave dishes, lighting and related ground-mounted equipment related to this project.
26. Applicant shall submit structural calculations prepared by a licensed California structural/civil engineer prior to issuance of any building permits.
27. Applicant shall provide detailed plans for new AT&T equipment cabinets, GPS antennas, etc.
28. All contractors and sub-contractors shall obtain a city business license. Applicant and/or contractor shall request a standard sub-contractor form from the City Building Division prior to issuance of a building permit. This standard form shall be completed and submitted to the City Business License Division prior to the issuance of any building permits.
29. Applicant shall supply structural details for the proposed block wall equipment enclosure.

CITY ENGINEERING DIVISION:

30. Prior to the start of construction, obtain all easements for the proposed power and telephone lines to be installed on City property.
31. Prior to the start of construction, a plan showing the proposed staging area, employee and construction parking and any proposed equipment and material storage areas shall be submitted to the Director of Public Works for approval. Staging area shall be within current landscape planter as directed by Director of Public Works.
32. Applicant shall provide a signature block for the City Engineer's approval of final plans.
33. All conduits within paved area shall be constructed with boring method, no open trench is permitted.
34. An encroachment permit and an electrical permit are required prior to commencement of work.

35. All parking spaces within the Koch Park parking lot shall remain free of construction material and debris unless otherwise approved by the Director of Public Works or Director of Development Services.
36. All drive aisles shall remain open at all times.
37. Performance and payment bonds and insurance with the City being named as additional insured will be required prior to permit issuance.
38. All damaged landscape and irrigation facilities shall be repaired within 48 hours. Prior to final permit approval any landscape and hardscape damaged by the construction shall be restored to its original condition. All replaced landscaping, to include turf, shall be guaranteed for a period of six (6) months. Failed landscaping, as determined by the Director of Public Works, shall be replaced during this time.
39. All affected area of grass/turf shall be replaced with sod, not seed.
40. All existing drainage paths shall remain functional during construction.
41. All pavement patching and replacement shall be done in accordance with City of Placentia Standards.
42. Prior to tree trimming occurring, approval for trimming shall be obtained from the Director of Public Works. Trimming shall be conducted by or under the supervision of a certified arborist.

CITY COMMUNITY SERVICES DEPARTMENT

43. All communication equipment must be placed within the proposed equipment enclosure with exception for standard SCE electric meter and GPS antenna.
44. Trees required to be trimmed shall be trimmed by a licensed arborist with trimming approved by the Public Works Department prior to commencement of work.
45. All final building materials, to include colors, for picnic shelter, equipment enclosure doors and vents, barbecue, block wall, roofing materials and other amenities included as part of this approval shall be approved by the Recreational Services Manager.
46. Applicant shall provide and install to product specifications two (2) barbecue grills. Grills shall be purchased from Miracle Recreational Equipment Company and specified as follows: Barbecue Standard Grill #1104, 360 Rotation and 3 heights, 20"w x 14 "d x 8-1/2" high firebox, GS 2'x 4', SW :120lbs. Contractor shall

remove existing and replace accordingly. The Recreational Services Manager shall approve of final product and location prior to installation.

47. A copy of the construction schedule shall be provided to the Development Services Department prior to obtaining building permit. All changes to construction schedule shall be submitted in writing to Development Services Department prior to said work being conducted.
48. Applicant shall submit plans and construction schedule to the Placentia Yorba Linda School District for approval, as the construction may interfere with school activities adjacent to Koch Park. Any changes to the construction schedule shall be submitted to the PYLUSD for their review and approval prior to the commencement of construction operations.
49. Applicant shall be responsible to remove and replace existing concrete picnic area surface (pad) up to the center of the existing area. Applicant shall show said improvements on the submitted building plans and specifications for replacement pad to include removal of two (2) current trees and tree wells.
50. All concrete paths/areas damaged as a result of the project must be replaced at the nearest expansion joints.
51. The following are specifications for masonry block, picnic shelter, shelter stone wrap around posts:

Planter Block and Shelter Post Wrap Specifications:

Manufacturer: Eldorado Stone

Name: Durango

Supplier: Southeast Builders

Contact: Rob Lewis (626) 443-9333

Cap for Planter and Shelter Post Wrap specifications:

Cement cap as approved by the Recreational Services Manager.

Block specification for equipment enclosure:

Manufacturer: Orco Block Company

Type: Split face

Color: Tan

Block shall be approved by the Recreational Services Manager.

Picnic Shelter Model:

Classic Recreation Systems Mesa Model 20'x20'

Roof Style: Standard HR-36

Roof Color: Cool Forest Green

Post Powder Coat Color: Beige 1001

52. Applicant shall install three (3) security exterior lights on equipment enclosures on the north, east and south sides at a height under roof trim sufficient to provide illumination out from the enclosure and within the picnic shelters. Required security lighting is to be energy efficient light emitting diode (LED) thirty (30) watt equivalent. Lighting shall have high quality shock-proof polycarbonate lens with UV inhibitors and shatterproof/vandal resistant glass.

