#### COVER SHEET NO. 1 PLANNING COMMISSION HEARING APRIL 19, 2024 ITEM NO. 1

### SUBJECT: CONTINUED ITEM PARADISE VALLEY ROAD WIRELESS TELECOMMUNICATIONS FACILITY – PDS2022-MUP-22-012

On March 22, 2024, the Planning Commission received a request for continuance of Item No. 2 – Paradise Valley Road Wireless Telecommunications Facility (Project) due to the lack of commissioners available to vote on the item in order to take formal action. The Planning Commission continued the item to a date certain of April 19, 2024. The Project has been placed on the Planning Commission Hearing Agenda for April 19, 2024, as Item No. 1. The dates of the staff hearing report and attached documents have been updated to reflect the new Planning Commission Hearing date of April 19, 2024. No changes to the project are proposed as a result of the continuance of the item.



# The County of San Diego Planning Commission Hearing Report

Date:	April 19, 2024	Case/File No.:	Paradise Valley Road Wireless Telecommunication Facility Major Use Permit; PDS2022- MUP-22-012; PDS2022-ER-22- 18-004
Place:	County Operations Center (COC) Hearing Room 5520 Overland Avenue San Diego, CA 92123	Project:	Wireless Telecommunication Facility
Time:	9:00 a.m.	Location:	8555 Paradise Valley Road, Spring Valley, CA 91977
Agenda Item:	#1	General Plan:	Public/Semi-Public Facilities (P/SP)
Appeal Status:	Appealable to the Board of Supervisors	Zoning:	Office-Professional (C30)
Applicant/Owner:	MD7, LLC OBO AT&T Wireless / San Diego County Water Authority	Community:	Spring Valley Community Plan Area
Environmental:	CEQA §15303 Exemption	APN:	586-170-15-00

#### A. OVERVIEW

The purpose of this report is to provide the Planning Commission with the information necessary to consider a proposed Major Use Permit (MUP) for the Paradise Valley Road Wireless Telecommunication Facility (Project), conditions of approval, and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA). Planning & Development Services (PDS) staff recommends approval of the MUP, with the conditions noted in the attached MUP decision (Attachment B). This report includes a staff recommendation, a Project description, analysis and discussion, and the Spring Valley Community Planning Group recommendation.

#### B. <u>REQUESTED ACTIONS</u>

This is a request for the Planning Commission to evaluate the Project and determine if the required findings can be made and, if so, take the following actions:

- 1. Adopt the Environmental Findings included in Attachment D, which includes a finding that the Project is exempt from the California Environmental Quality Act (CEQA).
- 2. Grant MUP PDS2022-MUP-22-012, make the findings, and include the requirements and conditions as set forth in the Form of Decision (Attachment B).

#### C. DEVELOPMENT PROPOSAL

#### 1. Project Description

The Project, submitted December 2022, is a request for MD7, LLC, on behalf of AT&T (Applicant), to construct, maintain, and operate a new wireless telecommunication facility. The facility would include 12 panel antennas and nine remote radio units (RRU's) mounted upon a new 35-foot tall faux mono-eucalyptus tree. Each panel antenna would be covered by "socks" which are faux leaves to help conceal the antennas. The equipment would be contained within a 300 square foot (eight-foot tall) concrete masonry unit (CMU) enclosure. A 20-kilowatt (kW) emergency generator, one Global Positioning System (GPS) antenna, three equipment cabinets, and other supporting equipment would be located within the equipment enclosure. Minimal grading is proposed to install the equipment enclosure. In addition, trenching is proposed to install underground electrical and fiber conduit. The 3.04-acre project site is located at 8555 Paradise Valley Road in the Spring Valley Community Plan Area, is zoned Office-Professional (C30) and contains an existing San Diego County Water Authority building.



Figure 1: Photosim of proposed mono-eucalyptus tower from Paradise Valley Road (north of project site)

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Figure 2: Photosim of proposed mono-eucalyptus tower and proposed AT&T equipment enclosure (north of project site)

#### 2. Subject Property and Surrounding Land Uses

The Project is located on a 3.04-acre parcel within the Spring Valley Community Plan Area (Figure 5). The project site is zoned Office-Professional (C30) and the General Plan Land Use Designation is Public/Semi-Public Facilities (P/SP). The site contains an existing San Diego County Water Authority building. The subject property is surrounded by residential uses, an industrial use, and a transportation corridor (State Route 54). The view of the proposed facility would be minimized since the project is screened by existing mature trees and an existing slope and would blend into the surrounding vegetation and topography (Figure 3 and 4 and Table C-1).

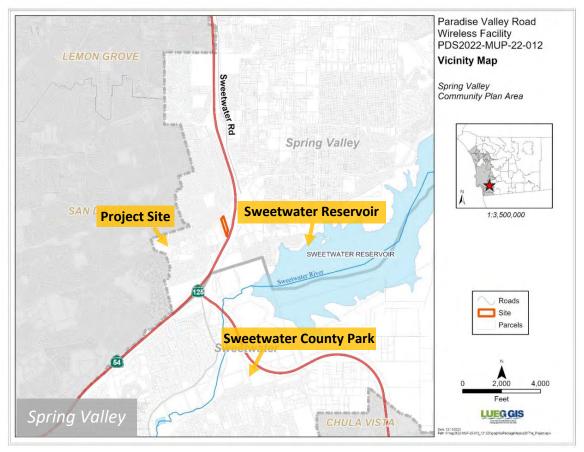


Figure 3: Vicinity map

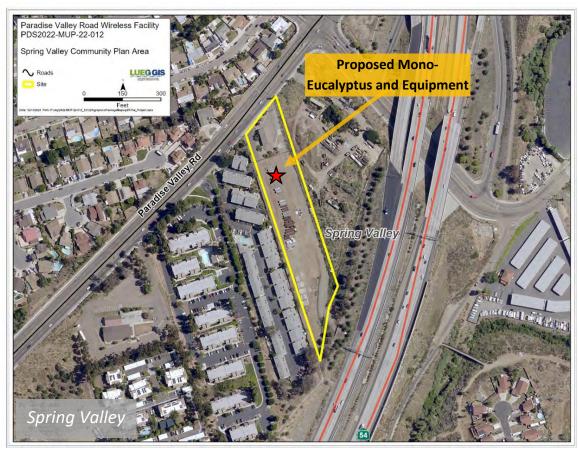


Figure 4: Aerial photograph of project site. Location of proposed facility identified with red star.

Location	General Plan	Zoning	Adjacent Streets	Description
North	Public/Semi-Public Facilities (P/SP)	Rural Residential (RR)	Paradise Valley Road	Residential
Hortin	Village Residential (VR- 7.3)	Single-Family Residential (RS)	Broadview Street	Residentia
East	Medium Impact Industrial Public/Semi-Public Facilities (P/SP)	Limited Impact Industrial (M52) General Impact Industrial (M54)	Elkelton Place	Industrial

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
South	Public/Semi-Public Facilities (P/SP)	Transportation/ Utility Corridor (S94)	State Route 54 State Route 125	Transportation Corridor (State Route 54)
West	Village Residential (VR- 15)	Variable Family Residential (RV)	South Worthington Street	Residential

#### D. ANALYSIS AND DISCUSSION

The Project has been reviewed to ensure it conforms to all the relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the Zoning Ordinance, and CEQA. The following topics were reviewed during the Project's processing and are detailed below: Amortization, Site Plan Analysis, Community Compatibility/Visual Impacts, and Alternative Site Analysis (ASA).

#### 1. Key Requirements for Requested Actions

- a. Is the Project consistent with the vision, goals, and policies of the General Plan?
- b. Is the Project consistent with the goals and policies of the Spring Valley Community Plan?
- c. Is the Project consistent with the County's Zoning Ordinance?
- d. Is the Project consistent with the County's Wireless Ordinance?
- e. Does the Project comply with CEQA?

#### 2. Project Analysis

The Project is located in a non-preferred location within a non-preferred zone. As set forth in Section 6985 of the County Zoning Ordinance, the proposed wireless telecommunication facility requires the approval of a MUP and amortization of the wireless facility for a 10-year period. If approved, this MUP will set an expiration of April 19, 2034 in accordance with the amortization schedule.

#### **Amortization**

The Project is subject to amortization because a faux tree is defined as a "high visibility" facility and the site is within a residential zone, which is a non-preferred zone, as stated in Section 6991 of the Zoning Ordinance. It also has a term limit pursuant to Zoning Ordinance Section 6985.C.11, which states that projects that are considered high visibility and require use permits are given a maximum term limit based on the valuation of the facility. This Project is considered a high visibility structure and requires a MUP for operation and maintenance. The Project subject to this MUP is valued at approximately \$475,000 and will therefore have a maximum term of 10 years. This time may be extended by modifying the permit, if it is found that no smaller or less visible technology is available or feasible to replace the facility at the time of the request for a modification.

#### Site Planning Analysis

The Project is located on an approximately 3.04-acre site that is characterized as developed with a San Diego County Water Authority building and storage of equipment such as concrete dividers and pipe. The proposed 35-foot-tall mono-eucalyptus is designed to be compatible with the existing mature trees and vegetation. The equipment shelter is a CMU block wall enclosure and will be screened from public views by existing vegetation and slopes. By blending in with the existing landscape of the surrounding environment, the facility is sited within a location that will not impact surrounding community character.

#### Community Compatibility/Visual Impacts

General Plan Policy COS 11.1 requires protection of scenic highways, corridors, regionally significant vistas, and natural features. General Plan Policy COS 11.3 requires development within visually sensitive areas to minimize visual impacts and to preserve unique or special features. In addition, Policy LU 15.1 requires that wireless telecommunication facilities be sited and designed to minimize visual impacts, adverse impacts to the natural environment, and to be compatible with existing development and community character. The wireless telecommunication facility is designed in a manner of appropriate scale and design that complements the natural landscape. The wireless telecommunication facility is located approximately 0.85 miles north of Sweetwater Road, a Scenic Highway as identified in the County's General Plan. Drivers utilizing Sweetwater Road do not have a view of the facility due to distance and intervening topography and vegetation. The facility will appear as a mature tree, which is an expected visual element within the project vicinity.

Furthermore, the facility will not have any adverse visual impacts on the surrounding community. The camouflaged antennas sufficiently blend in with the mature trees and vegetation that surround the site. The equipment enclosure is designed to match the existing San Diego County Water Authority building for architectural compatibility and will be screened from public views by vegetation and slopes. Therefore, the proposed wireless telecommunication facility will not stand out from the existing visual setting, will be compatible with the existing community character, and will not result in impacts to the natural environment or a scenic highway.

#### Alternative Site Analysis

The site is zoned Office-Professional (C30), a non-preferred zone for wireless facilities. Section 6986.C. of the Zoning Ordinance states that wireless facilities shall not be approved in non-preferred zones when siting in a preferred zone or preferred location is feasible unless the proposed site is preferable due to aesthetic and community character compatibility. The Applicant provided an Alternative Site Analysis (ASA) to demonstrate the feasibility of co-location opportunities on existing wireless telecommunication facilities in the Project vicinity. The Applicant demonstrated in the ASA that there are no feasible co-location opportunities, and that the facility would close a gap in area coverage (Figure 5). The Applicant pursued an alternative site located within a County preferred zone, Limited Impact Industrial (M52), however the property owner withdrew their interest during negotiations. All other wireless telecommunication facilities are located outside the Applicant's target coverage area and other existing sites are not capable of supporting an additional carrier.

Further information detailing the ASA analysis can be found in Attachment F.

The Geographic Service Area (GSA) maps shown in the below figure illustrate coverage in the area, with and without the wireless telecommunication facility. The GSA maps demonstrate that the

existing location is necessary to provide continued coverage and adequate service to motorists and residents in the area (Figure 6). The 35-foot height of the facility is necessary to allow the antennas to provide coverage due to the surrounding topography. These GSA maps can also be found in Attachment F.

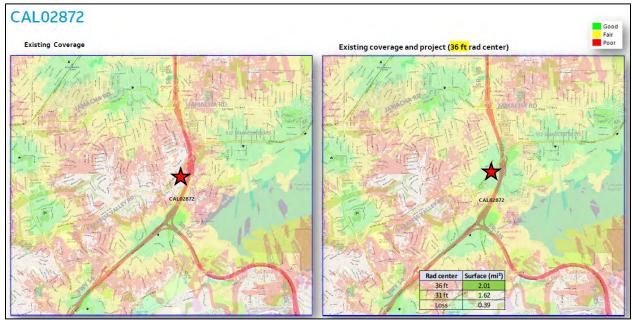


Figure 5: Coverage *without* Project (left) and coverage *with* Project (right).

#### 3. General Plan Consistency

The Project is consistent with the following relevant General Plan goals, policies, and actions as described in Table D-1.

General Plan Policy	Explanation of Project Conformance
GOAL S-1 - Public Safety. Enhanced	The Project will provide coverage throughout the
public safety and the protection of public and	area, which is essential in the event of an
private property.	emergency. The wireless telecommunication facility
	will minimize telecommunication interruptions by
GOAL S-3 – Emergency Response.	providing service and coverage in the area.
Effective emergency response to disasters	
that minimizes the loss of life and damage to	
property, while also reducing disruption in	
the delivery of vital public and private	
services during and following a disaster.	
POLICY COS-11.1 – Protection of Scenic	The wireless telecommunication facility is
<b>Resources.</b> Require the protection of scenic	approximately 0.85-mile north of Sweetwater Road,
highways, corridors, regionally significant	a Scenic Highway identified in the County of San
scenic vistas, and natural features, including	Diego General Plan. However, the faux mono-
prominent ridgelines, dominant landforms,	eucalyptus will be compatible with the natural
reservoirs, and scenic landscapes.	features and community character within the project

Table D-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<b>POLICY COS-11.3 – Development Siting</b> <b>and Design.</b> Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas.	vicinity. Drivers utilizing Sweetwater Road will not have a view of the facility due to distance and intervening topography and vegetation The facility has been designed to be visually compatible with the community in order to prevent adverse impacts to scenic views and historic structures in the surrounding project area.
<b>POLICY LU-15.1 – Telecommunication</b> <b>Facilities Compatibility with Setting.</b> Require that wireless telecommunication facilities be sited and designed to minimize visual impacts, adverse impacts to the natural environment, and are compatible with existing development and community character.	The facility has been sited and designed to minimize visual impacts and be compatible with the existing development and community character. The proposed camouflaged antennas and equipment enclosure will sufficiently blend in with existing environment as trees are expected visually features in the visual landscape of the community.
<b>POLICY LU 15.2 – Co-Location of</b> <b>Telecommunication Facilities.</b> Encourage wireless telecommunication services providers to co-locate their facilities whenever appropriate, consistent with the Zoning Ordinance.	The facility is available to provide co-location opportunities for other carriers as feasible.

#### 4. Zoning Ordinance Consistency

#### a. Development Regulations

The Project complies with all applicable zoning requirements of the Office-Professional (C30) zone with the incorporation of conditions of approval (See Table D-2).

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	C30	Yes, upon approval of a MUP
Animal Regulation:	А	N/A
Density:	-	N/A
Lot Size:	-	N/A
Building Type:	W	N/A
Maximum Floor Area:	-	N/A
Floor Area Ratio:	-	N/A
Height:	E	Yes, upon approval of a MUP
Lot Coverage:	-	N/A
Setback:	Н	Yes

Table D-2: Zoning Ordinance Development Regulations

Open Space:	-	N/A
Special Area Regulations:	В, С	Yes, upon approval of a MUP with Section 5900 Site Plan Findings and the project is not located within an airspace protection boundary.

Development Standard	Proposed/Provided	Complies?
Section 4600 of the Zoning	The proposed mono-eucalyptus	Yes 🖂 No 🗌
Ordinance sets the maximum	tree is 35 feet in height. The	
height requirements. This parcel	design and height of the Project	
has a designated height of "E"	will be in conformance with the	
which requires structures to be	maximum height requirement	
no more than 30 feet in height.	upon approval of a MUP.	
Section 4800 of the Zoning	The proposed location of the	Yes 🖂 No 🗌
Ordinance requires that the	mono-eucalyptus tree and	
project meet the "H" setback	associated CMU equipment	
requirements for a 50-foot front	enclosure are located outside all	
yard setback, 10-foot interior	required setbacks including	
side yard setback, 35-foot	front, rear, and side yard	
exterior side yard setback, and a	setbacks.	
25-foot rear yard setback.		

#### b. Wireless Ordinance Consistency

By federal law, the County is prohibited from regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency (RF) emissions, if the facilities comply with the Federal Communication Commission's (FCC) regulations concerning RF emissions. Therefore, County decision makers do not consider comments or information concerning potential health effects or other environmental effects when determining whether to approve permits for cellular facilities. Also, staff does not require information from the Applicant concerning such effects from RF emissions associated with the Project. Information regarding potential health effects is available from the cellular providers upon request as it is also required from the FCC.

