



PLANNING COMMISSION

Darren Smith, Chairman

Juan Tavares, Vice-Chairman

John Lane George A. Marquez

Jay Goyal Robert Palacio Kevan Hutchinson

AGENDA

PLANNING COMMISSION REGULAR MEETING

WEDNESDAY, AUGUST 11, 2021 AT 5:30 P.M.
CITY OF BRAWLEY COUNCIL CHAMBERS
205 S. IMPERIAL AVENUE
BRAWLEY, CALIFORNIA

This meeting will be broadcast live at www.facebook.com/cityofbrawley .

1. CALL TO ORDER / ROLL CALL

2. APPROVE AGENDA

3. PUBLIC APPEARANCES

The Planning Commission encourages citizen participation on all matters presented for their consideration. The Planning Commission does not take action on items presented under Public Appearances.

As the Planning Commission is observing social distancing protocols as recommended, social distancing and facemask will be required. Should a member of the public wish to provide verbal or written public comments prior to the meeting, please submit written comments via email to amontano@brawley-ca.gov or contact the Planning Division Office at 760/344.8822.

4. CUP 21-01 861 Main Street

A conditional use permit (CUP 21-01) submitted by Ray Baab on behalf of Gargiullo Cooling LLC on property located at 861 Main Street. The conditional use permit is to allow for the development of a recycling center to be located in an existing operating business.

Property Owner: Gargiullo Cooling LLC

Legal Description: A portion of the Townsite of Brawley and
resubdivision of blocks 100 and 101, Townsite of
Brawley, City of Brawley, State of California, APN
047-351-008

5. CUP 21-02 Vertical Bridge Cell Tower

A conditional use permit (CUP21-02) and Negative Declaration submitted by Vertical Bridge on behalf of the City of Brawley on property located at 221 Magnolia Street. The conditional use permit is to allow for the addition of a 110 foot collocatable wireless communication tower. The property is currently zoned P-F (Public Facilities). The site will be located south of the batting cages in a 36 ft by 36 ft fenced area.

Property Owner: City of Brawley

Applicant: Vertical Bridge, Gary Cassell

Legal Description: A portion of the North 481 ft of the East 452 ft, Ramsdells Subdivision of Block 42, Townsite of Brawley, City of Brawley, State of California, APN 046-121-003.

6. NEXT MEETING DATE

7. ADJOURNMENT

Supporting documents are available for public review in the Community Development Services office, 205 S. Imperial Avenue, Brawley, CA 92227 Monday through Friday, during regular posted business hours.

PLANNING COMMISSION STAFF REPORT

Conditional Use Permit #: CUP 21-01

Property Owner(s): GARGIULO COOLING LLC

Applicant(s): Ray Baab

Legal Description: Portion Of Townsite & Resubdivision Of Blocks 100 & 101 , Townsite Of Brawley, City Of Brawley, County Of Imperial, State Of California, APN 047-351-008

Location: 861 Main Street

Area: 3.62 Acres (157,687 Square Feet)

Zoning: East Village Enterprise

Existing Use: Garguillo Cooling Shed

Proposed Use: New Cal Recycle Center

Surrounding Land Uses:

North -	EE(East Village Enterprise)/ Gargiulo Cooling
South -	EE (East Village Enterprise) / The Hartford Center
East -	EN (East Village Neighborhood)/ Express Lube
West-	EE (East Village Enterprise)/ Coni Stokely Insurance

General Plan Designation: Mixed Use/Light Industrial

**PLANNING COMMISSION PUBLIC HEARING MEETING
COUNCIL CHAMBERS, 5:30 P.M.
383 MAIN STREET, BRAWLEY, CA 92227**

Conditional Use Permit: CUP 21-01**General Information:**

The applicant is requesting a conditional use permit to allow for a New Cal Recycle Center that will in an existing operating business. The property is currently zoned East Village Enterprise. The site is currently Garguillo Cooling Shed and is 3.62 acres in size. The proposed site plan shows 6 parking spaces to be located on the site and access is proposed via N. 9th Street. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

The following condition(s) shall apply:

1. Landscaping will be required as per Sec. 27.180 of the Zoning Ordinance and the Downtown Specific Plan.
2. Hydraulics, drainage and grading details to City standards provided to the City Engineer. The percentage of retention shall be determined by the City Engineer.
3. Applicant/Property Owner shall obtain an encroachment permit from the Department of Public Works for any new, altered or unpermitted driveways necessary to access each of the parcels from a public street.
4. Provide sewer and water, curb and gutter, sidewalk, street and other improvements to City standards before City issues certificate of occupancy for any structure for each parcel.
5. Applicant/Property Owner shall defend, indemnify, and hold harmless the City of Brawley, or its agents, officers and employees from any claim, action or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval by the Development Review Committee, Planning Commission or City Council concerning the project. The City of Brawley shall promptly notify the applicant of any claim, action or proceedings and shall cooperate fully in the defense.
6. The applicant shall pay any and all amounts as determined by the city to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, city ordinance and/or any other laws that apply. This include any applicable Development Impact Fees, Capacity Fees, Plan Check and/or Inspection Fees, Air Pollution Control District (APCD) Fees, Environmental Filing Fees and Building Permit Fees.
7. The applicant shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.
8. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.
9. Provide a formal drawing to scale with details of the area to be used including parking, vehicles access and exit, trucks and vehicles maneuvering, pedestrians access, striping of designated areas for pedestrians standing in line or just accessing.
10. South driveway shall comply with ADA.
11. Install sidewalk along 9th Street on the area of parcel to be used.
12. Remove masonry short walls, trees and any other obstruction to pedestrians
13. Tree trimming and removal of dead tree's.
14. Install New Water Meter and Backflow preventer installation. Depending on the information provided of activities or processes.
15. For the water connection to be legal, a lot line adjustment is required and needs to be recorded prior to Certificate of Occupancy.

