



July 17, 2025

John McDonald  
Eukon Group  
65 Post  
Suite 1000  
Irvine, CA 92618

**RE: ZONING APPLICATION PMCP-24-0029  
MINOR CONDITIONAL USE PERMIT FOR A NEW WIRELESS  
COMMUNICATION FACILITY  
AT 2065 PLACENTIA AVENUE**

To Whom It May Concern:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. seven days after the Zoning Administrator issues a Notice of Decision, unless appealed by an affected party by filing the necessary application and paying the appropriate fee, or if the decision is called up for review by a member of the City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Justin Arios, at 714-754-5667, or at [justin.arios@costamesaca.gov](mailto:justin.arios@costamesaca.gov).

Sincerely,

  
Carrie Tai (Jul 17, 2025 14:53 PDT)

Carrie Tai  
Economic and Development Services Director/Acting Zoning Administrator

Attachments: Report, Applicant Letter, and Approved Conceptual Site Plan

cc: Engineering  
Fire Marshal

**PLANNING APPLICATION SUMMARY**

<b>Location</b>	2065 Placentia Avenue	<b>Application Number</b>	PMCP-24-0029
<b>Request</b>	Planning Application PMCP-24-0029 is a request for a minor conditional use permit (MCUP) to allow for a new 55 foot-tall wireless facility disguised as a pine tree (mono-pine) on a property with an existing, similar 55 foot-tall mono-pine. The support facility for the mono-pine is proposed to be located inside three existing storage units adjacent to the mono-pine.		
<b>CEQA</b>	Exempt per CEQA Guidelines Section 15311 (Accessory Structures)		
<b>Final Action</b>	Zoning Administrator		

**SUBJECT PROPERTY**

<b>Zoning District</b>	MG (General Industrial)
<b>General Plan Land Use Designation</b>	Light Industrial
<b>Lot Dimensions</b>	<b>Lot Width:</b> 173.30' <b>Lot Depth:</b> 464.92'
<b>Lot Area</b>	Approximately 80,570-square-feet (approximately 1.85-acres)
<b>List of Approved Plans / Land Use Entitlements</b>	ZA-07-67 – MCUP for a 55 foot-tall wireless facility disguised as a mono-pine.
<b>Existing Development</b>	Public Storage mini-warehouse use (to remain).

**SURROUNDING PROPERTY**

	<b>Zoning District</b>	<b>General Plan Land Use Designation</b>	<b>Existing Development</b>
<b>North</b>	MG (General Industrial)	Light Industrial	Live / Work Residential Development (Brickyard West)
<b>East (across Placentia Ave)</b>	MG (General Industrial)	Light Industrial	Automotive Uses
<b>South</b>	MG (General Industrial)	Light Industrial	Public Storage
<b>West</b>	R1 (Single-Family Residential District)	Low Density Residential	Single-Family Residential Uses

**ANTENNA DEVELOPMENT STANDARDS COMPARISON**

<b>Development Standard</b>	<b>Required / Allowed Antenna Dev. Standard</b>	<b>Proposed / Provided</b>	<b>Meets Code</b>
Max Height	30 FT	55 FT <sup>1</sup>	No
Setbacks:			
Front	20 FT	Approx. 60 FT	Yes
Side (left)	20 FT	Approx. 420 FT	Yes
Rear	5	Approx. 27 FT	Yes
Number of Support Structures	1	0	Yes
Roof Mounted Location	Allowed but not mandatory	Ground mounted	Yes

<sup>1</sup> Pursuant to Costa Mesa Municipal Code Section 13-142, a minor conditional use permit approval is required when antenna not in compliance with adopted standard or is not roof-mounted.

## **PROJECT LOCATION**

The subject property is located at 2065 Placentia Avenue (see Figure 1). It is an approximately 1.85-acre rectangular-shaped site located along Placentia Avenue between West 20<sup>th</sup> Street and Hamilton Street. There is one driveway that provides site access from Placentia Avenue.

**Figure 1    Vicinity Map**



## **BACKGROUND**

The property has a General Plan Land Use Designation of Light Industrial (LI) and a Zoning Designation of General Industrial (MG). The Light Industrial General Plan Land Use Designation applies to areas intended for a variety of light and general industrial uses. Uses are limited to small manufacturing and service industries, as well as larger industrial operations that can demonstrate design features or restricted operations that

limit disruptions to surrounding uses. The proposed wireless communication facility is compatible with the existing site improvements and is an allowable use pursuant to the City's Zoning Code.