The County is preempted by the Federal Telecommunication Act from considering Electric Magnetic Radiation (EMR) when reviewing the proposed location of cellular facilities. Therefore, staff does not require information from the Applicant on potential health effects from EMR associated with the Project. Generally, this information is available from the cellular providers upon request as it is also required from the FCC.

Development Standard	Proposed/Provided	Complies?
Section 6985.C.2 of the Wireless	The proposed CMU equipment	Yes 🖂 No 🗌
Telecommunication Ordinance	enclosure associated with the	
requires that the equipment	telecommunication facility is a	
accessory to a facility not exceed	maximum height of eight-feet-tall.	
10 feet in height unless a greater	The equipment enclosure is	
height is necessary to maximize	screened from private and public	

 Table D-3: Wireless Ordinance Consistency

Development Standard	Proposed/Provided	Complies?
architectural integration and the facility is screened by landscaping.	views by mature vegetation and overall distance from structures and roadways.	
Section 6985.C.4 of the Wireless Telecommunication Ordinance requires that a minimum 50-foot setback for a telecommunication tower when it is placed adjacent to a residential use.	The 35-foot-tall mono-eucalyptus is setback from the nearest residential property line by approximately 56- feet.	Yes 🛛 No 🗌
Section 6985.C.5 of the Wireless Telecommunication Ordinance prohibits the placement of a telecommunication tower or equipment in the front, rear, or side yard setback.	The mono-eucalyptus and equipment enclosure are located outside all required building setbacks including front, rear, and side yard.	Yes 🛛 No 🗌
Section 6985.C.6 of the Wireless Telecommunication Ordinance states that noise from any equipment supporting the facility shall meet the requirements of the County's Noise Ordinance on an average hourly basis.	The project site is zoned C30 and is subject to Zone 3 one-hour average sound level limit of 60 dBA at the property lines during day time hours and 55 dBA at the property lines during night time hours, according to Section 36.404 of the County Noise Ordinance. The Project proposes noise-generating equipment including a stand-by generator and a heat exchanger on the pre-manufactured equipment cabinet that is located within an eight foot CMU enclosure. Therefore, the Project will comply with the County Noise Ordinance.	Yes 🔀 No 🗌
Section 6985.C.11 of the Wireless Telecommunication Ordinance limits the term of a "high visibility" facility, depending on the valuation of the wireless facility.	The Project is considered a "high visibility" facility because the facility is a faux tree (mono-eucalyptus). High visibility facilities with a valuation of \$10,000 to \$500,000 are required by the Zoning Ordinance to have a maximum term of 10 years. Since the Project has a valuation of approximately \$475,000, the MUP has been conditioned to have a maximum term of 10 years. This time may be extended for an additional period of time by modifying the permit, if it is	Yes 🔀 No 🗌

Development Standard	Proposed/Provided	Complies?
	found that no smaller or less visible	
	technology is available or feasible	
	to replace the facility at the time of	
	the request for a modification.	
Section 6987.D of the Wireless	The proposed Project consists of a	Yes 🖾 No 🗌
Telecommunication Ordinance	faux mono-eucalyptus that is	
states that sites visible from a	designed to avoid adverse visual	
Scenic Highway, as identified in	impacts.	
the General Plan, shall be		
designed in such a manner as to		
avoid adverse visual impacts and		
does not permit the use of		
monopoles, lattice towers, or		
guyed towers.		

#### 5. California Environmental Quality Act (CEQA) Compliance

The Project has been reviewed for compliance with CEQA and it is determined that the proposed project qualifies for a categorical exemption under CEQA Section 15303. Section 15303 exempts minor construction to an unmanned wireless telecommunications facility that involves the installation of Small, New Equipment and Facilities in Small Structures. It has been determined that the Project is not in an environmentally sensitive location; will not have a cumulative effect on the environment; is not on a hazardous waste site; will not cause a substantial change in the significance of a historical resource; and will not result in damage to a scenic highway.

#### E. COMMUNITY PLANNING GROUP RECOMMENDATION

On February 14, 2023, the Spring Valley Community Planning Group (CPG) reviewed the Project. The CPG recommended denial of the MUP by a vote of 6-6-1-2 (6-Yes, 6-No, 1-Abstain, 2-Vacant/Absent). This motion did not carry. Comments made by the group on the proposed project include public concerns on health risks and lack of outreach. The group was asked if they would want to discuss and vote on this item at a future date. Staff provided clarification that there were no revisions to the proposed wireless facility since their previous consideration of the project on February 14, 2023. The group declined to reevaluate the project. The Spring Valley Community Planning Group Recommendation Form can be found in Attachment E.

#### F. PUBLIC INPUT

The Project was first submitted to PDS in December 2022. At the time of application submittal and in accordance with Board Policy I-49, public notices were sent to the required minimum of 20 property owners within a radius of 500 feet of the project site. Records of written comments and phone calls were received from community members as a result of the public notices sent at the time of application. Seven community members shared their concerns in a written and signed letter opposing the Project, citing concerns with the tower's effect on health, safety, and property values. Six community members shared concerns over the phone and over email regarding the tower's effects on health, safety, and property

value, and concerns regarding the proposed location of the tower. Two community members had questions regarding the project, specifically the proposed location of the tower and shared potential concerns about the tower's effect on residents' property views. In addition, public notices for the Planning Commission hearing were sent to the required minimum of 20 property owners, for a radius of 500 feet from the project site.

#### G. <u>RECOMMENDATIONS</u>

Staff recommends that the Planning Commission take the following actions:

- 1. Adopt the Environmental Findings included in Attachment D which include a finding that the project is exempt from CEQA.
- 2. Grant MUP PDS2022-MUP-22-012, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment B.

Report Prepared By:	<b>Report Approved By:</b>
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619-323-8589	858-694-2962
JenniferE.Crump@sdcounty.ca.gov	<u>Dahvia.Lynch@sdcounty.ca.gov</u>
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#### AUTHORIZED REPRESENTATIVE:

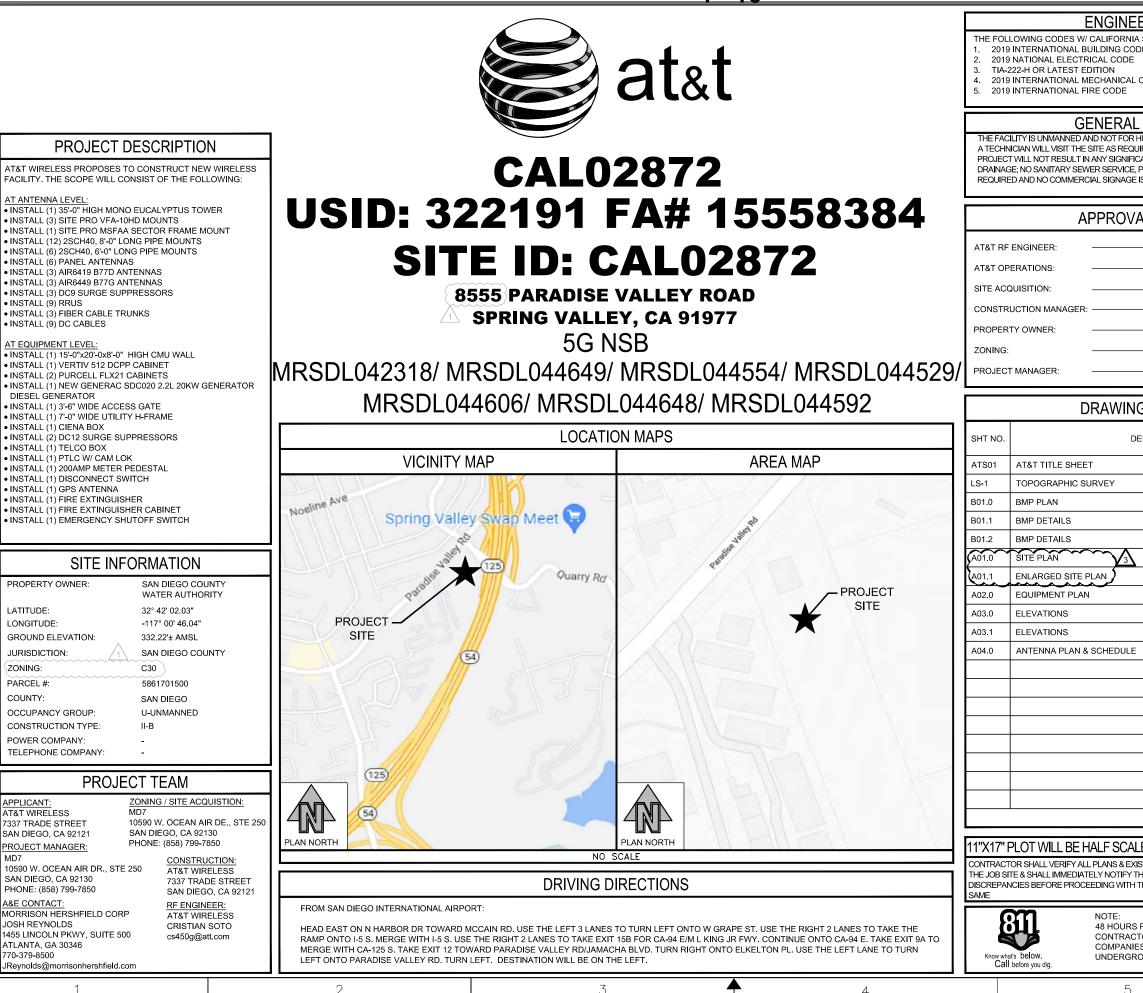
DAHVIA LYNCH, DIRECTOR

#### ATTACHMENTS:

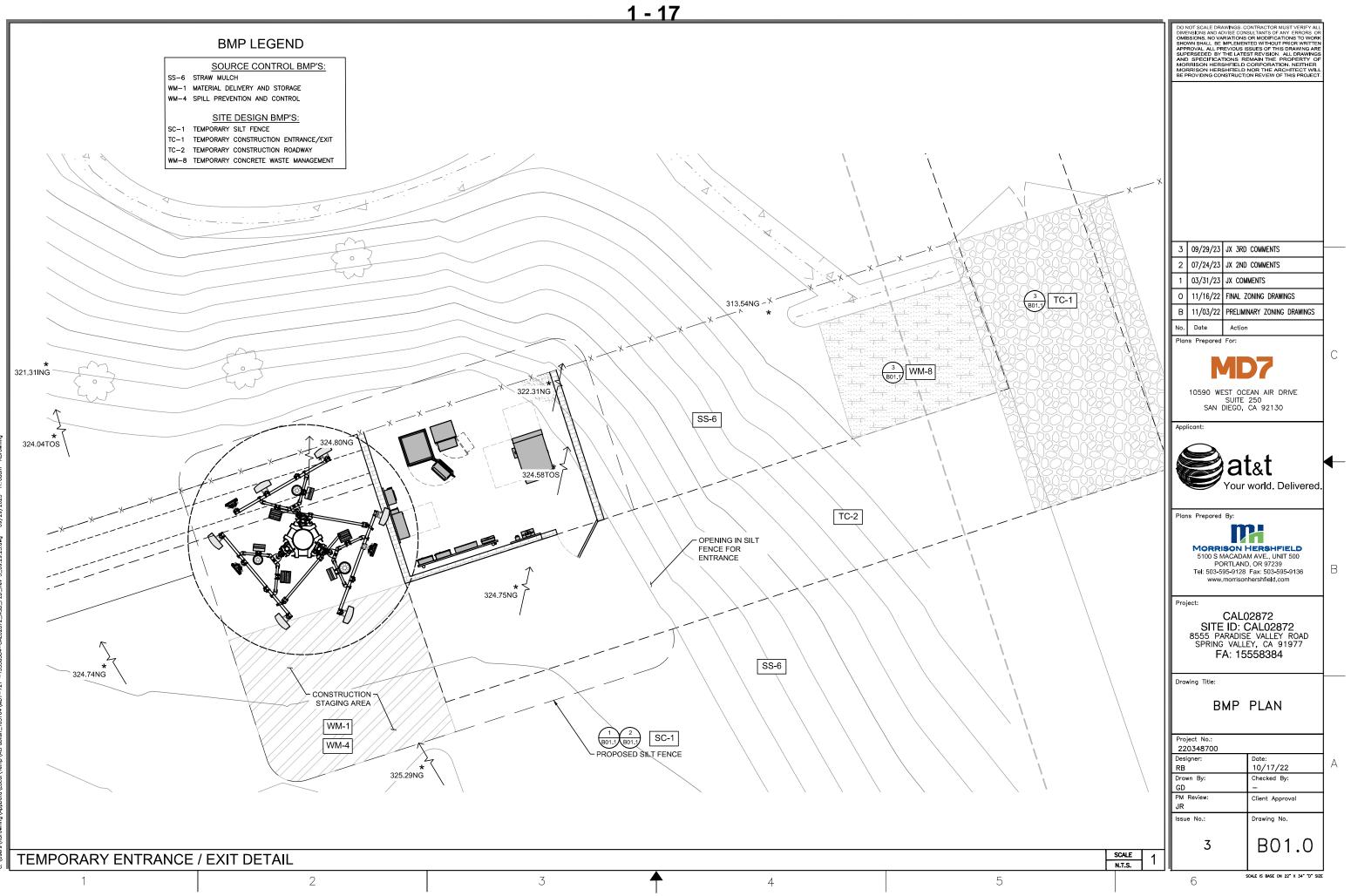
- Attachment A Planning Documentation
- Attachment B Form of Decision Approving PDS2022-MUP-22-012
- Attachment C Environmental Documentation
- Attachment D Environmental Findings
- Attachment E Public Documentation
- Attachment F Photos, Geographic Service Area Maps, Alternative Site Analysis
- Attachment G Ownership Disclosure