The recommendation is based on the following findings:

1. The proposal is exempt from CEQA pursuant to Section 15309.
2. The location of the project and surrounding land uses make it unlikely the project will cause

significant environmental impacts. Granting of the conditional use permit will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.

3. The conditional use permit is consistent with the General Plan and the character of the area for that type of land use.

The Brawley General Land Use Map designates this property for **Industrial** land uses.

East Village Enterprise zoning permits Recycle Center by conditional use permit.

ATTACHMENT: Location Map, Site Plan.

NOTE TO THE PROPERTY OWNER: DEVELOPMENT REVIEW COMMITTEE POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (760) 344-8822.

CUP 21-01

Aerial Map

6 of 162
B St



Google Earth

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1000 ft



RESUB. BLOCKS 99, 100 & 101 & POR. OF TOWNSHIP

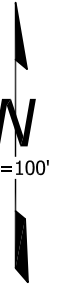
Tax Area Code

47-35

O.M. 1-18

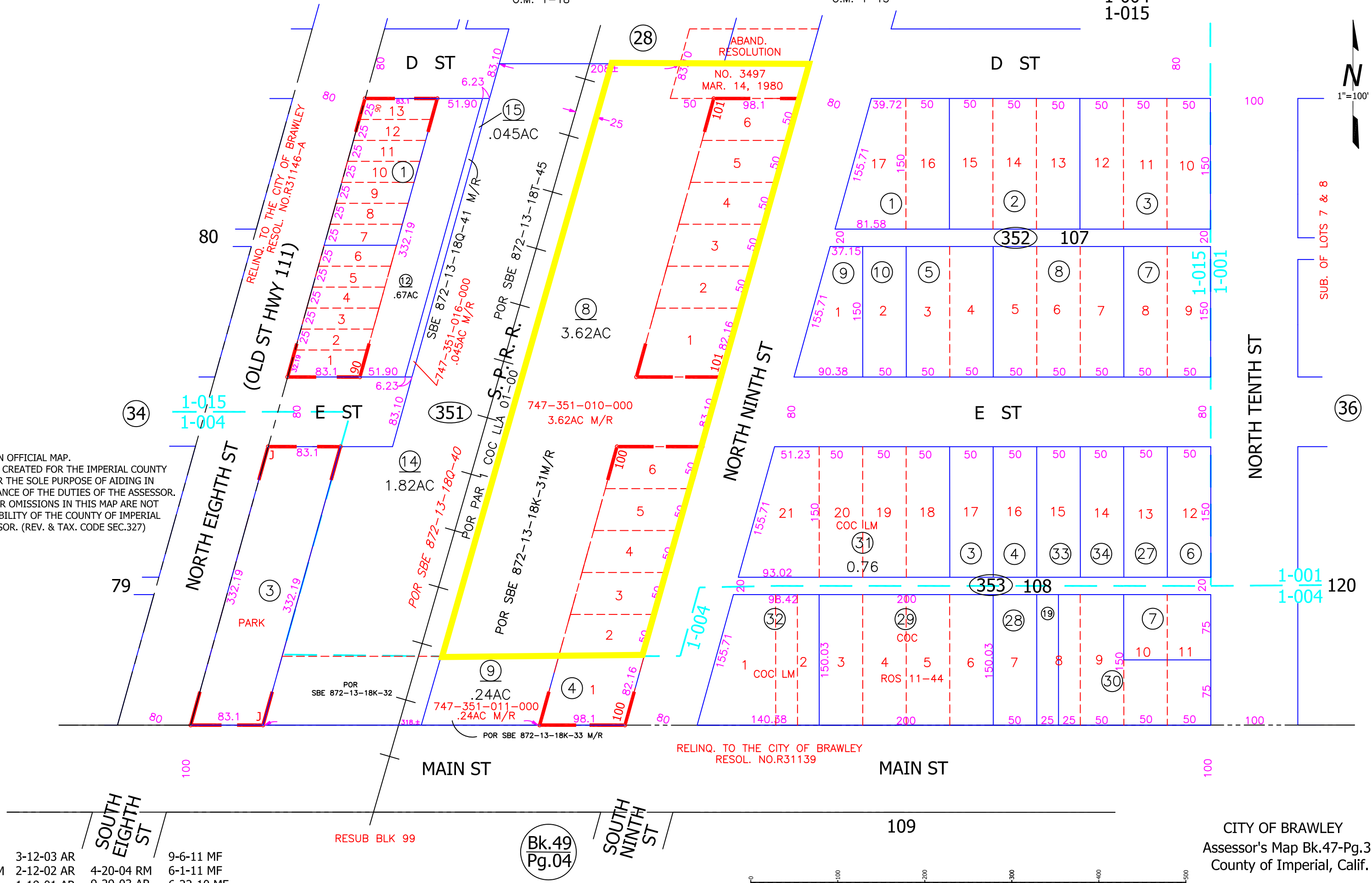
O.M. 1-15

1-004
1-015



1"=100'