Properties to the north, south, and east (across Placentia Avenue) have Light Industrial (LI) Land Use designations and General Industrial (MG) zoning designations. The property to the north is developed with a live/work residential development (Brickyard West); the property to the south is developed with an extension of the existing Public Storage use; and the properties to the east (across Placentia Avenue) are developed with various automotive uses. Properties to the west have a Low Density Residential (LDR) Land Use Designation and Single-Family Residential District (R1) zoning and are developed with single-family residential developments.

On January 10, 2008, the Zoning Administrator approved minor conditional use permit (ZA-07-67) to allow for the construction of another 55-foot-tall wireless facility disguised as a mono-pine on the project site.

**Figure 2 Existing Installation**



## **REQUEST**

The applicant, John McDonald (Eukon Group), seeks approval of a minor conditional use permit pursuant to Section 13-144 of the Costa Mesa Municipal Code (CMMC) to develop and operate a transmitting and receiving wireless communication facility on the subject property. Pursuant to the CMMC, wireless communication facilities that meet all development standards may be processed administratively as a Development Review application; however, wireless applications that do not comply with the City standards, the Zoning Administrator must approve a minor conditional use permit.

In this case, the proposed wireless facility is processed as a minor conditional use permit because it is taller than the permitted height of 30 feet.

## **STANDARD OF REVIEW**

Pursuant to Section 13-144, wireless communication facilities are evaluated against the findings for minor conditional use permit applications contained in Section 13-29(g)(2) and the additional antenna findings located at Section 13-144(b). The findings require that the project be compatible with nearby development; not be detrimental to nearby properties or the public, health, safety, or welfare; be consistent with the General Plan; and represent the minimum height needed to achieve reasonable signal transmission.

In addition, CMMC Section 13-144 (a)(2) requires that applications for proposed antennas that do not conform with the applicable development standards demonstrate why strict conformance with the development standards will unreasonably limit, or restrict, the proposed installation and would result in excessive expense considering the cost of the proposed installation. The CMMC also states that conditions of approval may be applied to the development or its operations to ensure that the required findings can be met. An assessment of the project's relationship to the findings and General Plan is provided later in this report.

Lastly, all planning applications must comply with review criteria that address neighborhood compatibility; safety and compatibility of design; compliance with applicable performance standards; and consistency with the General Plan.

## **Limitations on Decisions**

Jurisdictions are highly regulated as to when and how they can deny wireless communications facility applications. Jurisdictions may not impose an "effective prohibition" of wireless communication facilities. An effective prohibition is one that prevents a wireless carrier from closing a "significant" gap in service coverage provided by that carrier. As such, wireless carriers must submit gap coverage analyses with their applications, demonstrating that the subject location in their application is needed to



close service gaps. This gap coverage analysis must demonstrate the extent to which the gap will be closed.

Wireless carriers must also submit any alternative locations, systems, and placement to justify that the proposed location is the least intrusive location while providing the needed gap closure. Jurisdictions then review these analyses to verify the findings for gap coverage.

Jurisdictions are not permitted to consider radio-frequency (RF) emissions for the purpose of evaluating a wireless communication facility. Setting the safety standards for RF emissions is exclusively the responsibility of the Federal Communications Commission ("FCC"). Section 332(c)(7)(B)(iv) of the Federal Telecommunications Act of 1996 prohibits the City from denying a wireless facility application based on concerns about RF emissions when the applicant has demonstrated that its facilities will comply with FCC standards.