### **Attachment A – Planning Documentation**

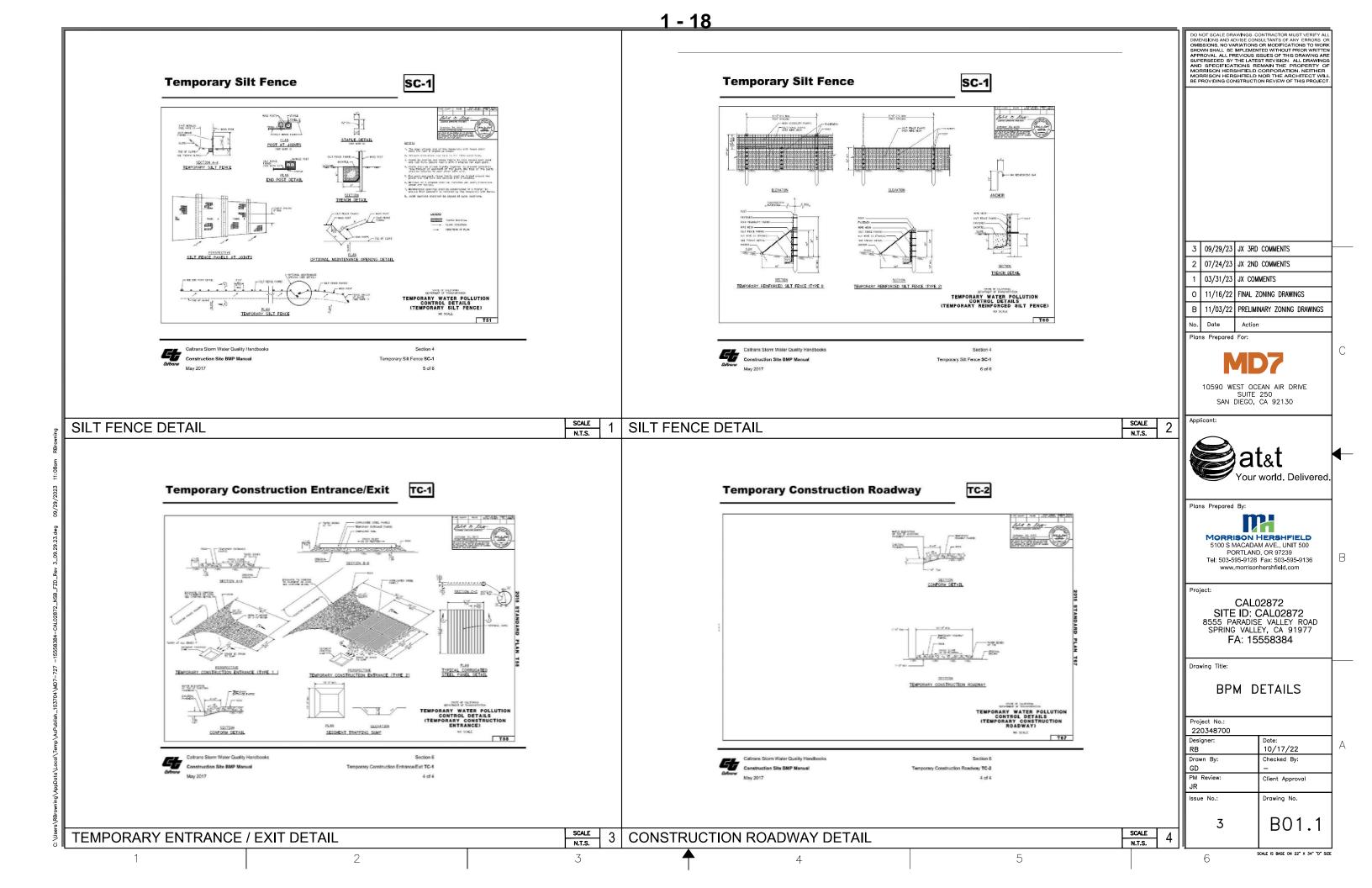
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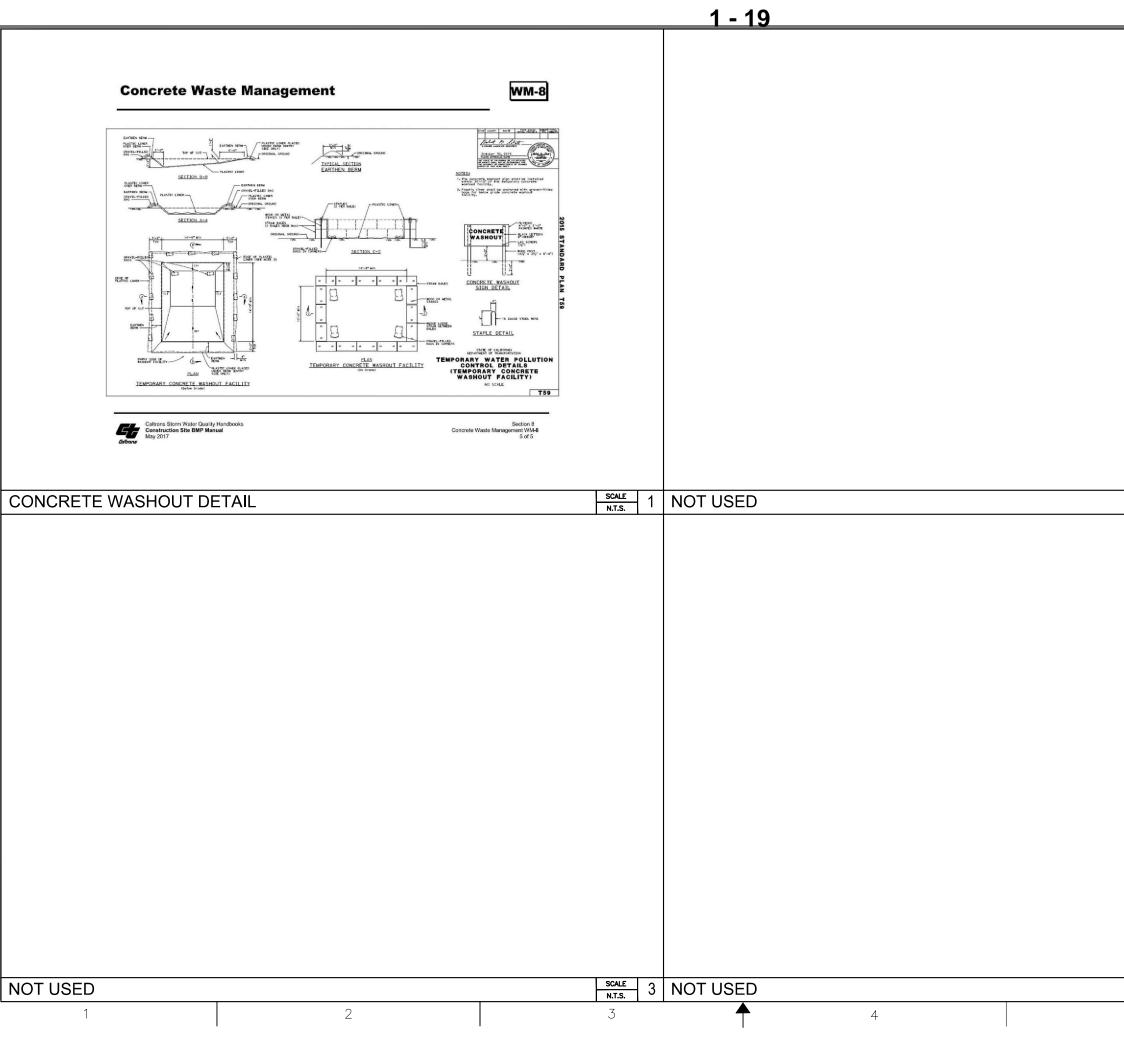


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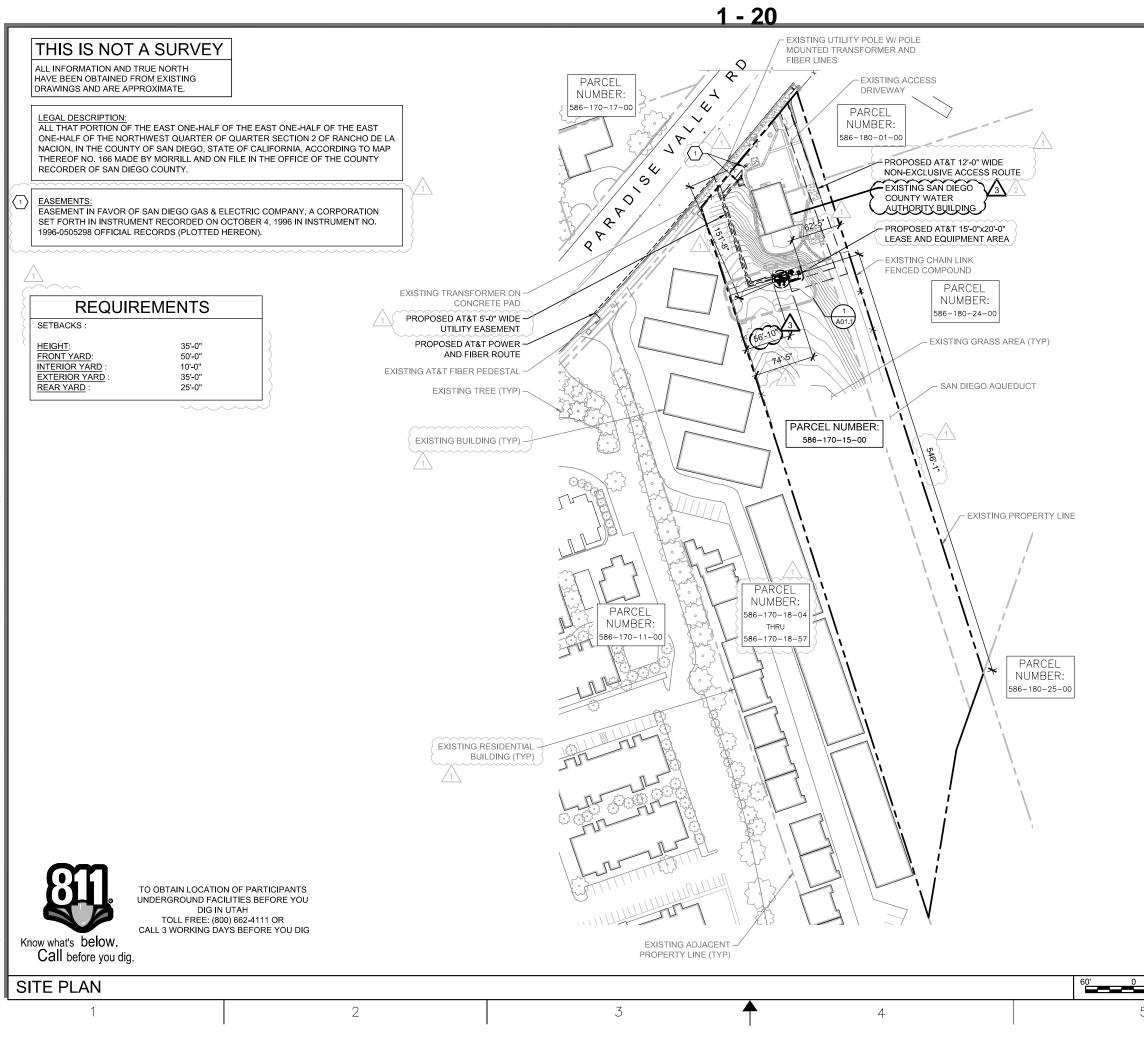


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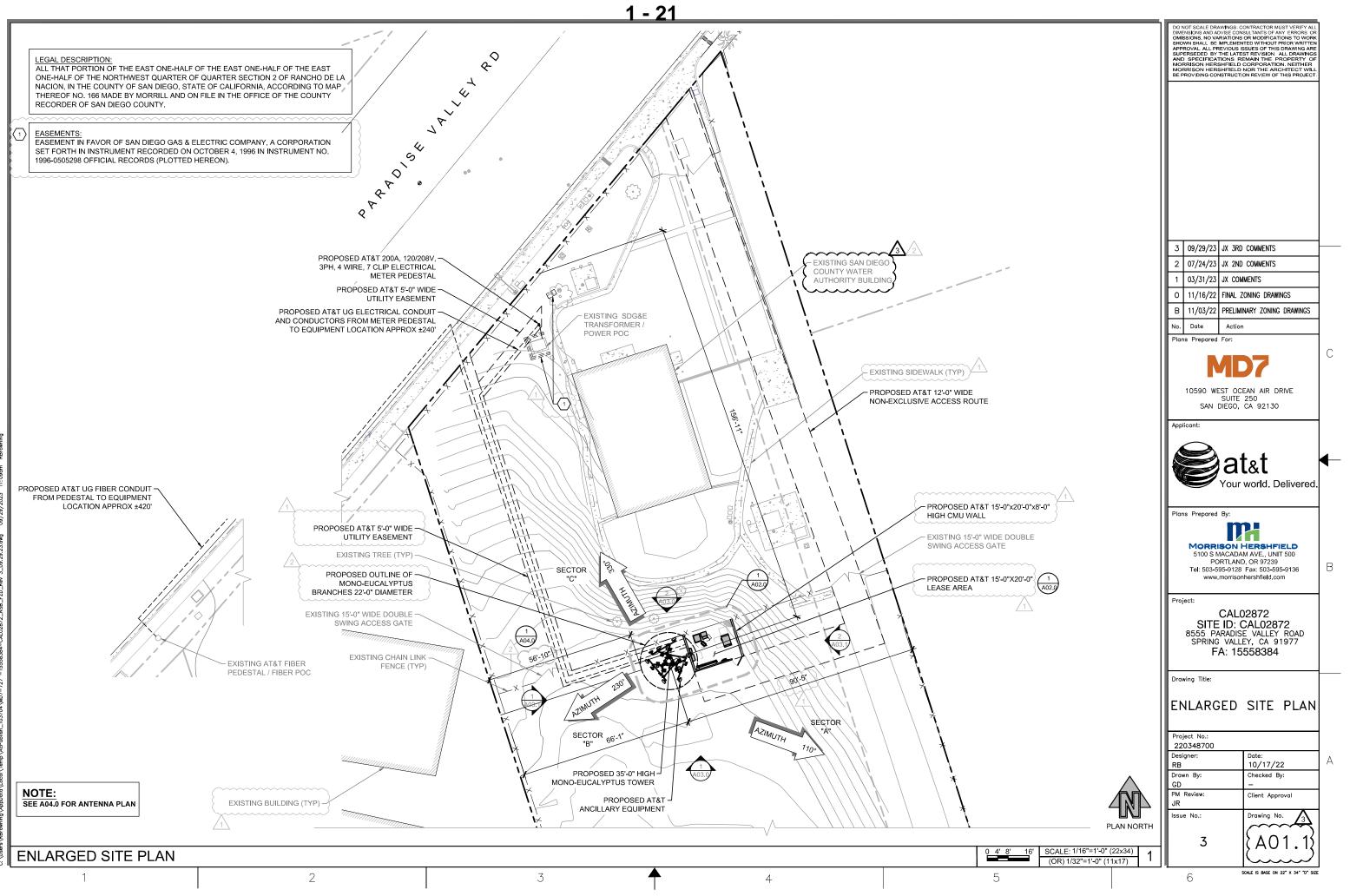