DISCLAIMER:
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ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN
THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.
ANY ERRORS OR OMISSIONS IN THIS MAP ARE NOT
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- 2-27-97 LS
- 10-10-96 RM
- 6-19-91 DP
- 4-8-91 RM
- 3-12-03 AR
- 2-12-02 AR
- 1-19-01 AR
- 4-8-97 LS
- 4-20-04 RM
- 9-29-03 AR
- 9-25-03 AR
- 9-6-11 MF
- 6-1-11 MF
- 6-22-10 MF
- 6-08-09 LC
- 10-16-12 MF

Bk.49
Pg.04



CITY OF BRAWLEY
Assessor's Map Bk.47-Pg.35
County of Imperial, Calif.

PLANNING COMMISSION STAFF REPORT

Conditional Use Permit #: CUP 21-02

Property Owner(s): City of Brawley

Applicant(s): Vertible Bridge/Gary Cassel

Legal Description: N 481 FT OF E 452 FT 5 AC MOL RAMSDELLS SUB OF BLK 42, CITY OF BRAWLEY, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, APN 046-121-003

Location: 221 E. Magnolia Street/ Ed Wiest Field

Area: 4.98 Acres (216,953 Square Feet)

Zoning: PF- Public Facilities

Existing Use: Ed Wiest Field

Proposed Use: Install a 110' Cell Tower

Surrounding Land Uses:

North -	PF (Public Facilities) / Volunteer Park/Ed Soto Field
South -	PF (Public Facilities) / Lions Center
East -	R-3(Residential Medium Density)/ Citrus Pointe Apts.
West-	PF (Public Facilities) / Armory

General Plan Designation: Public Facilities

**PLANNING COMMISSION PUBLIC HEARING,
AUGUST 11, 2021, 5:30 P.M.,
CITY COUNCIL CHAMBERS,
383 MAIN STREET, BRAWLEY, CA 92227**

Conditional Use Permit: CUP 21-02**General Information:**

The applicant is requesting a conditional use permit to allow for install a 110' Cell Tower. The property is currently zoned PF- Public Facilities. The site proposed would be located at ED Wiest Field and is 4.98 acres in size. It is proposed to be installed with 8' chain link fences with privacy slats in 36' x 36' compound. All equipment will be stored inside. This area will be behind the batting cages and will be accessed through the alley north of Wiest Field.

Staff Recommendation:

If approved, the Planning Department recommends the following conditions:

1. The applicants shall pay any and all amounts as determined by the city to defray all costs for the review of reports, field investigations, or other activities related to compliance with this permit/approval, city ordinance and/or any other laws that apply.
2. The applicants shall comply with all local, state and/or federal laws, rules, regulations and/or standards as they may pertain to this project, whether specified herein or not.
3. Applicants shall, to the fullest extent permitted by law, indemnify and save the City of Brawley and its respective agents, officers, and employees, free and harmless of and from all claims, demands, losses and liability, including costs and legal fees arising directly or indirectly out of the process associated with issuance of this permit or activities undertaken in connection with issuance of this permit, excepting only claims arising from solo negligence or misconduct.
4. Any person or party who succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means shall be bound by the conditions of approval.
5. Any flashing lights for night and/or white high intensity strobe beacon for daytime shall be required per FAA Regulations.
6. Emergency power is to be provided by the applicant.
7. Lights, if required shall be replaced as necessary within 24 hours.
8. Tower shall be camouflaged as a palm tree as depicted in the illustrations.
9. At the applicant's expense, the Building Official may require periodic inspections of the facility to ensure the structural stability of the tower. The applicant shall ensure the tower is maintained and structurally stable and abide by the recommendations of the Building Official.
10. The facility shall not cause electrical interference with aircraft communications or navigation.
11. Any modifications to the structure or use of the structure shall require approval from the Planning Commission.
12. Tower shall not exceed a height of 110 feet.
13. The Conditional Use Permit shall expire on August 11, 2072 or if the lease contract is terminated.
14. The applicant shall disassemble and remove the tower from the site by August 11, 2072, within 60 days after the facility ceases to operate or upon lease termination, unless an extension is granted by the Planning Commission.
15. The applicant shall notify the Planning Director within 30 days if any person or party succeeds to the interest of the present owner by sale, assignment, transfer, conveyance, exchange or other means.
16. The applicant is permitted to use the facility as stated on the application; no other use is allowed.
17. The City of Brawley or other public agency shall be entitled to use the tower for their communications purposes, if desired.