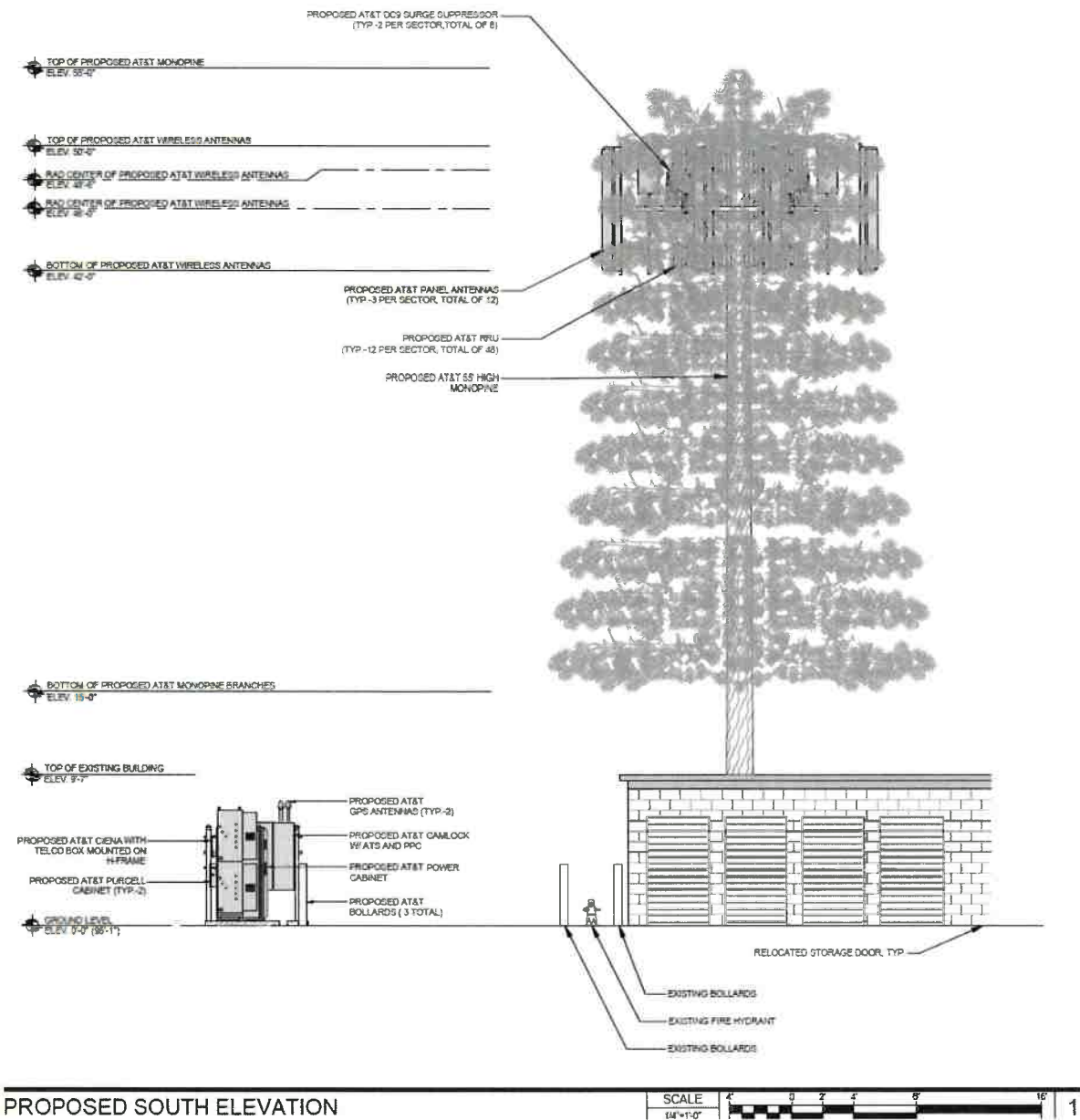
## **PROJECT DESCRIPTION**

The project proposes to install a new wireless communication facility camouflaged as a mono-pine tree. The proposed mono-pine is located at the western end of an existing mini-warehouse site with another existing mono-pine for a different carrier (Verizon) (located to the south of the proposed location). The proposed mono-pine is approximately 27 feet from the common property line with the single-family residences along Federal Avenue and approximately 60 feet from the nearest industrial use to the north. The proposed project designates an area at the rear of the property for outdoor equipment and a backup generator. The equipment will be installed within an existing storage unit adjacent to the mono-pine. This area is located internal to the project site and because of existing improvements it is not visible to adjacent properties or the public right-of-way.