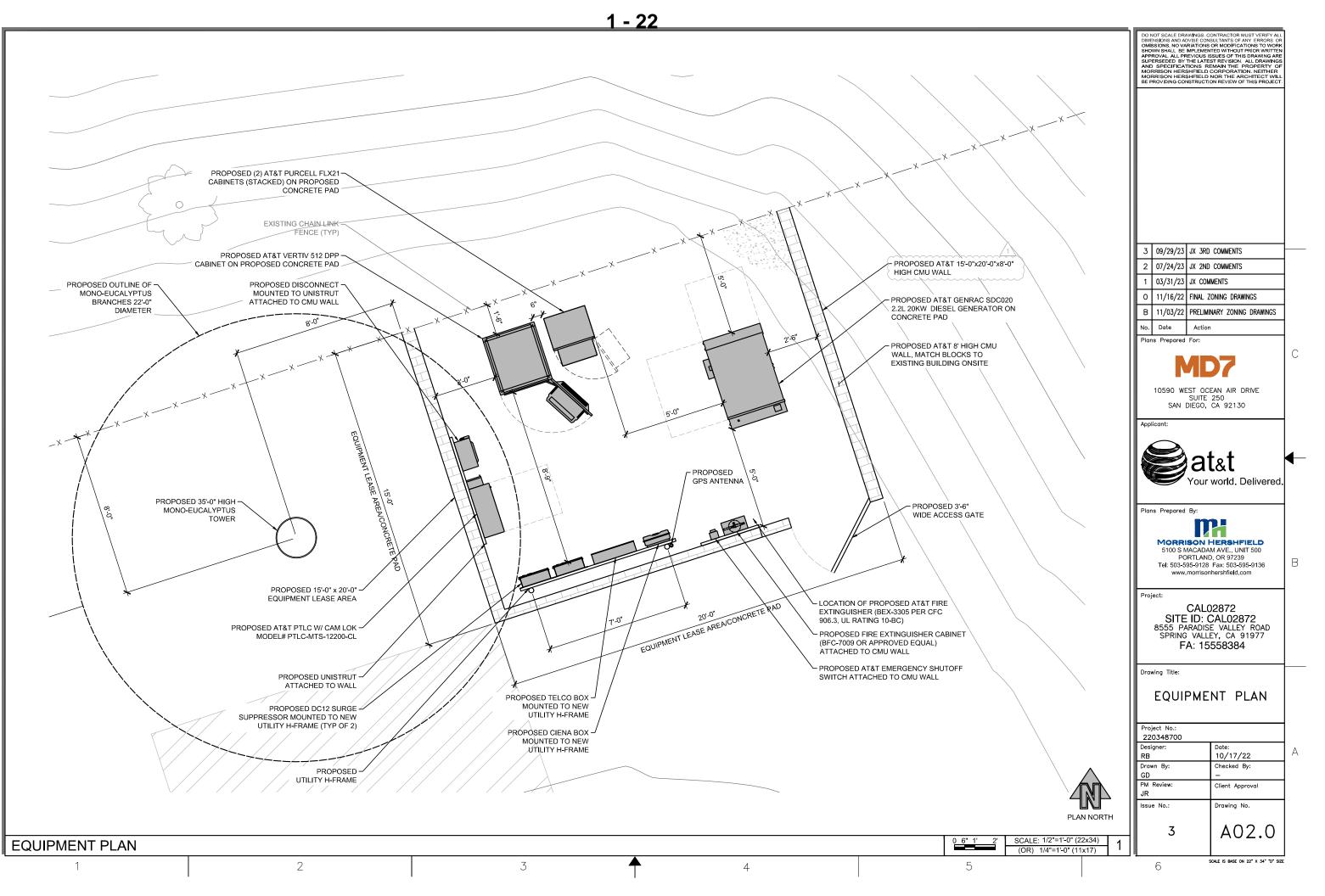


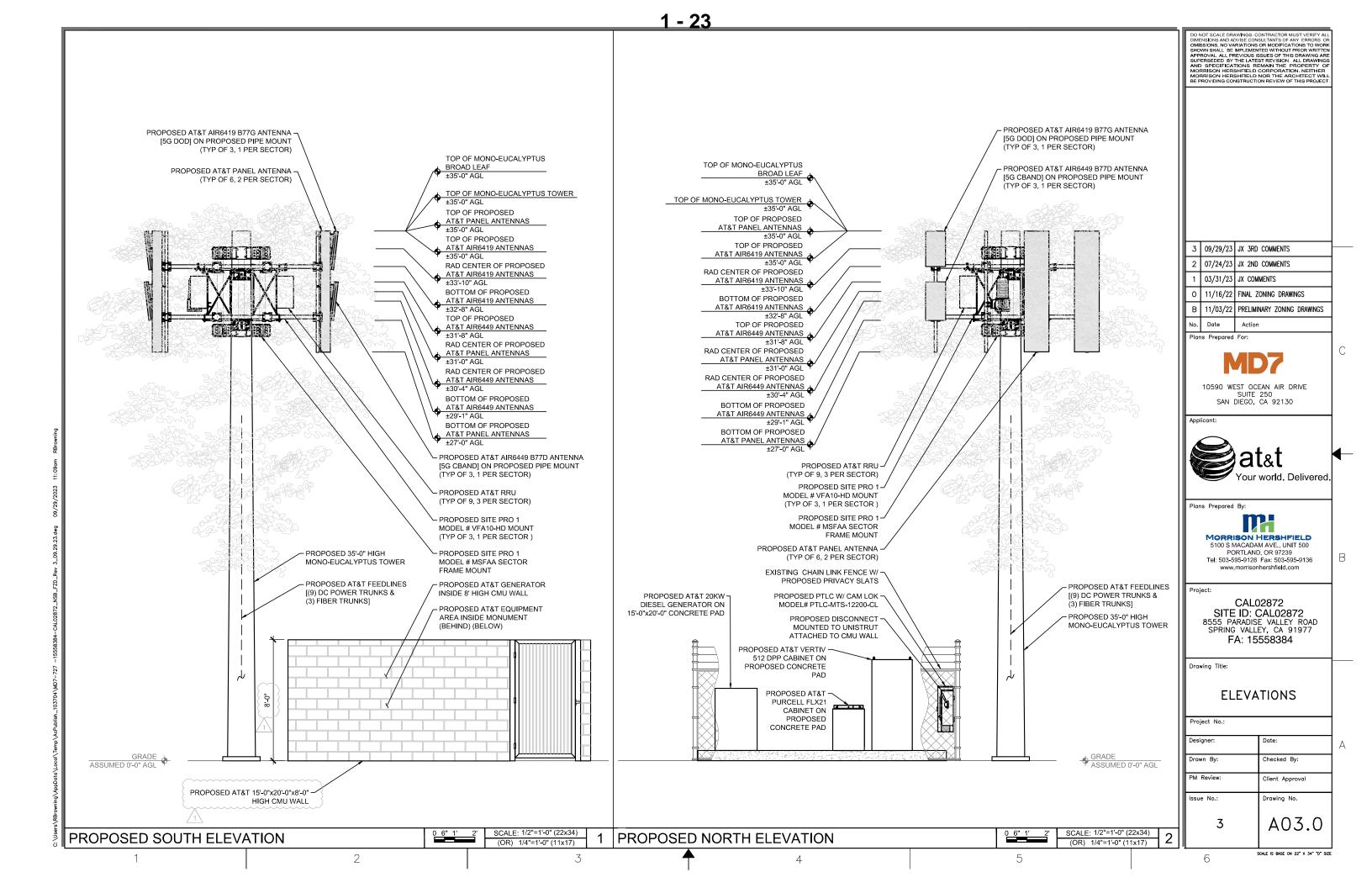
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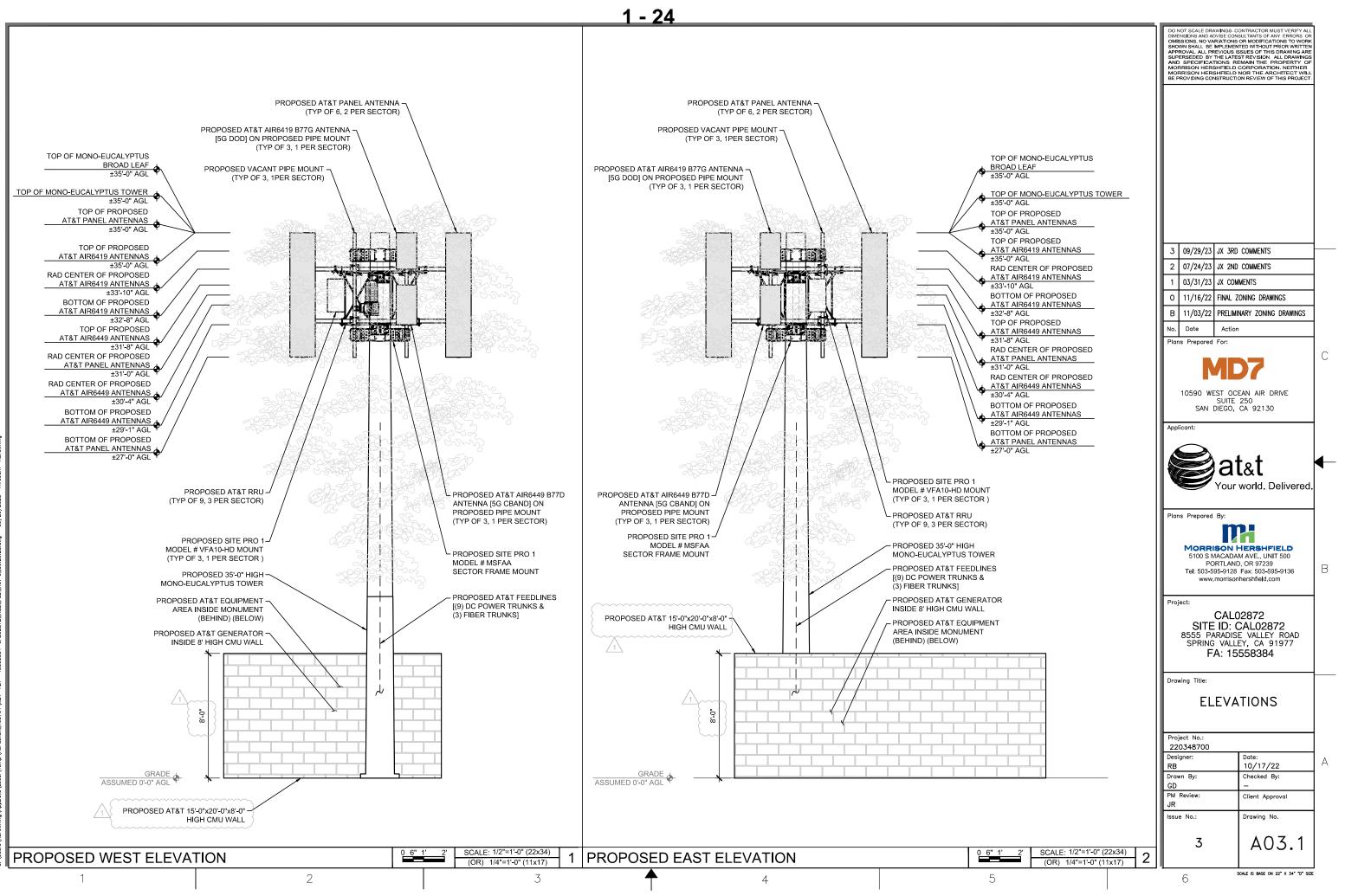


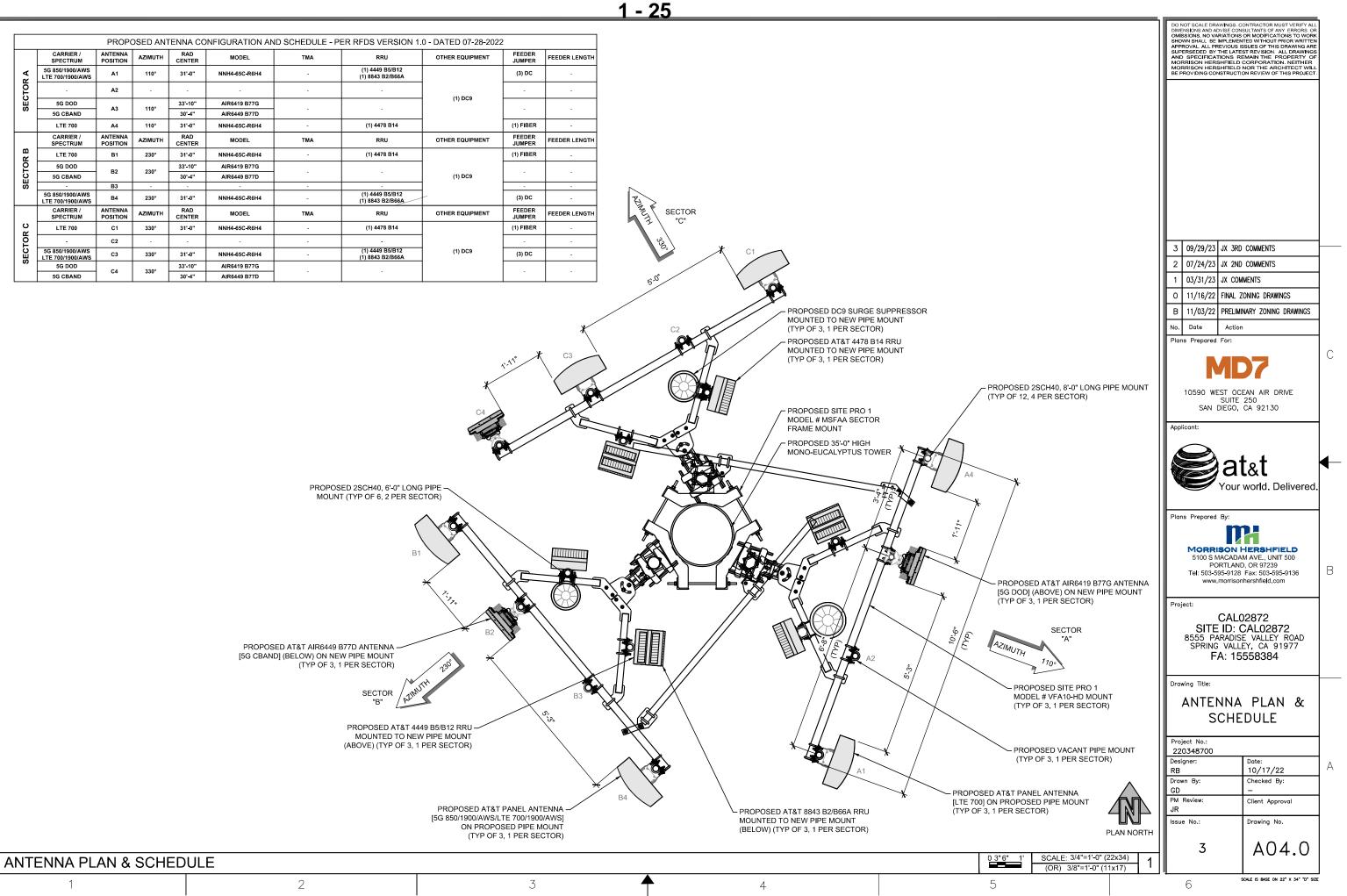
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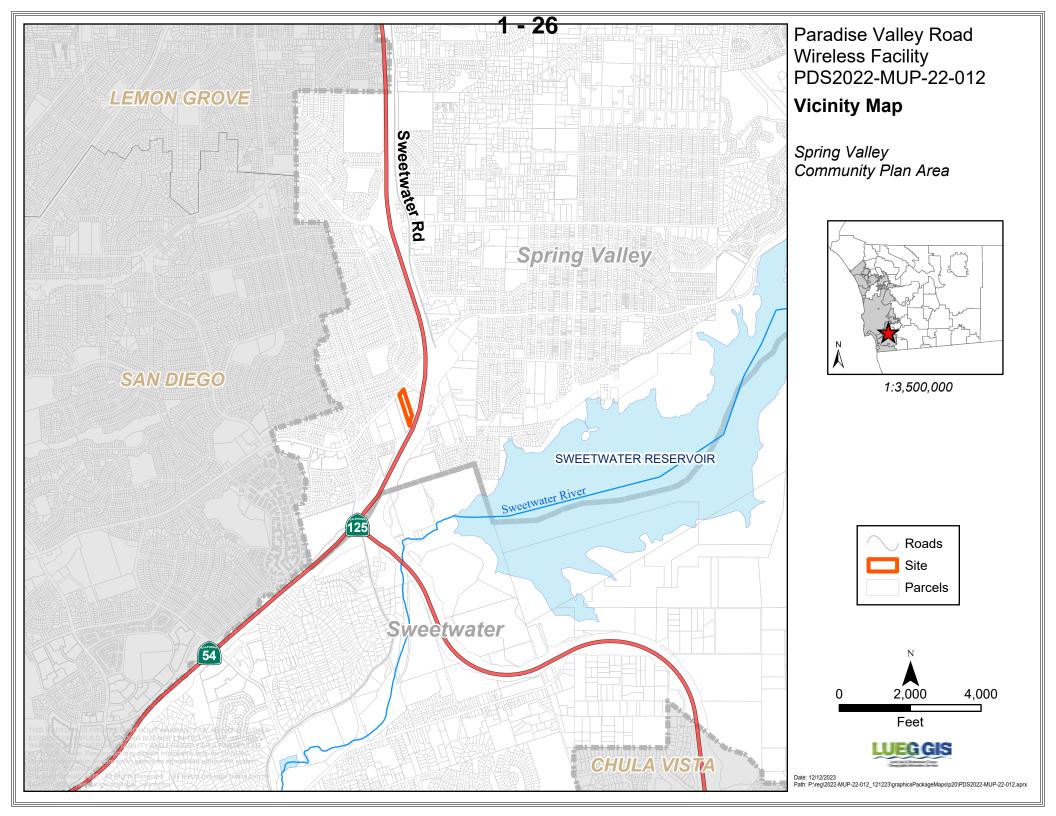