The recommendation is based on the following findings:

1. The location of the project and surrounding land uses make it unlikely the project will cause significant environmental impacts.
2. Granting of the conditional use permit and Negative Declaration will not be detrimental to the public welfare or detrimental to the health and safety of the residents of the City of Brawley.

3. The conditional use permit and Negative Declaration are consistent with the General Plan and the character of the area for that type of land use.

The Brawley General Land Use Map designates this property for **Public Facilities** land uses.

PF- Public Facilities zoning permits install a 110' Cell Tower by conditional use permit.

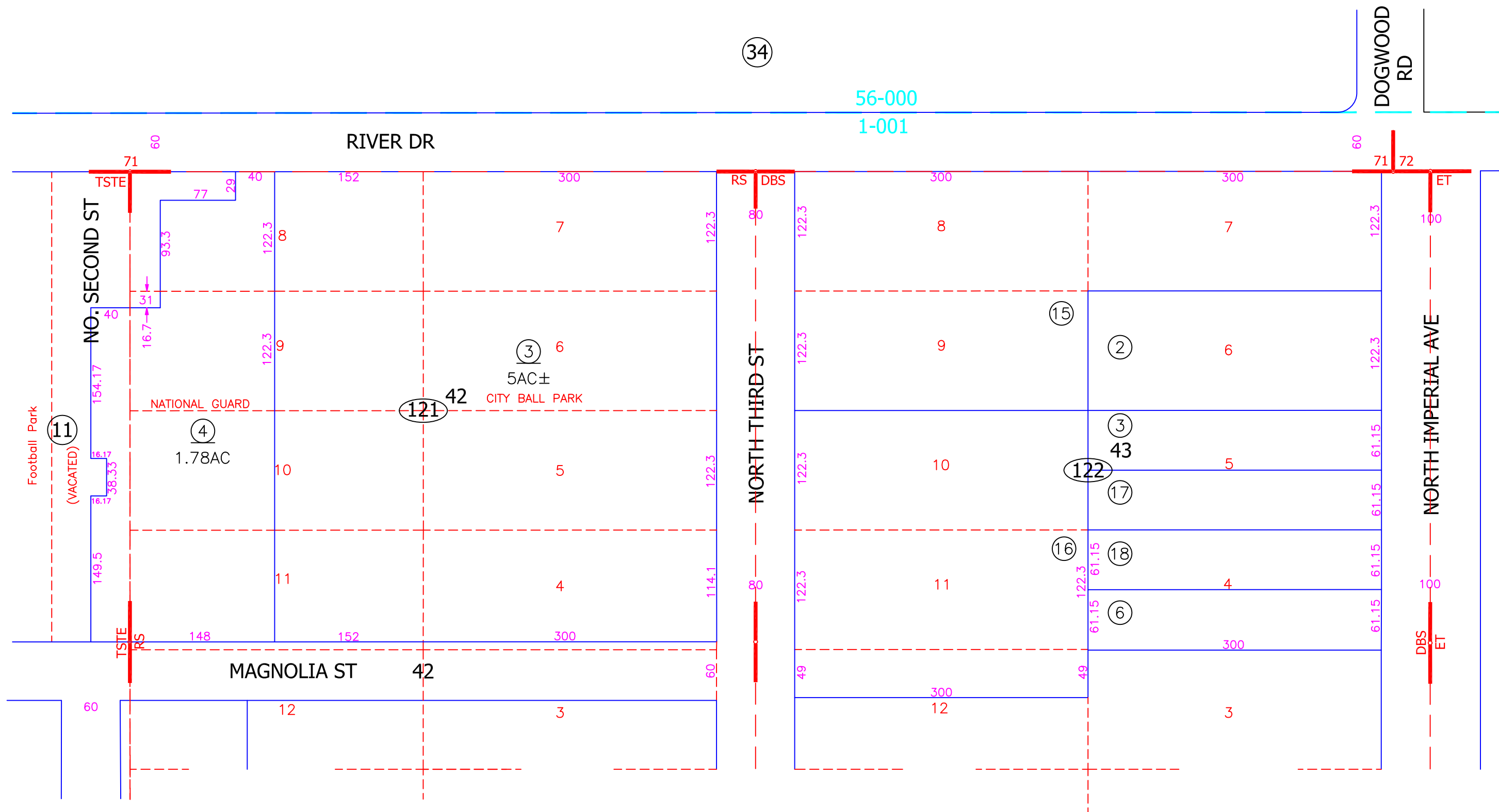
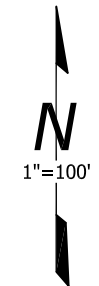
The Commission must determine the following:

- A. The conditional use permit to install the Cell Tower protects the best interest, health, safety and welfare of the public in general.
- B. The conditional use permit to install the Cell Tower complies with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.
- C. This conditional use permit to install a the Cell Tower is in accordance with to in furtherance of the Brawley General Plan, any special neighborhood plans or policies adopted by the City regarding the development area, or any approved concept plan.
- D. The proposed install a 110' Cell Tower is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity.
- E. Any impacts created by the proposed installation of the Cell Tower on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.
- F. The design of the Cell Tower mitigates substantial environmental problems.
- G. The Cell Tower is compatible with adjacent structures and uses.
- H. The proposed Cell Tower is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.
- I. The Cell Tower meets all Federal, State and Local laws and is substantiated by peer reviewed studies.