As part of the applicant's project documents, an Alternative Site Analysis was conducted in which seven other sites were evaluated. Based on the analysis submitted, there were several candidates that were reviewed and determined to not be viable to close the gap in coverage. These locations were determined to not be viable either because it would not cover the gap in coverage, avoids installations on elementary school properties, and existing site conditions (existing trees interfering with propagation or inability for co-location).

The mono-pine will be 55-feet tall, as measured to the highest point of the faux pine tree and includes four antenna sectors each containing three antennas and a total of 48 remote radio units. The plans show that the faux mono-pine will have branches starting approximately 15 feet above ground level and continuing to a height of 55 feet (see Figure 4). The lower branches will have a 25-foot diameter at its base and will taper to shorter branches at the top to mimic a natural growing pine tree. Notwithstanding this taper, the plans clearly show that no antenna will extend past the faux branches so as to reasonably screen the wireless communication facility.

Figure 4 Elevation View





## **ANALYSIS**

As shown in the Antenna Development Standards Comparison Table on the 2<sup>nd</sup> page of this report, the proposed mono-pine facility complies with all applicable development standards, aside from the maximum allowable height. Because the project does not strictly adhere to the Zoning Ordinance's standards for antennas, it is subject to the approval of a minor conditional use permit by the Zoning Administrator.

The wireless communication facility for AT&T will be located in an industrial area, located approximately 90 feet away from a similar existing mono-pine facility and equipment area, located on the same property. The existing mono-pine facility is not able to support the additional facility; although the new mono-pine facility will be proposed on the same site, the property is large enough to support the proposed facility and equipment area without interfering with the existing use and development. The proposed facility consists of four sectors each with three panel antennas two surge suppressors and 12 RRU ratios for each sector. The four sectors are facing northeast, southeast, southwest and northwest and are located 50 feet above grade to the top of the antennas. The project site is an existing mini-warehouse facility and the antenna facility's placement within the site is optimal because of its distance to the public rights-of-way and intervening improvements. Should the facility be viewed at distance, it's design as a faux pine tree will blend into the foreground and backdrop of existing trees of the residential properties located along Federal Avenue. Functionally, the existing mini-warehouse property will continue to operate as it has in the past. The location of the new wireless facility within the project site does not remove any required parking spaces nor does it narrow any drive-aisles to a non-compliant width. The additional height for the proposed antennas can be supported because the antennas and facility will be disguised is proposed disguised as a mono-pine tree and will be screened from view off-site and will provide the necessary coverage. Additionally, the site contains an existing, 55-foot-tall wireless facility disguised as a mono-pine tree which will remain.

The applicant also commissioned an RF Emissions report for the proposed facility. This report determined the facility will operate in compliance with the Federal Communications Commission's exposure standards for both the general and occupational populations.

## **REVIEW CRITERIA AND GENERAL PLAN CONSISTENCY**

All planning applications are reviewed pursuant to CMMC Section 13-29(e) 1-8 to ensure the proposal is compatible with the surrounding area, and in compliance with applicable zoning standards and General Plan policies. Additionally, the Zoning Administrator must make specific findings pursuant to the Zoning Code for the specific planning applications.

*The following are the applicable Review Criteria pursuant to CMMC Zoning Code Section 13-29(e):*

***(1) Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.***

**Consistent.** The proposed new wireless facility, disguised as a mono-pine, is compatible with the existing building and site development because the antennas will be installed disguised as a mono-pine tree and the facility enclosure will be screened and painted to match the existing on-site building color scheme. The site has a similar existing mono-pine facility and equipment area, located on the same property. The existing mono-pine facility is not able to support the additional facility; although the new mono-pine facility will be proposed on the same site, the property is large enough to support the proposed facility and equipment area without interfering with the existing use and development. The facility enclosure will not be located in required parking areas, will be screened from all areas off-site by the new screen walls and will therefore be compatible with the existing site development and general neighborhood. The height and disguise of the new facility will match the existing wireless facility on the property, ensuring visual consistency and minimizing aesthetic impact.