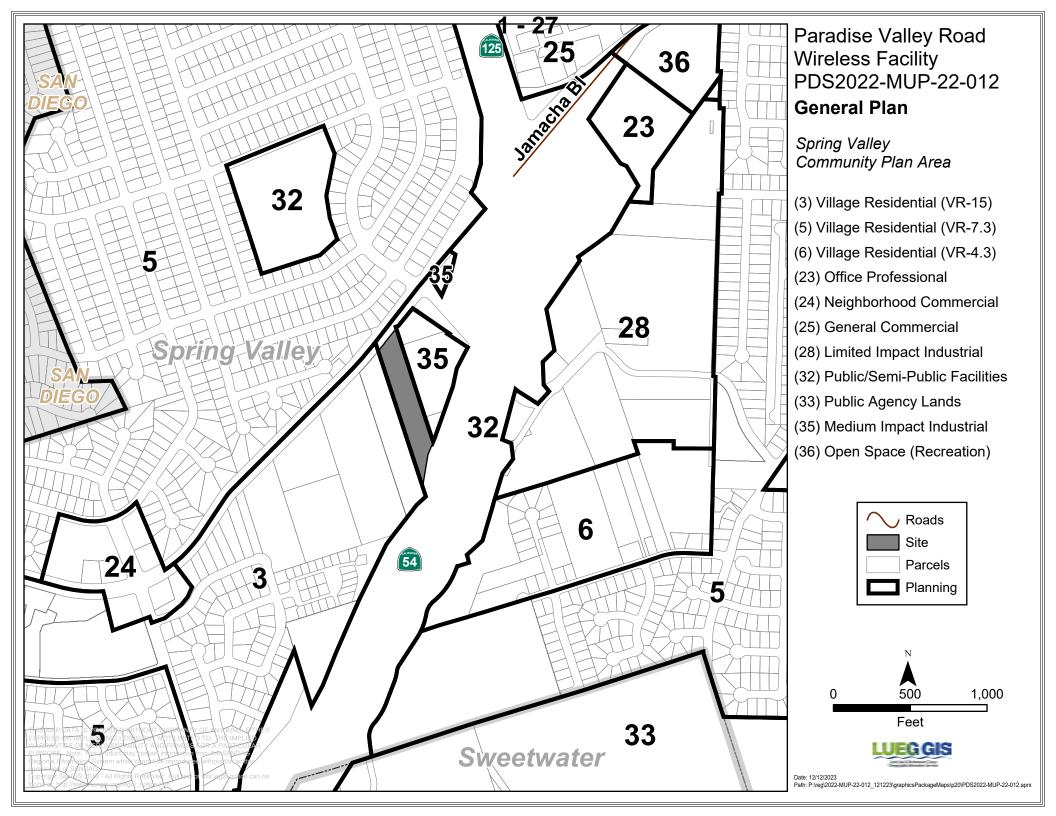


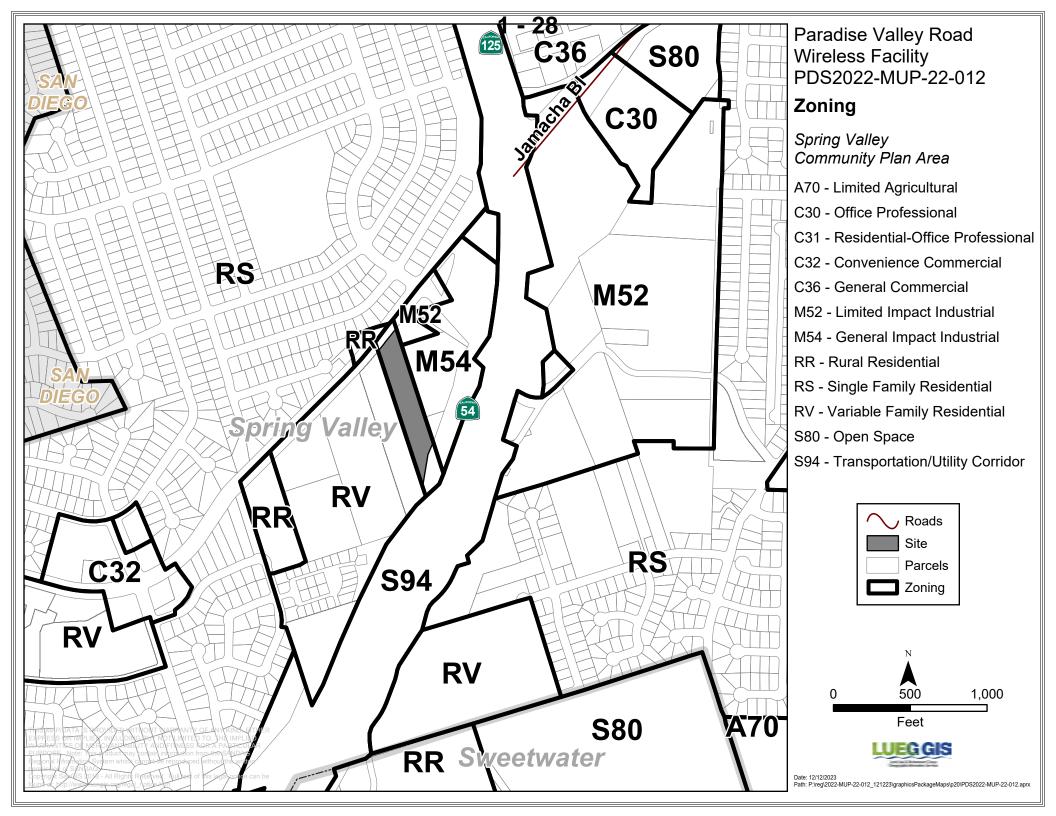


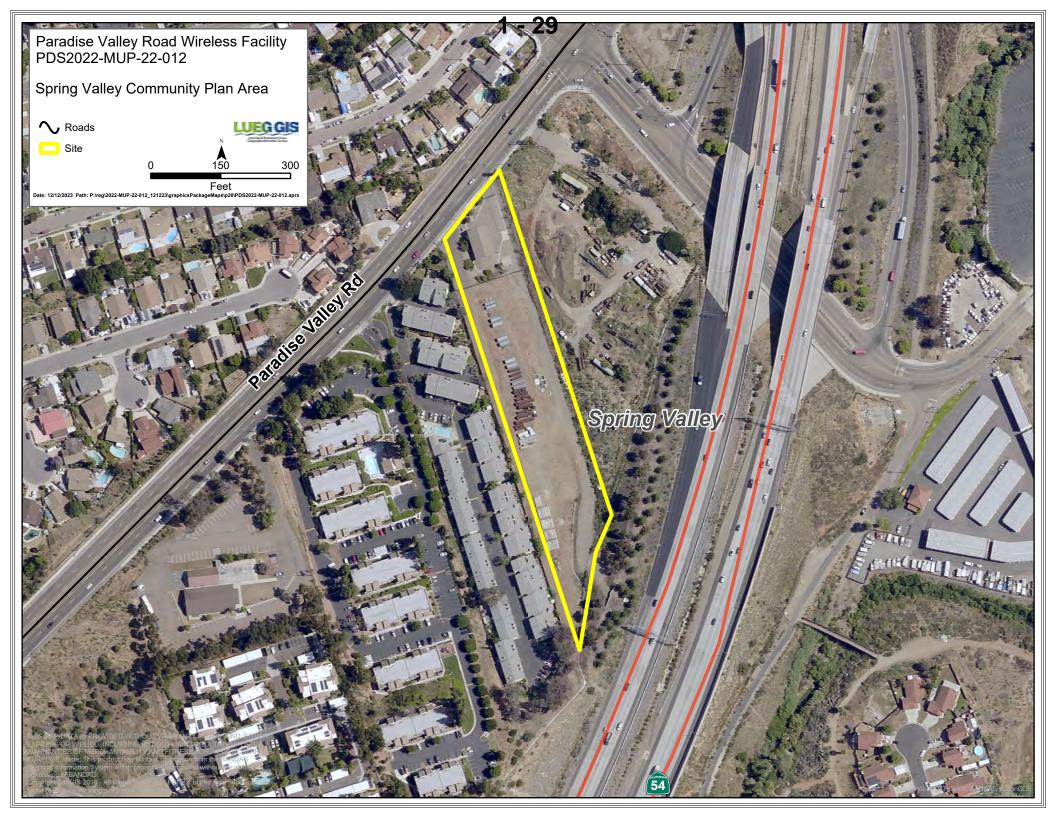


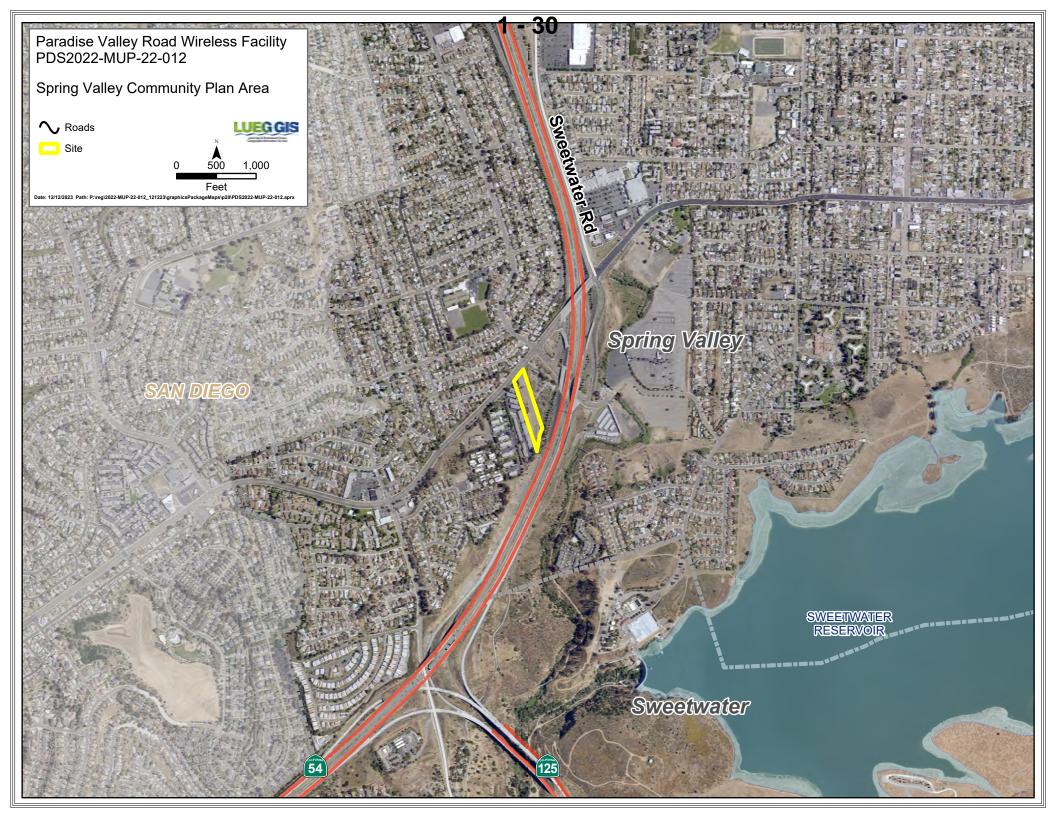


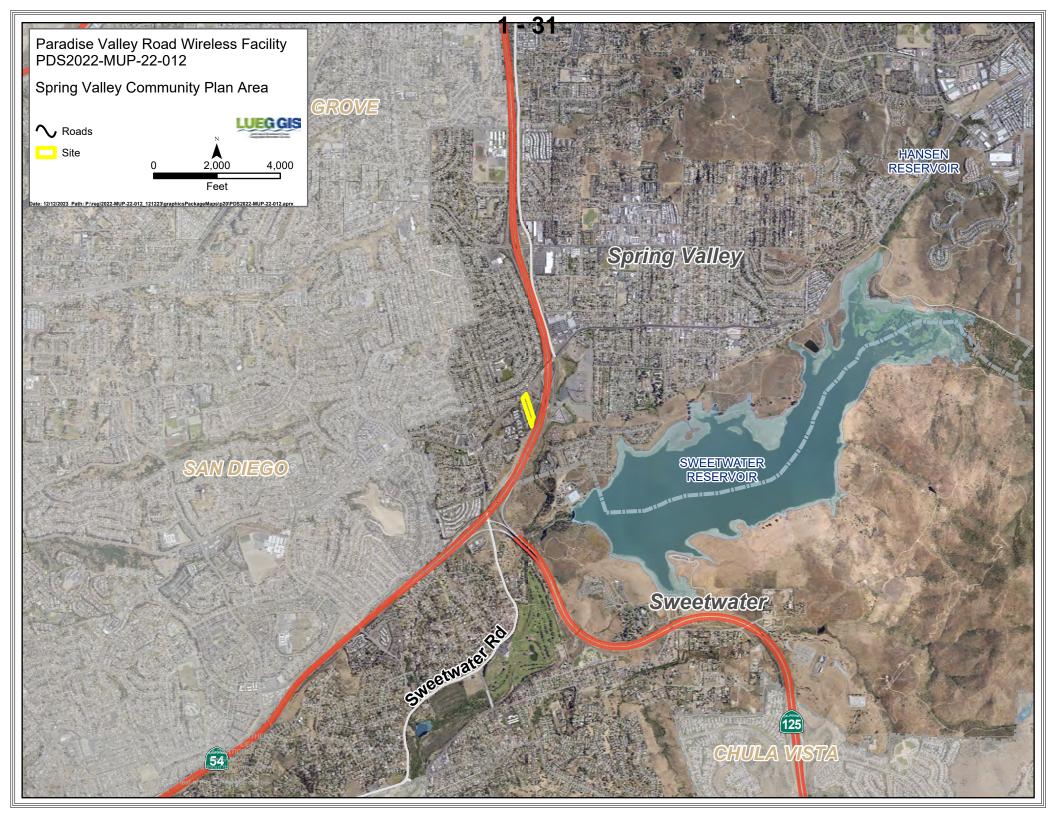


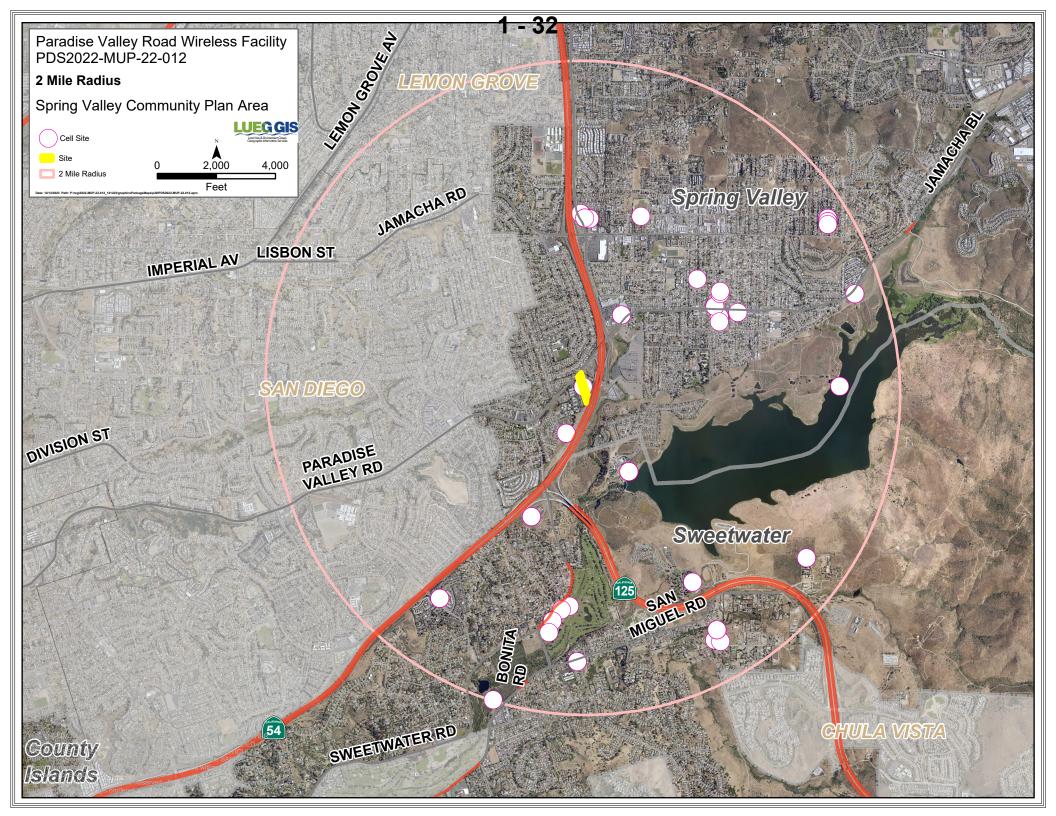


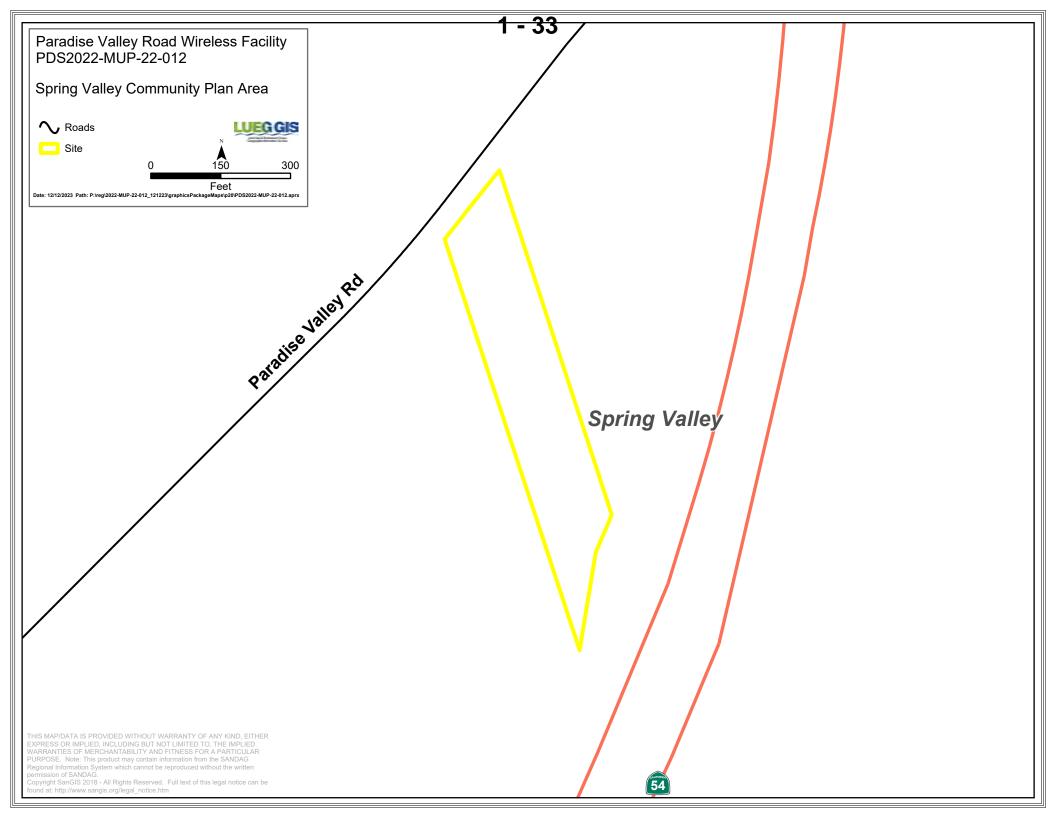


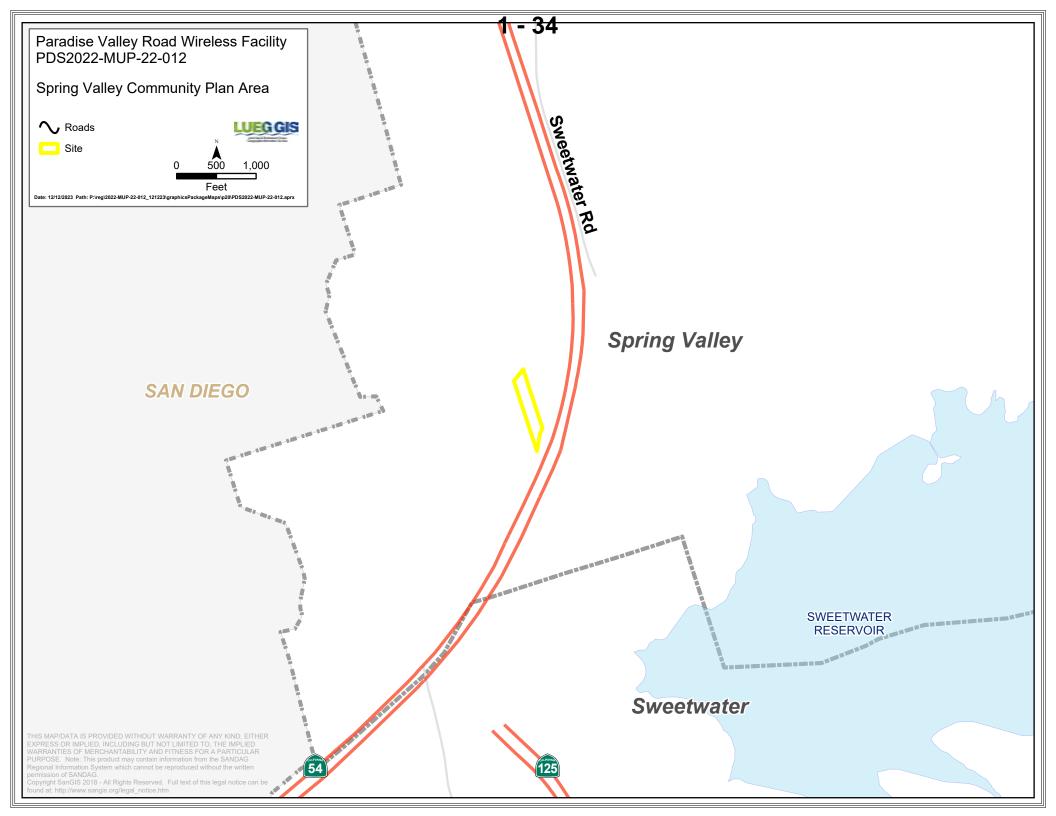


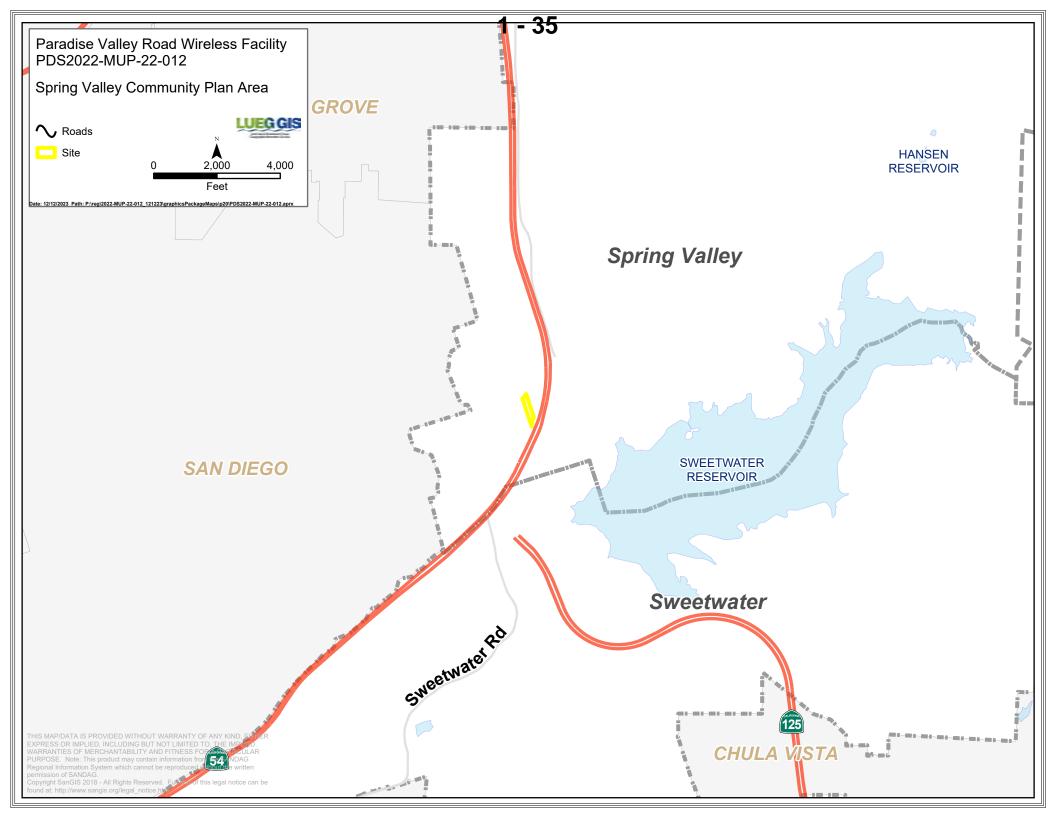












## Attachment B – Form of Decision Approving PDS2022-MUP-22-012



# County of San Diego PLANNING & DEVELOPMENT SERVICES

DAHVIA LYNCH Director

> 5510 OVERLAND AVENUE, SUITE 110, SAN DIEGO, CALIFORNIA 92123 INFORMATION (858) 694-2960 TOLL FREE (800) 411-0017 www.sdcounty.ca.gov/pds

COMMISSIONERS

Douglas Barnhart (Chair) Ronald Ashman (Vice Chair) David Pallinger Yolanda Calvo Ginger Hitzke Michael Edwards

April 19, 2024

PERMITTEE: MAJOR USE PERMIT: E.R. NUMBER: PROPERTY:

APN(S):

MD7, LLC ON BEHALF OF AT&T WIRELESS PDS2022-MUP-22-012 PDS2022-ER-22-18-004 8555 Paradise Valley Road within the Spring Valley Community Plan Area within the Unincorporated County of San Diego 586-170-15-00

# **DECISION OF THE PLANNING COMMISSION**

# MAJOR USE PERMIT DECISION

Grant, as per plot plan dated October 10, 2023, consisting of ten sheets, as amended and approved concurrently herewith, a Major Use Permit for a new unmanned wireless telecommunication facility. The project would include 12 panel antennas and 9 remote radio units (RRU's) mounted upon a new 35-foot tall faux mono-eucalyptus tree. Each panel antenna would be covered by "socks" which are faux leaves to help conceal the antennas. The equipment would be contained within a 300 square foot (8-foot tall) concrete masonry unit (CMU). A 20kW emergency generator enclosure would be located within the equipment enclosure. One Global Positioning System (GPS) antenna would be located within the equipment enclosure. Minimal grading is proposed to install the equipment enclosure. The project proposes trenching to install underground electrical and fiber conduit. This permit authorizes the proposed unmanned wireless telecommunication facility pursuant to Section 6980 et. al and 7350 et.al of the Zoning Ordinance.

Also granted is an exemption pursuant to Section 4620(g) of the Zoning Ordinance to allow the telecommunication facility to be 35 feet in height where 30 feet is the maximum height allowed.

**MAJOR USE PERMIT EXPIRATION:** This Major Use Permit shall expire on **April 19, 2026** at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Major Use Permit Modification has commenced prior to said expiration date.

1

# CONDITIONS FOR MAJOR USE PERMIT (PDS2022-MUP-22-012)

**SPECIFIC CONDITIONS:** Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Major Use Permit. Where specifically indicated, actions are required prior to approval

of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

**ANY PERMIT:** (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

- 1. GEN#1–COST RECOVERY: [PDS, DPW, DEH, DPR], [GP, CP, BP, UO] INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. DESCRIPTION OF REQUIREMENT: The applicant shall pay off all existing deficit accounts associated with processing this permit. DOCUMENTATION: The applicant shall provide a receipt to Planning & Development Services, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. TIMING: Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and discretionary deposit accounts shall be paid. MONITORING: The PDS Zoning Counter shall review the receipts and verify that all PDS, DPW, DEH, and DPR deposit accounts have been paid.
- 2. GEN#2–RECORDATION OF DECISION: [PDS], [GP, CP, BP, UO]

**INTENT:** In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all-purpose acknowledgement' and return the original Recordation Form to PDS. **DOCUMENTATION:** Signed and notarized original Recordation Form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

# 3. LNDSCP#1 – LANDSCAPE DOCUMENTATION PACKAGE

**INTENT:** In order to provide adequate Landscaping that addresses screening and to comply with the Spring Valley Design Guidelines, and to comply with the B Designator Regulations as well as Section 6984 of the Zoning Ordinance, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the <u>COSD Water Efficient Landscape Design Manual</u> and the <u>COSD Water Conservation in Landscaping Ordinance</u>, the <u>COSD Off-Street Parking Design Manual</u>, the COSD Grading Ordinance, the Spring Valley Design Guidelines, and the requirements of the B Designator. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within

the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.

- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the <u>County's Light Pollution Code</u>.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the <u>Off-street Parking</u> <u>Design Manual</u> and the County Zoning Ordinance Section 6793.b

**DOCUMENTATION:** The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

**OCCUPANCY:** (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

# 3. GEN#3–INSPECTION FEE

**INTENT:** In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQIREMENT:** Pay the inspection fee at the *[PDS, ZC]* to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt

showing that the inspection fee has been paid along with updated contact information [*PDS, PCC*]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [*PDS, ZC*] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

# 4. PLN#1–PHOTO SIMULATION (WIRELESS): [PDS, PCC] [UO, FG] [PDS, FEE]

**INTENT:** In order to verify that the site complies with the County Zoning Ordinance Section 6980 through 6991 (Wireless Telecommunications Section), the site shall substantially comply with the approved plot plans and photo-simulations. **DESCRIPTION OF REQUIREMENT:** The site shall be built to substantially comply with the approved photo-simulations dated 10/10/2023 to ensure that the site was built to be screened from public view. The landscaping identified on the approved photo-simulations shall be installed as well. **DOCUMENTATION:** The applicant shall build the site to comply with the approved plans and the photo-simulations including the installation of landscaping. Upon completion, the applicant shall provide the photographic evidence to the *[PDS, PCC]* and Landscape Architect for review. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall be built to match the approval. **MONITORING:** The [PDS, PCC] shall review the provided photos for compliance with this condition and compliance with the photo-simulations.

# 5. PLN#3-SITE PLAN IMPLEMENTATION: [PDS, BI] [UO] [DPR, TC, PP].

**INTENT:** In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. DESCRIPTION OF REQUIREMENT: The site shall conform to the approved plot plan and the building plans. This includes, but is not limited to: installing all required design features, installing and planting landscaping, painting all structures with the approved colors, and all temporary construction facilities have been removed from the site. DOCUMENTATION: The applicant shall ensure that the site conforms to the approved plot plan and building plans. Any interior changes to approved telecommunications equipment that are located entirely within an approved enclosed equipment shelter, with equipment that cannot be seen by an adjacent residence, parcel or roadway, shall not require Modification or Deviation of the permit, to the satisfaction of the Director of Planning and Development Services (expansion of the existing approved equipment shelter and/or addition of noise generating equipment would require either Modification or Deviation of the permit). **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. MONITORING: The [PDS, Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the approved Building Plans.