ATTACHMENT: Environmental Initial Study, Location Map, Site Plan

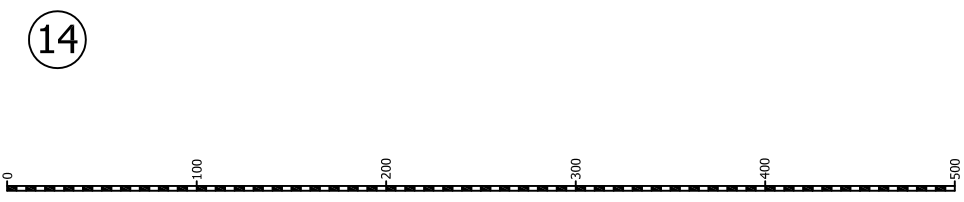
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5-12-99 RM
2-17-99 RM
6-18-98 LS
3-29-78 IJ
7-5-77 IJ
5-4-15 MF



City of Brawley

Environmental Information Form

1. **Project title:** CUP21-02 – Vertical Bridge Communication Facility- 221 Magnolia Street
2. **Lead agency names and addresses:**
 City of Brawley
 Development Services Department
 Planning Division
 205 S. Imperial Avenue
 Brawley, CA 92227
 (760) 344-8822
 (760) 351-2656 (FAX)
3. **Contact person:** Gordon R. Gaste, AICP CEP, Development Services Director
4. **Project location:** A portion of the North 481 ft of the East 452 ft, Ramsdells Subdivision of Block 42, Townsite of Brawley, City of Brawley, State of California, APN 046-121-003, 221 Magnolia Street.
5. **Project sponsor's name and address:**

City of Brawley 383 Main Street Brawley, CA 92227	Vertical Bridge c/o Gary Cassel 3530 E. Atlanta Ave. Phoenix, AZ 85040
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6. **General plan designation:** Public Facilities
7. **Zoning:** P-F (Public Facilities)
8. **Description of project:** The applicant is requesting a conditional use permit to allow for the addition of a 90 foot stealth wireless communication tower disguised as a palm tree. The property is currently zoned C-2 (Medium Commercial). The site is currently a commercial plaza and is 1.37 acres in size.
9. **Surrounding land uses and setting:**

North - R (Recreation)/ Sports Fields
South - R (Recreation)/ Lions Center
East - R-3 (Medium Density Residential)/ Apartments
West- P-F (Public Facilities) / Vacant Armory

The setting is adjacent to development and planned for urban uses in the General Plan.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

City of Brawley:

-Conditional Use Permit
 -Planning Commission Approval

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues (and Supporting Information Sources):

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no scenic vistas on or adjacent to the project site.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The project is not within a state scenic highway; therefore, there will be no impact.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The communications tower would slightly change the existing visual character of the site and its surroundings. The tower will be 110 feet tall very near existing light poles that reach up to 85 feet tall; therefore, there the impact will be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Lighting in the area is associated with existing development and sports fields. Lighting for the proposed project does not require FAA tower lighting; therefore, there would be no impact.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The proposed project is designated public facilities within an urbanized area that is currently adjacent to existing structures. As such, there would be no impact to agriculture due to the implementation of the project.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The proposed project site is not designated or zoned for agricultural uses. Additionally, there are no Williamson Act contracts on the project site or in the vicinity. Therefore, there would be no impact.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The project site is located within an urban area with no timberland activity occurring within the project vicinity. There would not be any direct, indirect, or cumulative impacts to the environment which could cause conversion of timberland to non-timberland uses.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site is located within an urban area with no forest land activity occurring within the project vicinity. There would not be any direct, indirect, or cumulative impacts to the environment which could cause conversion of forest land to non-forest uses.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The project site is located within an urban area with no agricultural activity occurring within the project vicinity. There would not be any direct, indirect, or cumulative impacts to the environment which could cause conversion of farmland to non-agricultural uses or forest land to non-forest uses.

III. **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

The project will not conflict with or obstruct implementation of air quality plan.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The project will have a less than significant amount of diesel emissions during construction. Any standby generators greater than 50 horsepower shall be permitted through the Air Pollution Control District.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The proposed project will not contribute to air emissions in an air basin which is in non-attainment of standards. The ICAPCD's Operational Development Fee (Rule 310) would be required to provide; (1) off-site mitigation; (2) an operational development fee; or (3) a combination of both for any future site development.

- d) Expose sensitive receptors to substantial pollutant concentrations?

Same as III b).

- e) Create objectionable odors affecting a substantial number of people?

The project would no generate objectionable odors and therefore, there would create no impact.

IV. **BIOLOGICAL RESOURCES.** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The project site is an urban parcel with existing structures and therefore, will have no significant impact on wildlife.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?