***(2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.***

**Consistent.** The FCC has jurisdictional authority over wireless antennas with regard to the health and safety of telecommunications facility and the City of Costa Mesa is preempted by Federal regulations on this issue. Conditions have been included to ensure that antenna frequency does not interfere with the frequency used for public safety communications (Condition #16). The antenna's frequencies comply with all federal standards for radio frequency emissions in accordance with the Telecommunications Act of 1996 and subsequent amendments, as well as any other applicable requirements imposed by the State and Federal Agencies. The equipment area and new antennas will comply with all applicable building and fire codes. The applicant also commissioned an RF Emissions report for the proposed facility. This report determined the facility will operate in compliance with the Federal Communications Commission's exposure standards for both the general and occupational populations.

**(3) *Compliance with any performance standards as prescribed in the Zoning Code.***

**Consistent.** Pursuant to the development standards table (provided previously), the project complies with all applicable development standards with the exception of maximum height which can be exceeded with the issuance of a minor conditional use permit. The antennas and equipment area will comply with required setbacks and number of support structures. The additional height for the proposed antennas can be supported because the antennas and facility will be disguised is proposed disguised as a mono-pine tree and will be screened from view off-site and will provide the necessary coverage. Additionally, the site contains an existing, 55-foot-tall wireless facility disguised as a mono-pine tree which will remain. Adhering to a 30-foot height limit for the proposed wireless communication facility will unreasonably limit reception or transmission of signals or result in additional expense. Wireless communication facilities function based on line-of-sight technology, which means that in order to send and receive a signal one antenna must "see" the other. Standard heights for wireless facilities in typical suburban environments are often 55 feet above ground. This height is usually adequate to avoid signal interference caused by other buildings and trees and is sufficient to be seen by other antennae on the same network. Restricting the wireless communication facility to a height of 30 feet would diminish the antennas ability to send or receive signals and would necessitate placing more antennas in order to provide roughly the same coverage for the same geographic area as one antenna located at 55-foot high. This will result in additional expenses to acquire property leases and then to purchase, install, and operate the additional antennas. Conditions of approval have been included to ensure that the new facility and proposed equipment area, wiring, cables, and conduit be screened from view off site and that they remain in good condition.

**(4) *Consistency with the General Plan and any applicable specific plan.***

**Consistent.** The proposed project is in conformance with the City's General Plan in that the General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and continuing to provide cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives, and policies contained in this Plan.

The following analysis evaluates proposed project consistency with applicable policies and objectives of the 2015-2035 General Plan:

- **Policy LU-3.1:** Protect existing stabilized residential neighborhoods including mobile home parks (and manufactured housing parks) from the encroachment of incompatible or potentially disruptive land uses and/or activities.

**Consistent:** The new antennas will have a compatible and harmonious relationship between the proposed devices and the site development and use, and the buildings and site developments and uses that are in the general neighborhood. The height and disguise of the new facility will match the existing wireless facility on the property, ensuring visual consistency and minimizing aesthetic impact. By proposing the facility camouflaged as a mono-pine tree, it will hide the new antennas and radio units from view, and by complying with all State and Federal regulations for radio frequencies, the project will protect the surrounding area from potentially incompatible land uses.

- **Objective CD-8.F:** Require that areas for outside equipment, trash receptacles, storage, and loading areas be located in the least conspicuous part of the site. Utility and mechanical equipment (e.g. electric and gas meters, electrical panels, and junction boxes) should be concealed from the view of public streets, neighborhood properties, and nearby higher buildings.

**Consistent:** The new antennas and support equipment will be screened and from views off-site. The antennas will be installed disguised as a mono-pine tree, and the facility enclosure will be painted to match the existing building.

The property has a General Plan Land Use designation of Light Industrial (LI). This General Plan Land Use Designation applies to areas intended for a variety of light and general industrial uses. The existing development provides long-term storage opportunities, and the proposed wireless facility provides a utility service to the public and therefore meets the intent of the General Plan to support commercial uses.

***(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.***

The project proposed is for the specific location at 2065 Placentia Avenue. Every project is reviewed on its own merits and will not set a precedent for other developments in the area.

***(6) When more than one (1) planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.***

One application is being proposed for this specific project. The new wireless facility disguised as a mono-pine will have minimal visual impact because the height and disguise of the new facility will match the existing wireless facility on the property, ensuring visual consistency and minimizing aesthetic impact. The antennas will comply with all local, state, and federal regulations.