# 6. HAZ#1–HEALTH AND SAFETY PLAN

**INTENT:** In order to protect workers from hazardous chemicals and to notify the public of potential hazardous chemicals and substances and to comply with the California Health and Safety Code, Chapter 6.95, the applicant shall receive approval from the Department of Environmental Health. **DESCRIPTION OF REQUIREMENT:** The applicant of the facility shall obtain all necessary permits for the storage, handling, and disposal of the hazardous materials as required by the Department of Environmental Health-Hazardous Materials Division. The plan shall be approved by [DEH, HMD]. The Hazardous Materials

Division, Plan Check section contact is Joan Swanson, (858) 505-6880 or by email at joan.swanson@sdcounty.ca.gov. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the Health and Safety Plan, and Hazardous Materials Business Plan shall be prepared, approved and implemented. **MONITORING:** [DEH, HMD] shall verify and approve all compliance with this condition.

# 7. LNDSCP#2–CERTIFICATION OF INSTALLATION

**INTENT:** In order to provide adequate Landscaping that addresses screening, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Off-Street Parking Design Manual, the COSD Grading ordinance, the Spring Valley Community Design Guidelines, and the requirements of the B designator, all landscaping shall be installed. DESCRIPTION OF **REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to Section 87.417 and 87.418 of the County Grading Ordinance. These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the *IPDS*. LA, PCC] [DPR, TC, PP]. DOCUMENTATION: The applicant shall submit to the [PDS] LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. MONITORING: The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

**ONGOING:** (The following conditions shall apply during the term of this permit).

# 8. PLN#4–SITE CONFORMANCE: [PDS, PCO] [OG] [DPR, TC, PP].

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. DESCRIPTION OF REQUIREMENT: The project shall conform to the approved building plans, and plot plan(s). This includes, but is not limited to maintaining the following: painting all necessary aesthetics design features, landscaping and all lighting wall/fencing. Failure to conform to the approved plot plan(s) is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. DOCUMENTATION: The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. Any interior changes to approved telecommunications equipment that are located entirely within an approved enclosed equipment shelter, with equipment that cannot be seen by an adjacent residence, parcel or roadway, shall not require Modification or Deviation of the permit, to the satisfaction of the Director of Planning and Development Services (expansion of the existing approved equipment shelter and/or addition of noise generating

equipment would require either Modification or Deviation of the permit). **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

# 9. PLN#5–SITE CONFORMANCE (WIRELESS): [PDS, PCO] [OG].

**INTENT:** In order to comply with the County Zoning Ordinance Section 6980 through 6991 (Wireless Telecommunications Section), the site shall substantially comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the following requirements. This includes, but is not limited to maintaining the following:

- a. Maintain the appearance of the facility, landscaping, and associated equipment shelter, as depicted in the approved photo simulations dated **10/10/2023.** Any interior changes to approved telecommunications equipment that are located entirely within an approved enclosed equipment shelter, with equipment that cannot be seen by an adjacent residence, parcel or roadway, shall not require Modification or Deviation of the permit, to the satisfaction of the Director of Planning and Development Services (expansion of the existing approved equipment shelter and/or addition of noise generating equipment would require either Modification or Deviation of the permit).
- b. All graffiti on any components of the facility shall be removed promptly in accordance with County regulations. Graffiti on any facility in the public right-of-way must be removed within 48 hours of notification.
- c. All wireless telecommunications sites including antennae and cabinets shall be kept clean and free of litter, display a legible operator's contact number for reporting maintenance problems, and be secured to prohibit unauthorized access.
- d. Wireless telecommunications facilities with use discontinued shall be considered abandoned 90 days following the final day of use. All abandoned facilities shall be physically removed by the facility owner no more than 90 days following the final day of use or determination that the facility has been abandoned, whichever occurs first. All wireless carriers who intend to abandon or discontinue the use of any wireless telecommunications facility shall notify the County of such intention no less than 60 days before the final day of use. The County reserves the right to remove any facilities that are abandoned for more than 90 days at the expense of the facility owner. Any abandoned site shall be restored to its natural or former condition. Grading and landscaping in good condition may remain.

**DOCUMENTATION:** The property owner and applicant shall conform to the ongoing requirements of this condition. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

# 10. NOISE#1–ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]

**INTENT:** In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 (<u>County of San Diego Noise Ordinance</u>), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIRMENT:** The project shall conform to the following requirements: Major Use Permit associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. This includes (but not limited to) generator and air conditioner units. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.

# 11. ROADS#1-SIGHT DISTANCE

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the County of San Diego Public Road Standards, an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum unobstructed sight distance of 550 feet in both directions along *Paradise Valley Road (SA 1050)* from the project driveway openings for the life of this permit. **DOCUMENTATION**: A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [*PDS, Code Compliance Division*] is responsible for compliance of this permit.

#### .....

# SITE PLAN FINDINGS FOR PDS2022-MUP-22-012

Pursuant to Section 5750 and 7160 of the Zoning Ordinance, the following findings in support of the granting of the Major Use Permit are made:

Section 7160 of the Zoning Ordinance Site Plan Findings/Criteria:

(a) The proposed development meets the intent and specific standards and criteria prescribed in pertinent sections of the Zoning Ordinance

The proposed project meets the intent and specific standards and criteria prescribed in Section 5250, 5750, 6980, and 7150 of the Zoning Ordinance. The scope of the project is permitted in the Office-Professional Zoning Use Regulation upon approval of a Major Use Permit. The scope of the Major Use Permit is in accordance with the amortization schedule of the Zoning Ordinance for reviewing the term of permits associated with previously approved wireless telecommunication facilities.