No riparian habitats exist on the property.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

There are no wetland resources as defined by the Clean Water Act located on-site and therefore there will be no impact.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project is adjacent to existing structures on developed land and therefore would not be used for foraging or as a major movement corridor for any native wildlife or bird species; therefore, there would be no impact.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would not conflict with any local policy or ordinance protecting biological resources; thus, there would be no impact.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There are no Habitat Conservation Plans or Natural Community Conservation Plans on or within the vicinity of the project site. Therefore, there would be no impact.

V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?

The project is adjacent to existing structures with improvements on-site which would not be considered historical resources as defined by the four criterion listed by the California Register of Historic Resources. Therefore, there would be no impacts.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?

The site is adjacent to an existing structures and has been disturbed and there are no identified archaeological resources located on the project site.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The site is adjacent to an existing structures that has been disturbed and there are no identified paleontological resources located on the project site.

d) Disturb any human remains, including those interred outside of dedicated cemeteries?

The site is adjacent to an existing structures that has been disturbed and the proposed project will not impact any human remains. Additionally, there are no known cemeteries located within the vicinity of the project site. Thus, there would be no impact.

VI. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

There are no faults identified by the Alquist-Priolo Fault Zoning Map on or within the vicinity of the project site. The project site is within a seismically active area; however, the proposed structure shall be in adherence to the California Building Code resulting in a less than significant impact.

ii) Strong seismic ground shaking?

The project area is seismically active, and development would require implementation of project design measures and adherence to the California Building Code. The proposed structure is designed to reduce the impacts to a level that is less than significant.

iii) Seismic-related ground failure, including liquefaction?

The project would implement project design measures required by the California Building Code and any other required ground improvement measures needed to reduce the level that have no impact.

iv) Landslides?

Due to the completely flat and level nature of the project site, there is no potential for a landslide incident and there would be no impact.

b) Result in substantial soil erosion or the loss of topsoil?

The project will utilize Best Management Practices that produce no impacts.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

The project is a structure which shall meet the requirements of a geotechnical study which will result in no impact.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

The project is a structure which shall meet the requirements of a geotechnical study which will result in a less than significant impact to expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Not applicable to project.

VII. GREENHOUSE GAS EMISSIONS.

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The project would not generate significant additional greenhouse gas emissions. Any mitigation required per the APCD shall produce a level which has a less than significant impact.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project would not conflict with any plan, policy or regulation adopted for the purpose of reducing emission of greenhouse gases, and therefore, would have no impact.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No hazardous materials would be handled and therefore would not create an impact. The project meets all radio frequency FCC requirements.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Same as VIII a).

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Same as VIII a).

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project site does not contain any hazardous materials that are compiled pursuant to the Government Code that would create a potential hazard to the public.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The proposed project is located within the D zone of the airport land use plan. The project adheres to all FAA rules and regulation regarding height and lighting, the project would have a less than significant impact.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The project site is not within two miles of a private airport, and therefore, would have no impact.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project will not impair or interfere with any emergency response and evacuation plan, and therefore, would have no impact.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project site is not located adjacent to wildlands; therefore, there would be no impact.

IX. HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements?

The proposed project will not discharge any water or wastewater and therefore, have no impact.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Groundwater is not used in Brawley, nor in the surrounding agricultural area, because it is too brackish for agricultural use or human consumption. Therefore, the proposed project would use City water if required rather than ground water; and as such would not result in the net deficit of aquifer volume or a lowering of the water table.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a

manner which would result in substantial erosion or siltation on- or off-site?

Since drainage patterns have already been established in this urban area, and all drainage shall be per Public Works standards with no significant alteration is expected; therefore there are no impacts.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Same as IX c).

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The project is designed such that runoff is properly managed onsite, therefore, there would be no impact.

f) Otherwise substantially degrade water quality?

The project will not otherwise substantially degrade water quality creating no impact.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The project is not located within a 100-year flood hazard area as mapped by a Flood Insurance Rate Map. Therefore, there would be no impacts.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Same as IX g).

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

The project is not located in an area identified

to be at risk of flooding from dam or levee failure and there would be no impact.

j) Inundation by seiche, tsunami, or mudflow?

The project site is located inland and is far from any large bodies water bodies. Therefore, the risk of inundation is considered to be very low and there would be no impact.

X. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?

The project site is properly zoned for the proposed use with a Conditional Use Permit and would not physically divide an established community creating no impact.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed use of the project is consistent with the General Plan. The project would also be consistent with the Zoning Ordinance with a Conditional Use Permit. Therefore, there are no impacts.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The site is not subject to a habitat conservation plan or natural community conservation plan, and does not contain any significant vegetation, habitat nor wildlife resources. Therefore, there would be no impact.

XI. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The project site is not within an area identified as containing mineral resources and there would be no impact.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

There are no mineral resource recovery sites within the vicinity of the project site identified on the General Plan and thus, there would be no impact.

XII. NOISE. Would the project result in:

a) Exposure of persons to generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The project will not generate noise levels in excess of local standards or affect any sensitive receptors. Therefore, the impact is not significant.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Same as XII a).