Recommended manufacturer: MaxLite
Model number: MLSWP30LED50
Lumens: 1650

CITY POLICE DEPARTMENT:

53. Compliance with Placentia Police Department Standard Development Requirements for security. (See Attachment C)

ORANGE COUNTY FIRE AUTHORITY:

54. Developer/Applicant shall comply with all site development requirements specified by the Orange County Fire Authority (OCFA). (See Attachment D)

Attachment "C"
Placentia Police Department Standard Development Requirements

POLICE DEPARTMENT

APPLICATION Use Permit 2010-09
As Applicable to Equipment Structure

STANDARD DEVELOPMENT REQUIREMENTS

The following standards shall be required for all commercial/industrial developments. No modifications shall be made without the approval of the Chief of Police.

COMMERCIAL/INDUSTRIAL SECURITY

Sliding Doors:

Sliding glass doors shall be of tempered glass with locking bolt that grips door and frame together and prevents the door from being pried in an upward direction. The strike area shall be reinforced to prevent prying and disengagement of the locking bolt. Anti-lift out device(s) shall be installed in the upper channel above the moving panel to prevent raising and removal from the tract while in the closed position.

Other Doors:

Wood doors and aluminum stile doors shall be used only as front entry doors. *ALL OTHER DOORS SHALL BE METAL.*

Wood doors shall be of solid core construction with the minimum thickness of one and three-fourths (1-3/4) inches. Wood panel doors with panels less than one (1) inch thick shall be covered on the inside with a minimum sixteen (16) U.S. gauge sheet steel, or its equivalent, which is to be attached with screws on minimum six (6) inch centers.

Metal doors shall be of a minimum sixteen (16) U.S. gauge and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed. Such reinforcement shall restrict collapsing of the door around any locking device. Metal jambs shall be used.

Doors with glass panels and/or glass within thirty-six (36) inches of locking mechanism shall be fully tempered glass or rated burglary resistant material.

Door stops on wooden jambs for in-swinging door shall be of one piece construction with the jamb. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

All swinging exterior wood and steel doors shall be equipped as follows:

Single doors: equipped with "single unit" containing door knob and single cylinder deadbolt. (Single turn of the knob also retracts the locked deadbolt.) Deadbolt must have one (1) inch throw and exterior case hardened, rotating steel cylinder guard.

EXTERIOR DOORS

Or:

Equipped with single or double cylinder deadbolt in which no other device is located in the area where door hardware is usually installed.

If double cylinder deadbolt is used, the inside key operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "opened."

In either case, a sign must also be displayed above the front door indicating that the front door is to remain "unlocked" during business hours. Letter size to be minimum one (1) inch in size on contrasting background.

Aluminum stile, single door: equipped with a double cylinder, minimum one and one-half (1-1/2) inch upswing or one (1) inch slide deadbolt and exterior case hardened, rotating steel cylinder guard and minimum of five (5) pin tumblers. The inside key-operated lock must simultaneously operate an indicator stating that the assembly is "locked" or "open." A sign must also be displayed above the door indicating that the door is to remain "unlocked" during business hours. Letter size to be minimum of one (1) inch in height on contrasting background.

The inactive leaf of all double door(s) shall be equipped with metal flush bolts having a minimum embedment of five-eighths (5/8) inch into the head and threshold of the door frame.

The strike plate for deadbolts on all wood framed doors shall be constructed of minimum sixteen (16) U.S. gauge steel, bronze, or brass and secured to the jamb by minimum of two screws, which must penetrate at least two (2) inches into solid backing beyond the surface to which the strike is attached.

Strike area for metal or aluminum framed doors constructed or protected to prevent violation of strike area.

Hinges for out-swinging doors shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins.

Panic hardware, whenever required by the Uniform Building Code or Title 19, California Administrative Code, shall be installed as follows:

- (1) Panic hardware shall contain a minimum of two (2) locking points on each door; or
- (2) On single doors, panic hardware may have one locking point which is not to be located at either the top or bottom rails of the door frame. The door shall have an astragal constructed of steel .125 thick which shall be attached with nonremovable bolts to the outside of the door. The astragal shall extend a minimum of six (6) inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached.
- (3) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them, but not interfere with the operation of either door.

Deadbolt locks shall not be used on doors that are required to have panic hardware.

COMMERCIAL/INDUSTRIAL SECURITY, Con't.