(b) That the proposed development is compatible with the San Diego County General Plan

The proposed project is compatible with the San Diego General Plan. The project has been designed to conform to the goals and policies set forth in the General Plan. The project is within the Public/Semi-Public Facilities General Plan Land Use Designation, and is within the Spring Valley Planning Area. The project complies with the General Plan because the project is consistent with Goal S-1 (Public Safety) and S-3 (Emergency Response) of the Safety Element of the County General Plan, because it encourages enhanced public safety and effective emergency response to natural or human-induced disasters, while also reducing disruptions in the delivery of vital public and private services during and following a disaster. Furthermore, the project would be consistent with the General Plan Conservation and Open Space Element Policy 11.1 (Protection of Scenic Resources) and Policy 11.3 (Development Siting and Design) because the proposed project has been designed to be visually compatible with the community in order to prevent adverse impacts to scenic views and historic structures in the surrounding project area. The project would be consistent with the General Plan Land Use Element Policy 15.1 (Telecommunication Facilities Compatibility with Setting) because the proposed project has been sited and designed to minimize visual impacts and be compatible with the existing development and community character, and the project would blend in with the existing environment. The project would be consistent with the General Plan Land Use Element Policy 15.2 (Co-Location of Telecommunication Facilities) because the facility is available to provide co-location opportunities for other carriers as feasible. On February 14, 2023, the Spring Valley Community Planning Group (CPG) reviewed the Project. The CPG recommended denial of the MUP by a vote of 6-6-1-2 (6-Yes, 6-No, 1-Abstain, 2-Vacant/Absent). The motion did not carry. Comments made by the group on the proposed project include public concerns on health risks and lack of outreach. The group was asked if they would want to discuss and vote on this item at a future date. Staff provided clarification that there were no revisions to the proposed wireless facility since their previous consideration of the project on February 14, 2023. The group declined to reevaluate the project.

(c) That any applicable standards or criteria waived by the Director pursuant to Section 7158 d. have been fulfilled by the condition or conditions of a Use Permit or Variance.

No standards or criteria has been waived.

# MAJOR USE PERMIT FINDINGS FOR PDS2022-MUP-22-012

Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit Modification are made:

- (a) The location, size, design, and operating characteristics of the proposed use would be compatible with adjacent uses, residents, buildings, or structures with consideration given to:
  - 1. Harmony in scale, bulk, coverage, and density

Harmony

The project is a Major Use permit for the construction, maintenance, and operation of a new unmanned telecommunication facility. The facility would include 12 panel antennas and 9 remote radio units (RRU's) mounted upon a new 35-foot tall faux mono-eucalyptus tree. Each panel antenna would be covered by "socks" which are faux leaves to help conceal the antennas. The equipment would be contained within a 300 square foot (8-foot tall) concrete masonry unit (CMU). The view of motorists and residents in the surrounding area would be minimized due to distance and existing vegetation. The equipment enclosure, located directly adjacent to the mono-eucalyptus tree, is designed to match the existing building and will be screened from views of residents or motorists due to the existing vegetation and topography. The faux mono-eucalyptus would have no visibility from Sweetwater Road, a Scenic Highway identified in the County of San Diego General Plan. The view of the proposed facility would be minimized from the surrounding residences because the mono-eucalyptus tree and equipment shelter are screened by existing vegetation and existing slope. Landscaping is proposed to further screen the proposed equipment enclosure. The intervening topography and existing vegetation help buffer views of the facility and contribute to the harmony in scale, bulk, and coverage.

#### Scale and Bulk:

The project area is characterized as residential and limited use industrial. The area surrounding the project site consists of residential, industrial, and a transportation corridor. The faux mono-eucalyptus is located approximately 73 feet away from the nearest existing residence.

The photo simulations illustrate that the wireless telecommunication facility and equipment enclosure are designed to minimize impacts to adjacent roadways and residences. The views of the wireless facility would be minimized from surrounding residences due to the existing vegetation and intervening topography. The wireless telecommunication equipment includes a 35-foot-tall faux eucalyptus and an 8-foot-tall equipment enclosure. The faux mono-eucalyptus tree is designed to fit in with the existing environment of the area. The project site contains mature vegetation and other vertical elements (existing structure) which makes the facility appear as an expected visual feature to public views in the project vicinity. The CMU enclosure is designed to match the existing building for architectural compatibility. As a result, the components of the surrounding environment will be consistent with the scale of the surrounding environment.

#### Coverage:

The subject parcel is approximately 3.04 acres in size. Surrounding land uses consist of residential land uses, industrial land uses, and a transportation corridor with parcel sizes ranging in size from 0.50 acres to 3 acres. The site contains an existing San Diego County Water Authority building and storage of equipment such as concrete dividers and pipe. Due to the small scale of the facility, the project will not contribute significantly to the existing site coverage, nor will it substantially increase the scale and bulk of the subject property. As such, the proposed facility

will maintain similar coverage with surrounding parcels. Considering the size of the subject lot compared with the size and location of the proposed structure, and the coverage characteristics of surrounding properties, the modification of the telecommunications facility will be consistent in terms of coverage of the surrounding area and will not substantially increase the lot area coverage.

# Density:

The project is a Major Use Permit for the authorization of a new wireless telecommunication facility and does not have a residential component subject to density.

2. The availability of public facilities, services, and utilities

The project is located within the San Miguel Fire Protection District and has been reviewed and found to be FP-2 compliant by the County Fire Marshal. The project would not require water or sewer services. Electrical and telephone services are available on-site. All required utilities are therefore available for the project.

3. The harmful effect, if any, upon desirable neighborhood character

The project is a Major Use Permit for the construction, maintenance, and operation of a new unmanned telecommunication facility. The Major Use Permit has been submitted in conformance with the County of San Diego Zoning Ordinance pursuant to the amortization requirements outlined in sections 6985 and 6991. The project would not adversely affect the desirable neighborhood character because the project is designed to be camouflaged. The equipment is located within a CMU enclosure to conceal it from surrounding properties. The facility is designed as a faux mono-eucalyptus tree and would appear as an expected visual feature without the project vicinity, as the project vicinity contains mature trees and vegetation. The line, form, and color of the facility would be largely consistent with other elements that make up the visual setting of the area.

The project has been reviewed for noise impacts and determined to be consistent with the County Noise Ordinance. The project, as designed, would not cause any substantial, demonstrable negative aesthetic effect to views from the surrounding area and roadways. Therefore, the project would not have a harmful effect on the neighborhood character.

4. The generation of traffic and the capacity and physical character of surrounding streets

The traffic generated from the project is expected to be three maintenance trips per year. Existing parking is available on the property. The use associated with this MUP would be compatible with the existing nature of the area because the number of maintenance trips will not substantially alter the expected traffic or physical character of the surrounding streets and would be compatible with adjacent uses. Therefore, the number of maintenance trips would not substantially increase or alter the physical character of surrounding streets.

# 5. The suitability of the site for the type and intensity of use or development which is proposed

The applicant proposes a Major Use Permit for the construction, maintenance, and operation of a new unmanned telecommunication facility. The telecommunication facility would not require significant alteration to the land form. The project, as designed, would blend into the intervening topography and existing vegetation would not change the characteristics of the area, and is suitable for this site and the type and intensity of uses and development. For reasons stated above, the proposed project would be compatible with adjacent land uses.

6. Any other relevant impact of the proposed use

No relevant impacts were identified.

(b) The impacts, as described in Findings (a) above, and the location of the proposed use would be consistent with the San Diego County General Plan.

The project is within the Public/Semi-Public Facilities General Plan Land Use Designation and is within the Spring Valley Planning Area. The project complies with the General Plan because the project is consistent with Goal S-1 (Public Safety) and S-3 (Emergency Response) of the Safety Element of the County General Plan, because it encourages enhanced public safety and effective emergency response to natural or human-induced disasters, while also reducing disruptions in the delivery of vital public and private services during and following a disaster. Furthermore, the project would be consistent with the General Plan Conservation and Open Space Element Policy 11.1 (Protection of Scenic Resources) and Policy 11.3 (Development Siting and Design) because the proposed project has been designed to be visually compatible with the community in order to prevent adverse impacts to scenic views and historic structures in the surrounding project area. The project would be consistent with the General Plan Land Use Element Policy 15.1 (Telecommunication Facilities Compatibility with Setting) because the proposed project has been sited and designed to minimize visual impacts and be compatible with the existing development and community character, and the project would blend in with the existing environment. The project would be consistent with the General Plan Land Use Element Policy 15.2 (Co-Location of Telecommunication Facilities) because the facility is available to provide co-location opportunities for other carriers as feasible.

# (c) That the requirements of the California Environmental Quality Act have been complied with.

Pursuant to Section 15303 of the State CEQA Guidelines, the project is exempt from CEQA because it is an unmanned wireless telecommunication facility that involves the installation of Small, New Equipment and Facilities in Small Structures. Pursuant to Section 15303 of the State CEQA Guidelines, the project is exempt from CEQA because it involves operation, maintenance, permitting, leasing, licensing, and minor alteration to

an unmanned wireless telecommunication facility involving no expansion of use beyond that existing at the time of the lead agency's determination. It has been determined that the project is not in an environmentally sensitive location; would not have a cumulative effect on the environment; is not on a hazardous waste site; would not cause substantial change in the significance of a historical resource; and would not result in damage to a scenic highway.

# WIRELESS TELECOMMUNICATION FINDINGS

The project is in a non-preferred location in a non-preferred zone. Pursuant to Section 6986.B of the Wireless Telecommunication Facilities Ordinance, the applicant provided an alternative site analysis and discussed preferred locations in the area and why they were not technologically or legally feasible. Pursuant to Section 6986.C of the Ordinance, the applicant has provided a well-designed facility as that of a faux tree. Due to the camouflaging of the facility and lack of preferred zones in the surrounding area, the proposed project has been determined to be preferable and compatible with the character of the community.

**ORDINANCE COMPLIANCE NOTIFICATIONS:** The project is subject to, but not limited to, the following County of San Diego, State of California, and U.S. Federal Government, Ordinances, Permits, and Requirements:

**STORMWATER ORDINANCE COMPLIANCE:** In order to Comply with all applicable stormwater regulations, the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and <u>the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10410</u> and all other applicable ordinances and standards for the life of this permit. The project site shall comply with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas one acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

**LOW IMPACT DEVELOPMENT NOTICE**: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013 and amended in November 2015. *Project design shall comply with the new Municipal Permit regulations.* The County has provided a Low Impact Development (LID) Handbook as a source for LID information to be utilized by County staff and outside consultants for implementing LID in our region. The LID Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

https://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED\_PROTECTION\_PROG RAM/susmppdf/lid\_handbook\_2014sm.pdf

**STORMWATER COMPLIANCE NOTICE:** Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of

grading and improvement plans for construction pursuant to the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016, and the BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

**DRAINAGE COMPLIANCE NOTICE**: The project shall comply with the County of San Diego Flood Damage Prevention Ordinance No. 10091, adopted December 8, 2010.

**GRADING PERMIT REQUIRED**: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill, pursuant to Section 87.201 of the County Grading Ordinance.

**CONSTRUCTION PERMIT REQUIRED**: A Construction Permit (and possibly an Encroachment Permit) are required for any and all work within the County right-of-way. Contact PDS Construction/Road right-of-way Permits Services Section, (858) 694-2055, to coordinate County requirements. In addition, before trimming, removing, or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section. The Construction Permit application form can be found at the following link: <u>https://www.sandiegocounty.gov/content/sdc/dpw/pfdlist.html</u>

**EXCAVATION PERMIT REQUIRED**: An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way. The Excavation Permit application form can be found at the following link: https://www.sandiegocounty.gov/content/sdc/dpw/pfdlist.html

**NOTICE:** THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		

Department of Public Works (DPW)				
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU	
Department of Environmental Health and Quality (DEHQ)				
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA	
Vector Control	VCT	Hazmat Division	HMD	
Department of Parks and Recreation (DPR)				
Trails Coordinator	тс	Group Program Manager	GPM	
Parks Planner	PP			
Department of General Service (DGS)				
Real Property Division	RP			

**APPEAL PROCEDURE:** Within ten calendar days after the date of this Decision of the Planning Commission, the decision may be appealed to the Board of Supervisors in accordance with <u>Section 7366 of the County Zoning Ordinance</u>. An appeal shall be filed with the Director of Planning & Development Services or by mail with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Planning Commission until a hearing on your application is held and action is taken by the Board of Supervisors. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

# COUNTY OF SAN DIEGO PLANNING COMMISSION DAHVIA LYNCH, DIRECTOR

BY:

Mark Slovick, Deputy Director Project Planning Division Planning & Development Services

email cc:

Harold Thomas, Jr., Applicant Spring Valley CPG Angelica Truong, Planning Manager, Planning & Development Services

# **Attachment C – Environmental Documentation**

## NOTICE OF EXEMPTION

- Recorder/County Clerk TO: 1600 Pacific Highway, M.S. A33 San Diego, CA 92101
- FROM: County of San Diego Planning & Development Services, M.S. 0650 Attn: Project Planning Division Section Secretary
- SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152
- Paradise Valley Road Wireless Facility, PDS2022-MUP-22-012, PDS2022-ER-22-18-004. Project Name:
- 8555 Paradise Valley Road, Spring Valley, CA 91977 in the Spring Valley Community Plan area, within Project Location: unincorporated San Diego County. APN: 586-170-15-00.
- Project Applicant: MD7, LLC OBO AT&T Wireless; 10590 West Ocean Air Drive, Suite 250, San Diego, CA 92130.
- **Project Description:** The applicant requests a Major Use Permit to construct, maintain, and operate a new wireless telecommunication facility. The facility would include 12 panel antennas and 9 remote radio units (RRU's) mounted upon a new 35-foot tall faux mono-eucalyptus tree. Each panel antenna would be covered by "socks" which are faux leaves to help conceal the antennas. The equipment would be contained within a 300 square foot (8-foot tall) concrete masonry unit (CMU). A 20kW emergency generator enclosure would be located within the equipment enclosure. One Global Positioning System (GPS) antenna would be located within the equipment enclosure. Minimal grading is proposed to install the equipment enclosure. In addition, trenching is proposed to install underground electrical and fiber conduit.

Agency Approving Project:	County of San Diego	
County Contact Person:	Jennifer Crump	Phone Number: (619) 323-8589
Date Form Completed:	April 19, 2024	

This is to advise that the County of San Diego Planning Commission has approved the above-described project on April 19, 2024 and found the project to be exempt from the CEQA under the following criteria:

- Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one) 1.
  - Declared Emergency [C 21080(b)(3); G 15269(a)] Emergency Project [C 21080(b)(4); G 15269(b)(c)]

  - ☐ Statutory Exemption. C Section: ☑ Categorical Exemption. G Section: 15303

  - G 15061(b)(3) It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.
  - G 15182 Residential Projects Pursuant to a Specific Plan
  - G 15183 Projects Consistent with a Community Plan, General Plan, or Zoning
  - Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- 2. Mitigation measures in were were not made a condition of the approval of the project.
- 3. A Mitigation reporting or monitoring plan 🗌 was 🛛 was not adopted for this project.

Statement of reasons why project is exempt: Pursuant to Section 15303 of the State of California Environmental Quality Act Guidelines, the project is exempt from CEQA because it involves minor construction to an unmanned wireless telecommunications facility that involves the installation of Small, New Equipment and Facilities in Small Structures. It has been determined that the project is not in an environmentally sensitive location; will not have a cumulative effect on the environment; is not on a hazardous waste site; will not cause a substantial change in the significance of a historical resource; and will not result in damage to a scenic highway.

The following is to be filled in only upon formal project approval by the appropriate County of San Diego decision-making body.

Signature:	Cr	<u>Telephone: (619) 323-8589</u>	
Name (Print): Jennifer Crump		Title: Land Use/Environmental Planner	

Title: Land Use/Environmental Planner

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.

# **REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES**

# FOR PURPOSES OF CONSIDERATION OF PARADISE VALLEY ROAD TELECOMMUNICATION FACILITY **MAJOR USE PERMIT** PDS2022-MUP-22-012, PDS2022-ER-22-18-004

# April 19, 2024

I. HABITAT LOSS PERMIT ORDINANCE - Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES	NO	NOT APPLICABLE/EXEMPT
		$\boxtimes$

While proposed project is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program, the project site does not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, a finding of conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species **Conservation Program and Biological Mitigation Ordinance?** 



NO NOT APPLICABLE/EXEMPT  $\square$ 

The proposed project is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program.