**PUBLIC COMMENTS**

Pursuant to CMMC Section 13-29(d) three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site July 2, 2025. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on July 2, 2025.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on July 4, 2025.

A total of 14 public comments (all in opposition of the project) were received in response to the public notice that was sent out, including a public comment with "92 signatures against a new cell tower". The main points raised included:

- Concerns with a third facility in the area and being too close to the residential neighborhood,
- Concerns with cell towers negatively affecting home values,
- Concerns with the proposed facility not being aesthetically appealing and being an eyesore, and
- Concerns with RF Emissions and health.

**CONCLUSION**

The wireless facility will provide coverage to AT&T customers in the immediate area, and is consistent with federal law which does not allow local jurisdictions to preclude the reasonable provision of wireless services. Given the project's aesthetic design considerations, placement of supporting equipment, and adherence to federal health and safety regulations, the proposed wireless facility will be compatible with its surroundings, does not injure nearby properties, and will not present any health and safety concerns.

## **FINDINGS**

- A. The proposed project complies with Title 13, Section 13-29(g)(2), minor conditional use permit "findings," and Section 13-144(b) regarding antennas, based on the following:

**Finding:** The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

**Facts in Support of Finding:** The proposed use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The height and disguise of the new facility will match the existing wireless facility on the property, ensuring visual consistency and minimizing aesthetic impact. The use will be conducted on a proposed mono-pine on a site with an existing mono-pine facility and at a height that is necessary to provide coverage and will not generate substantial noise, excessive traffic or otherwise have detrimental effects on the surrounding uses.

**Finding:** Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

**Facts in Support of Finding:** The project will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood in that the FCC has jurisdictional authority with regard to the health and safety of telecommunications facility. Additional conditions have been added to ensure that antenna frequency does not interfere with the frequency used for public safety communications and that all equipment remain in good working condition. The installation of the new antennas and equipment area will comply with all applicable Building and Fire Codes.

**Finding:** Granting the conditional use permit or minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.

**Facts in Support of Finding:** The proposed antennas and equipment area are located in an existing mini-storage facility mono-pine. With the approval of a minor conditional use permit for structure height above standard, the antennas and equipment area comply with all zoning requirements and is consistent with



the General Plan land use designation in that the equipment will be screened from view from other surrounding developments. In addition, the location of the equipment area is not visible from offsite areas. Granting the minor conditional use permit will provide improved wireless services to residents and visitors to the City, on a site that has an existing facility for another carrier (Verizon), also disguised as a mono-pine tree. The proposed antenna will be compatible with the existing uses located in the surrounding area and will not generate noise or parking impacts.

**Finding:** Strict conformance with the development standards specified will unreasonably limit, or prevent, reception or transmission of signals, or result in excessive expense in light of the cost of purchase, installation and operation of the antenna(s).

**Facts in Support of Finding:** Adhering to a 30-foot height limit for the proposed wireless communication facility will unreasonably limit reception or transmission of signals or result in additional expense. Wireless communication facilities function based on line-of-sight technology, which means that in order to send and receive a signal one antenna must "see" the other. Standard heights for wireless facilities in typical suburban environments are often 55 feet above ground. This height is usually adequate to avoid signal interference caused by other buildings and trees and is sufficient to be seen by other antennae on the same network. Restricting the wireless communication facility to a height of 30 feet would diminish the antennas ability to send or receive signals and would necessitate placing more antennas in order to provide roughly the same coverage for the same geographic area as one antenna located at 55-foot high. This will result in additional expenses to acquire property leases and then to purchase, install, and operate the additional antennas. Additionally, the site contains an existing, another 55-foot-tall wireless facility disguised as a mono-pine tree.

**Finding:** The deviation from applicable development standards represents the minimum adjustment necessary to prevent unreasonable limitations on the reception or transmission of signals.

**Facts in Support of Finding:** Strict compliance with all development standards (e.g., setbacks, height) would severely limit the functionality and coverage of the facility. The height and placement of the proposed mono-pine are essential to ensure effective signal propagation and service and mimic the existing facility on site. Additionally, as mentioned in their applicant letter, the proposed height does not allow AT&T to close the entire gap in coverage, however, is a minimum necessary to make this site effective while matching the existing on-site facility. The letter also states that any further reduction in height would compromise

service and coverage quality. The proposed deviations represent the minimum necessary to maintain reliable signal transmission while achieving stealthing objectives.