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Same as XII a).

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Same as XII a).

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project is located within an airport land use plan, however, it does not produce noise and thus, have no impact.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The project is not located within two miles of a private airstrip. There would, therefore, be no impact.

XIII. POPULATION AND HOUSING.

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project will not induce growth which creates any impact.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The project will not displace any housing and therefore, has no impact.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The project will not displace any people and therefore, there is no impact.

XIV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

The project site is already protected by fire services and therefore has no impact.

Police protection?

The site is already served by police

service and the proposed project will not affect the ability of the City to provide police protection, therefore, there would be no impact.

Schools?

The project will not impact schools.

Parks?

The project is located adjacent to sports fields, however, it will not affect their operations.

Other public facilities?

No impacts to other public facilities from the proposed project are anticipated.

XV. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed project would not cause an increase in the use of existing parks or recreational facilities. Thus, there would be no impact.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project does not proposes to rehabilitate batting cages, however, it not have an impact.

XVI. TRANSPORTATION/TRAFFIC.

Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

The project will not generate any traffic that results in an impact.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

See XVI a).

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project would not result in a change of air traffic patterns and there would, therefore, be no impact.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The construction plan shall be reviewed by the Building Department and City's engineering division for compliance with City standards and requirements to not create any design impacts.

e) Result in inadequate emergency access?

Adequate emergency access shall be provided creating no impacts.

f) Result in inadequate parking capacity?

The project does not require parking, and therefore has no impact.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. Thus, there would be no impact.

XVII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

The project is proposed to be located on previously disturbed land not listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The project is proposed to be located on previously disturbed land that does not hold historical value.

XVII. UTILITIES AND SERVICE

SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The project will not create wastewater and will not have any impacts.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No new construction is required resulting in no impact.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project would utilize current onsite storm water drainage facilities designed to accommodate this site, therefore there will be no impact.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Existing resources will provide sufficient water creating no impacts.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The project will not create wastewater and therefore have no impacts.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The project will not produce solid waste and therefore have no impact.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

See XVII f)



Engineering Wireless Services, LLC

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Phone: 480-968-6000

RE: EME Compliance for Vertical Bridge site

**US-CA-5172: Warner Park
Alley R.O.W. of N. 3rd St.,
North of Magnolia St.
Brawley, CA 92227**

May 27, 2021

To whom it may concern,

Engineering Wireless Services (EWS) evaluated the proposed Vertical Bridge monopole with site ID: US-CA-5172 to determine compliance with regulations on radio frequency (RF) electro-magnetic emissions (EME). At the time of the evaluation, T-Mobile site ID: SD02777A is the only proposed installation on the tower. Acceptable EME levels are determined and governed by the Federal Communications Commission (FCC). EWS uses the FCC guidelines and industry standards in evaluating compliance. After careful consideration, calculations show the T-Mobile Site on the Vertical Bridge tower will meet FCC regulations.

The calculations used for this evaluation were based on the information provided in the form of construction drawings, radio frequency data sheets (RFDS), and equipment specification sheets. Major factors that impact the EME compliance of the site are the antenna mounting locations (including height & proximity to each other), maximum output power of each radio type, the count of each radio type, antenna model, antenna azimuths, frequencies deployed, and the existence of other transmitters. While the tower is built to support multiple wireless service providers, T-Mobile is the only tenant indicated in the supplied documentation. T-Mobile is planning to use two antenna models (Ericsson AIR6449 B41 & RFS APXVAA4L24_43-U-NA20) in each sector with four sectors on the tower. The Ericsson antenna model uses an internal radio capable of up to 300W output. The RFS antenna model has 12 ports to be fed by three radios with four ports each. The external radio models are Ericsson 4449, 4415, and 4424 with maximum output powers of 40W, 40W, and 80W per port, respectively. The antennas will be mounted with the center 106 feet up from ground level. Proposed azimuths for the site are 20°, 110°, 200°, and 290° with a 2° electrical down-tilt on the RFS antenna. The radios will produce RF signals in the 600MHz, 700MHz, 1900MHz, 2100MHz, and 2500MHz frequency ranges. Deviations with regards to these major factors will require a new evaluation for EME compliance.

The construction drawings indicate a chain link fence surrounding the tower that will prevent access of unauthorized personnel. The fencing is a 36x36ft square area covering 10ft North and West and approximately 26ft East and South of the pole. The enclosed area can be considered a controlled environment under FCC regulations as long as access is limited to personnel that are trained in EME exposure. Outside of the fencing constitutes an



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uncontrolled area where the general public regulations apply. A maximum EME level that is 0.7% of the occupational (controlled environment) FCC limit or 3.6% of the general public FCC limit was calculated in the enclosed area. A maximum EME level that is 0.7% of the general public limit was calculated outside the fencing.

These results are a worst-case scenario. Power levels will fluctuate with the amount of traffic on the site. The maximum power levels will only be realized at times when the site is fully loaded with users. In addition to this, any Time Division Duplexed (TDD) signals will have a reduced duty cycle resulting in lower time-averaged EME exposure levels. Based on these calculations and considerations, the proposed site is compliant with FCC regulations for EME exposure.