DOORS

Overhead or sliding doors shall be secured on the inside by minimum one-half (1/2) inch slide bolt(s) protruding at least one (1) inch door frame at floor; or secured on outside by a case hardened or minimum ten (10) gauge steel construction slide bolt using a padlock having a hardened steel shackle locking both at heel and toe with a minimum five (5) pin tumbler operation. Locking bar or bolt to extend through the receiving guide minimum of one (1) inch.

Doors exceeding ten (10) feet in width shall have two locking points on opposite side.

WINDOWS

No louvered windows shall be used.

Windows and/or transoms having a pane exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected in the following manner:

- (1) Fully tempered glass or burglary resistant material*; or
- (2) Inside or outside iron bars of at least one-half (1/2) inch round or one by one-quarter (1 x 1/4) inch flat steel material, spaced not more than five (5) inches apart and securely fastened with nonremovable bolts; or
- (3) Inside or outside iron or steel grills of at least twelve (12) gauge material with not more than a two (2) inch mesh and securely fastened with nonremovable bolt.

The protective bars or grills shall be of the openable type if such windows are required to be openable by the Uniform Building Code.

ROOF OPENINGS

Skylights shall be fully tempered glass or rated burglary resistant material*; or

- (1) Protected by iron bars at least one-half (1/2) inch round material spaced not more than five (5) inches apart; or
- (2) Steel grill at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted under the skylight.

Ventilator skylights with side openings exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches shall be protected as in (1) or (2) above.

Air ducts or vents exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches on roof or exterior walls shall be covered by iron or steel bars of at least one-half (1/2) inch material spaced not more than five (5) inches apart; or steel grills of at least twelve (12) gauge material of two (2) inch mesh (maximum) securely mounted.

HATCHWAYS

Hatchways on the roof, if not of metal construction, shall be covered on the inside with sixteen (16) gauge sheet metal, or its equivalent, and secured from the inside with a slide bar or slide bolt. Outside hinges shall be equipped with nonremovable hinge pins.

COMMERCIAL/INDUSTRIAL SECURITY, Con't.

LADDERS

Ladders leading to the roof shall do so from the interior of the building.

*MISC

BURGLARY RESISTANT MATERIAL:

1. Products intended for use shall be permanently labeled as such.
2. Materials used shall meet UL 972 Standards for Safety Burglary Resistant Glazing Materials.
3. Only materials approved by ICBO shall be used.

ADDRESS

The address number shall be mounted near the front entry of each building or other conspicuous location and be no less than six (6) inches high. They shall be mounted on a contrasting background and easily visible from the street or walkway. If rear-vehicular access, the same numbers shall be displayed on the rear of the building.

Numerals of the street address shall be displayed on the uppermost roof, in luminous paint or other material capable of being read from the air. Minimum numeral size shall be twenty-four (24) inches. Designated building (if a complex).

LIGHTING

Exterior lighting of an intensity of at least twenty-five hundredths (.25) foot-candles shall be provided adjacent to doors and windows. Exterior bulbs shall be protected by polycarbonate or other weather and vandal resistant globe or cover. Light(s) shall be maintained during hours of darkness.

Parking lots for use by the general public and/or employees shall be provided with exterior lighting of an intensity of at least one (1) foot-candle of light on the parking surface and maintained from dusk until one-half (1/2) hour after the termination of business.

police.doc #M-6 dlak

Attachment "D"
Orange County Fire Authority (OCFA) Special Conditions of Approval



ORANGE COUNTY FIRE AUTHORITY

Fire Prevention Department

P. O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Road, Irvine, CA 92602

Planning and Development Services • www.ocfa.org • (714) 573-6100 / Fax (714) 368-8843

Date: December 7, 2010

To: City of Placentia Department of Developmental Services
Attention: Monique Schwartz, Project Manager

From: Lynne Pivaroff, Fire Prevention Analyst

Subject: OCFA Service Request SR #156145, City Reference #UP2010-09
Koch Park-2210 Valencia Avenue, Placentia
Service Code: PR105 Site Development Review/CUP

The OCFA has reviewed the proposed project and there do not appear to be any significant issues associated with this proposal that would prevent further submittals to the OCFA should the city approve the CUP. Please provide the conditions listed below on the resolution issued to the applicant.

CONDITIONS OF APPROVAL

Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a building permit or any final approvals:

- battery (service codes PR370-PR375), for any system containing an aggregate quantity of electrolyte with hazard classification(s) in excess of the permit issuance threshold amount listed in CFC Appendix Chapter I, Section 105

Specific submittal requirements may vary from those listed above depending on actual project conditions identified or present during design development, review, construction, inspection, or occupancy. Standard notes, guidelines, submittal instructions, and other information related to plans reviewed by the OCFA may be found by visiting www.ocfa.org and clicking on "Fire Prevention" and then "Planning & Development Services."

If you need additional information or clarification, please contact me by phone at (714) 573-6133, by fax at (714) 368-8843, or by email: lynnepivaroff@ocfa.org.