- B. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15311 for Accessory Structures. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location and would not impact any historic resources.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**CONDITIONS OF APPROVAL (PMCP-24-0029)**

- Plng.
1. The use of this property as a mini-warehouse storage development with two wireless facilities disguised as mono-pines shall comply with the approved plans and these conditions of approval.
  2. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to final building inspection. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  3. Any change in the design or operational characteristics of the wireless communication facility shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change.
  4. At all times, the applicant shall not prevent City of Costa Mesa from having adequate spectrum capacity on City's 800 MHz radio frequency.
  5. The applicant shall provide a 24-hour phone number to which interference problems may be reported.

6. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all interference issues. The name, telephone number, fax number, and e-mail address of that person shall be provided to City's designated representative upon activation of the facility.
7. The applicant shall ensure that lessee or other user(s) shall comply with the terms and conditions of this permit and shall be responsible for the failure of any lessee or other users under the control of applicant to comply.
8. All antennas shall be mounted as shown on the plans with appropriate screening to minimize visual impacts to surrounding properties and uses. Antennas shall be painted to match the foliage of the mono-pine. Supports shall be painted to match branches.
9. The proposed mono-pine tree shall be maintained such that it will resemble a pine tree for the life of the project, free from fading and loss of limbs. Branching shall be a minimum of 25 feet in diameter at the lower branches and tapering up to shorter branches toward to top, but in all cases branching shall extend forward of all antenna panels in order to provide adequate screening; minimum vertical spacing shall be provided to ensure the appearance of a tree while not interfering with the proposed facility. The equipment enclosure shall be painted to match the existing facility.
10. Maximum height of the antennas shall not exceed 55-feet of height as measured from existing grade.
11. All proposed equipment cabinets, antennas, wiring, cables, and conduit shall be well maintained and kept in good condition at all times. Any broken, damaged, faded, and exposed material shall be replaced and approved by Planning staff prior to installation.
12. Any future modifications to the equipment or antennas shall be done with prior approval of Planning staff and may require filing and approval of a minor conditional use permit to ensure compliance with applicable zoning codes.
13. Antenna frequencies shall not interfere with the frequency used for public safety communications.
14. The conditions of approval and code requirements of Zoning Application PMCP-24-0029 shall be blueprinted on the face of the site plan sheet of the plan check submittal package.

15. The applicant shall defend, with attorneys of City's choosing, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section.
16. No transmitting antenna or facility, except as categorically excluded by the Federal Communication Commission, shall exceed the radiofrequency (RF) radiation and maximum permissible exposure (MPE) limits for electrical and magnetic field strength and power density established by the National Council on Radiation Protection and Measurements (NCRP) and the 1992 ANSI/IEEE for an "uncontrolled environment." It shall be the responsibility of the applicant to provide evidence of compliance with applicable standards.

### **CODE REQUIREMENTS**

The following list of State and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa. The applicant is also required to comply with any other applicable State and local laws not provided below.

- Plng. 1. Approval of the planning/zoning application is valid for two years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the Building Official, 2) a certificate of occupancy has been issued, or 3) the use is established and a business license has been issued. A time extension can be requested no less than 30 days or more than sixty (60) days before the

expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180-days subject to specific findings listed in Title 13, Section 13-29 (k)(6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.

2. Hours of construction shall comply with Section 13-279, Title 13, of the Costa Mesa Municipal Code.
3. Antennas shall comply with the Antenna Development Standards in Section 13-142 of the Costa Mesa Zoning Code.
- Bldg. 4. Comply with the requirements of the applicable adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance.
5. Plans shall be prepared by a California licensed Architect or Engineer. Plans shall be wet stamped and signed by the licensed Architect or Engineer prior to the issuance of building permits.
6. Construction/ improvements that encroach within Public Utility Easements shall require written approvals from the utility companies associated with that easement.
- Bus. 7. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
- Lic.

# PMCP-24-0029 Decision Report

Final Audit Report

2025-07-17

Created:	2025-07-17
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## "PMCP-24-0029 Decision Report" History

-  Document created by Justin Arios (Justin.Arios@costamesaca.gov)  
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