Respectfully,

Russell Stradling

Manager, Systems Architecture and Technology | [Engineering Wireless Services](#)

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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The project is on a developed urban parcel and will not have a less than significant impact to sensitive species.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Cumulative impacts are expected to be less than significant.

j)c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

No substantial adverse environmental effects on human beings are expected and therefore have a less than significant impact.

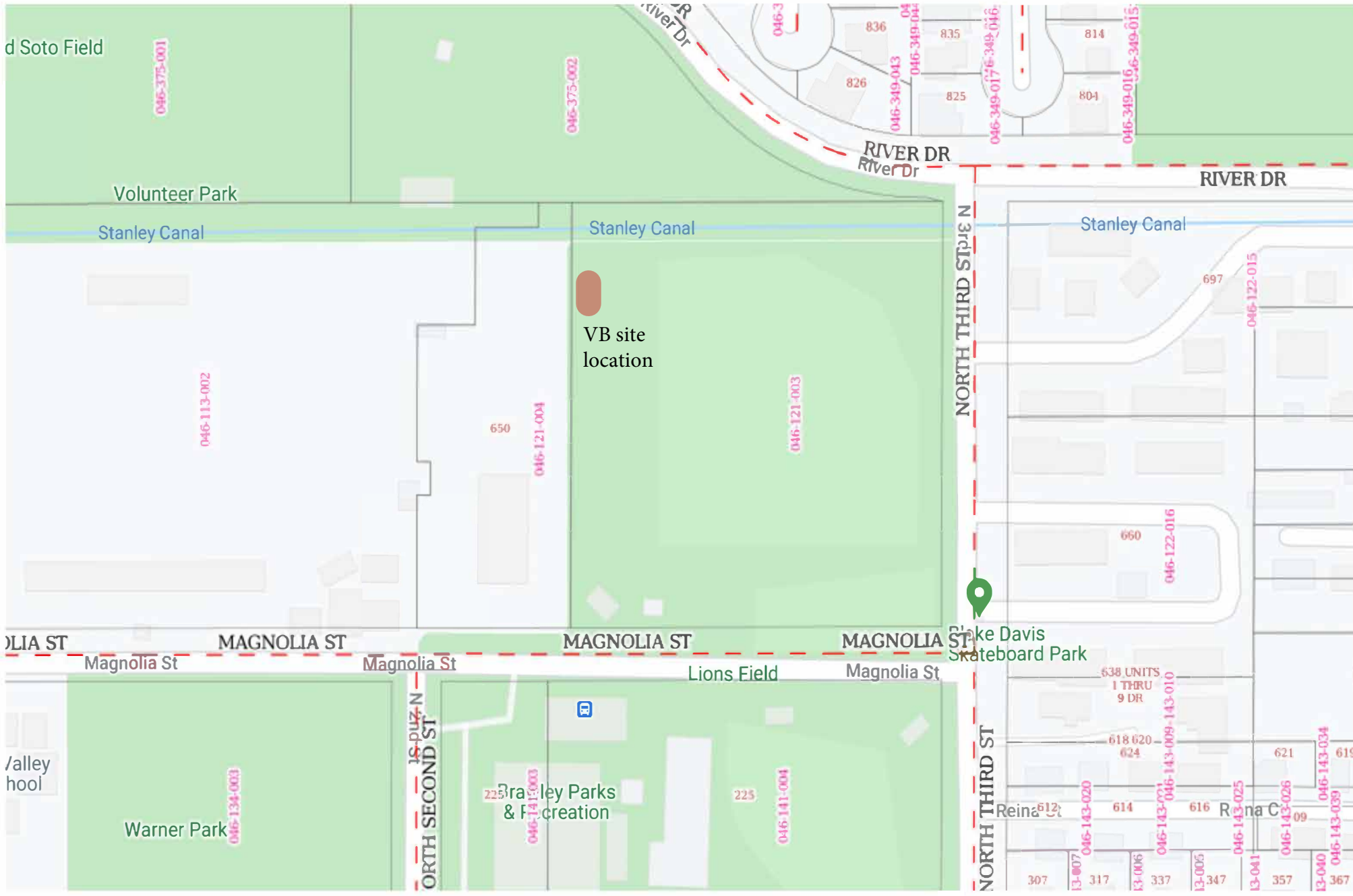
XVIII. EARLIER ANALYSES.



Earlier analyses may be used where, pursuant to the tiering, program EIR or other CEQA process, on or more effects have been adequately analyzed in an earlier EIR or Negative Declaration per Section 15063(c)(3)(D).

1. **City of Brawley General Plan and Mitigated Negative Declaration (2008)**
2. **City of Brawley Water Master Plan (2013)**
3. **City of Brawley Wastewater Master Plan (2013)**
4. **EMEC Compliance with FCC Regulations**

CA-5172 VERTICAL BRIDGE APN# 046-121-003 PLAT MAP

38 of 162



<p>1" = 188 ft</p>	<p>Sub Title</p>	<p>09/27/2020</p>		
<p>This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up to date information.</p>				