Staff has determined the proposed project is exempt from the California Environmental Quality Act pursuant to CEQA Section 15303. Projects found to be exempt from CEQA are also exempt from the County's Biological Mitigation Ordinance (Section 86.503 (a)(1)). Therefore, the project is not subject to the requirements of the Biological Mitigation Ordinance. However, no project within the MSCP County Subarea Plan, regardless of exemption status, may conflict or otherwise hinder the MSCP preserve system.

The project is consistent with the MSCP Subarea Plan due to the following:

- The site does not support sensitive habitat or wildlife.
- Surrounding land uses include dense development.
- > There are other conditions that would restrict wildlife use of the area for nesting, foraging or dispersal.
- > The development area is not within a core, linkage, Pre-Approved Mitigation Area, Preserve Area, or other highly sensitive area as designated by the MSCP.

The site does not support any features that might encourage wildlife movement, such as a well-vegetated drainage, stream, or creek.

1 - 54

Based on the above facts, staff has determined that the proposed project will not hinder or conflict with the County Subarea Plan. No take authorization for incidental or deliberate impacts to state or federally listed species is granted with this determination. While no impacts to listed species are anticipated based on staff's review of the project, the applicant is responsible for ensuring that none occur and/or appropriate authorization has been obtained.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?



NOT APPLICABLE/EXEMPT

The project is for an unmanned wireless telecommunications facility and will not use any groundwater for any purpose, including irrigation or domestic supply.

# **IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Section 86.604(a) and (b)) of the Resource Protection Ordinance?	YES	NO □	NOT APPLICABLE/EXEMPT
The Floodways and Floodplain Fringe section (Section 86.604(c) and (d)) of the Resource Protection Ordinance?	YES	NO □	NOT APPLICABLE/EXEMPT
The Steep Slope section (Section 86.604(e)(2)(iii))?	YES	NO □	NOT APPLICABLE/EXEMPT
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES	NO □	NOT APPLICABLE/EXEMPT
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES	NO □	NOT APPLICABLE/EXEMPT

*Wetland and Wetland Buffers*: The project is not located near wetlands and/or wetland buffer areas were not identified on the project site.

*Floodways and Floodplain Fringe:* The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

PDS2022-MUP-22-012, PDS2022-ER-22-18-004 Ordinance Compliance Checklist

**Steep Slopes:** The project site contains steep slopes greater than 25%. However, according to Section 86.604(e)(2)(bb)(iii), public and private utility systems are exempt from RPO provided that findings are made that the least environmentally damaging alignment has been selected. Moreover, the proposed facility has a small lease area (approximately 300 square feet), and no portion of the proposed facility would be located within the previously disturbed portion of the property that is slightly slopped.

- 3 -

**Sensitive Habitats:** Sensitive habitat lands were identified on the site. However, the property has been previously disturbed and built out with an existing structure. No portion of the proposed facility would be located within the sensitive habitat lands.

#### Significant Prehistoric and Historic Sites:

The project is exempt from CEQA; therefore, the RPO does not apply.

V. STORMWATER ORDINANCE (WPO)- Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?



The Department of Planning and Development Services (PDS) staff have reviewed the project's Stormwater Management Plan (SWMP) and has found it to be complete and in compliance with the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO, Section 67.817).

**<u>VI. NOISE ORDINANCE</u>** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?



The project would not expose people to nor generate potentially significant noise levels during construction or operation which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

# Attachment D – Environmental Findings

## PARADISE VALLEY ROAD TELECOMMUNICATION FACILITY MAJOR USE PERMIT PERMIT NO.: PDS2022-MUP-22-012 ENVIRONMENTAL LOG: PDS2022-ER-22-18-004

#### **ENVIRONMENTAL FINDINGS** April 19, 2024

- 1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303 for the reasons stated in the Notice of Exemption.
- 2. Find that the proposed project is consistent with the Resource Protection Ordinance (RPO) (County Code, Section 86.601 et seq.).
- 3. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management and Discharge Control Ordinance (County Code, section 67.801 et seq.).

# **Attachment E – Public Documentation**



# County of San Diego, Planning & Development Services COMMUNITY PLANNING OR SPONSOR GROUP PROJECT REVIEW ZONING DIVISION

Popord ID(a):	PDS2022-MUP-22-012	
Record ID(S):	I DOLOLL INIOI LL OIL	

Project Name: CAL02871 paradise Valley Road

Project Manager: Polina Mitcheom

Project Manager's Phone: 619-942-1376

#### Scope of Review:

Board Policy I-1 states; "groups may advise the appropriate boards and commissions on discretionary projects as well as on planning and land use matters important to the community." Planning & Development Services (PDS) has received an application for the project referenced above. PDS requests that your Group evaluate and provide comment on the project in the following areas:

- The completeness and adequacy of the Project Description
- Compatibility of the project design with the character of the local community
- Consistency of the proposal with the Community Plan and applicable zoning regulations
- Specific concerns regarding the environmental effects of the project (e.g., traffic congestion, loss of biological resources, noise, water quality, depletion of groundwater resources)

#### Initial Review and Comment:

Shortly after an application submittal, a copy of the application materials will be forwarded to the Chair of the applicable Planning or Sponsor Group. The project should be scheduled for initial review and comment at the next Group meeting. The Group should provide comments on planning issues or informational needs to the PDS Project Manager at your earliest convenience.

#### Planning Group review and advisory vote:

- A. Projects that do not require public review of a CEQA document: The Group will be notified of the proposed hearing date by the PDS Project Manager. The project should be scheduled for review and advisory vote at the next Group meeting.
- B. Projects that require public review of a CEQA document: The Chair of the Planning Group will be noticed when an environmental document has been released for public review. The final review of the project by the Group, and any advisory vote taken, should occur during the public review period.

As part of its advisory role, the Group should provide comments on both the adequacy of any environmental document that is circulated and the planning issues associated with the proposed project. The comments provided by the Group will be forwarded to the decision-making body and considered by PDS in formulating its recommendation.

#### Notification of scheduled hearings:

In addition to the public notice and agenda requirements of the Brown Act, the Group Chair should notify the project applicant's point of contact and the PDS Project Manager at least two weeks in advance of the date and time of the scheduled meeting.

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 694-8985 • (888) 267-8770 http://www.sdcounty.ca.gov/pds

PDS-534 (Rev. 02/09/2021)



# County of San Diego, Planning & Development Services COMMUNITY PLANNING OR SPONSOR GROUP PROJECT RECOMMENDATION ZONING DIVISION

Record ID(s): PDS2022-MUP-22-012

Project Name: CAL02872 Paradise Valley Road

Planning/Sponsor Group: Spring Valley

Results of Planning/Sponsor Group Review

Meeting Date: 2nd and 4th Tuesday of the Month

A. Comments made by the group on the proposed project.

Public concerns on health risks and lack of outreach. Does County have the study and verifies? County says they rely on third party report. Group members: can the project be moved? American Cancer Society says no strong evidence from RF waves from cell towers causes any noticeable health effects. Does the County deny if study shows health effects?

B. Advisory Vote: The Group Did Did Not make a formal recommendation, approval or denial on the project at this time.

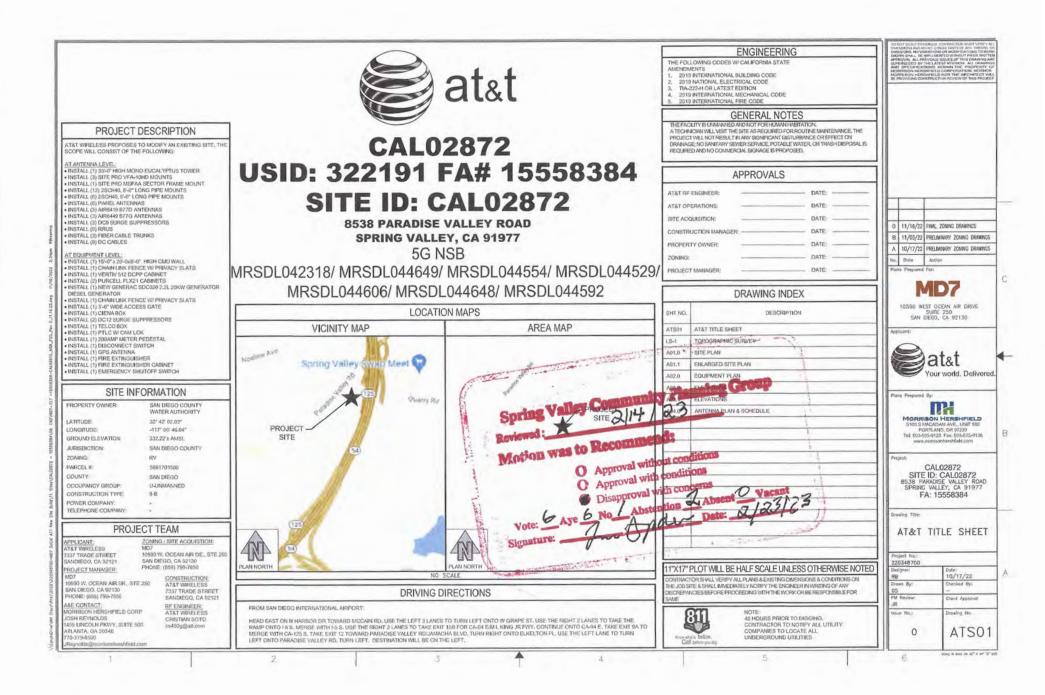
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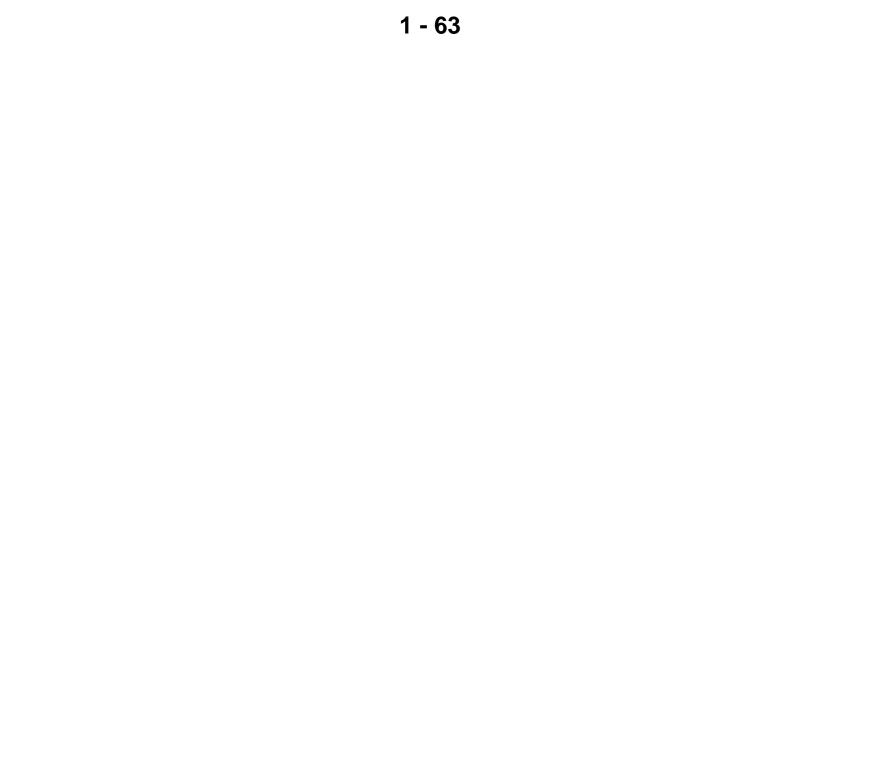
MOTION: Approve without conditions Approve with recommended conditions Denv Continue VOTE: 6 Yes 6 No 1 Abstain 2 Vacant / Absent C. Recommended conditions of approval: Reported by: Tim Snyder Position: Group Member Date: 2/23/2023 Please email recommendations to BOTH EMAILS: Project Manager listed in email (in this format): Firstname.Lastname@sdcounty.ca.gov and to

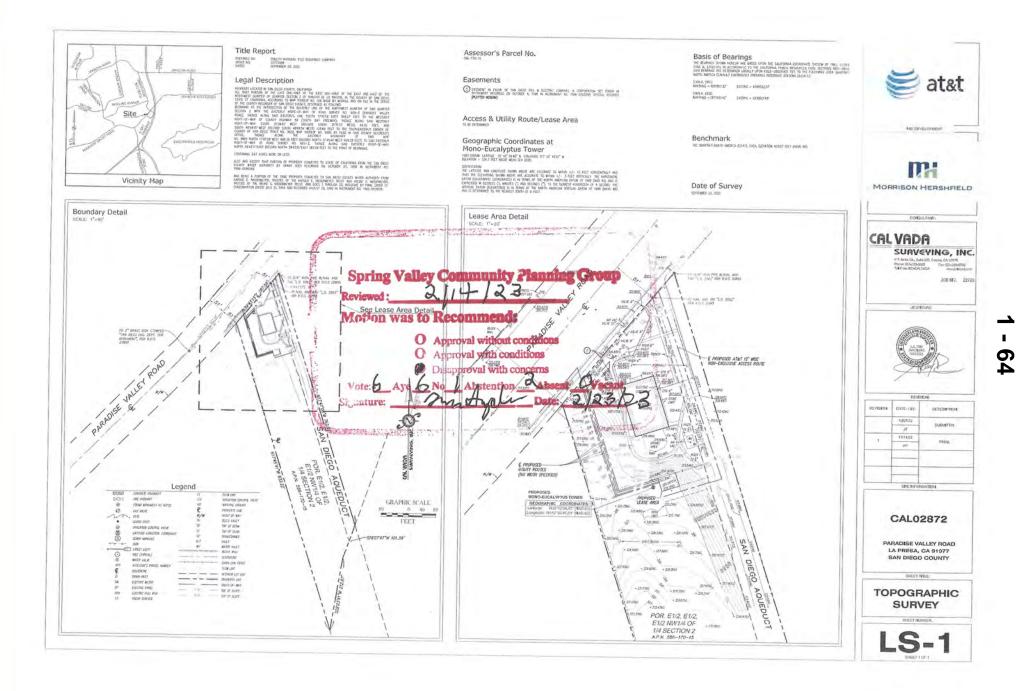
CommunityGroups.LUEG@sdcounty.ca.gov

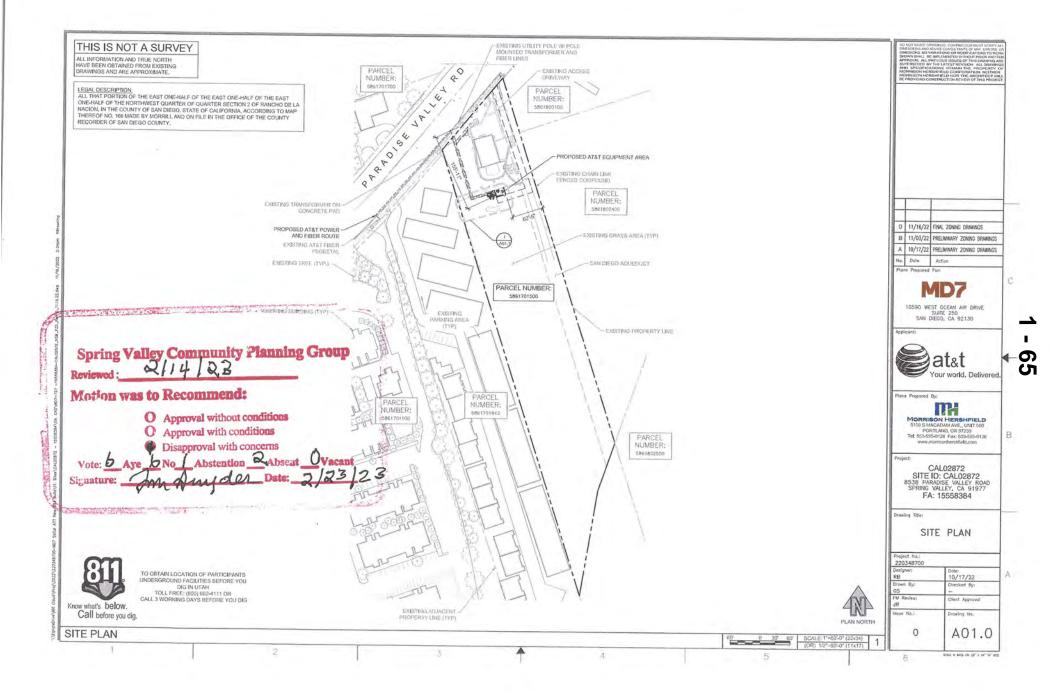
5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 694-8985 • (888) 267-8770 http://www.sdcounty.ca.gov/pds

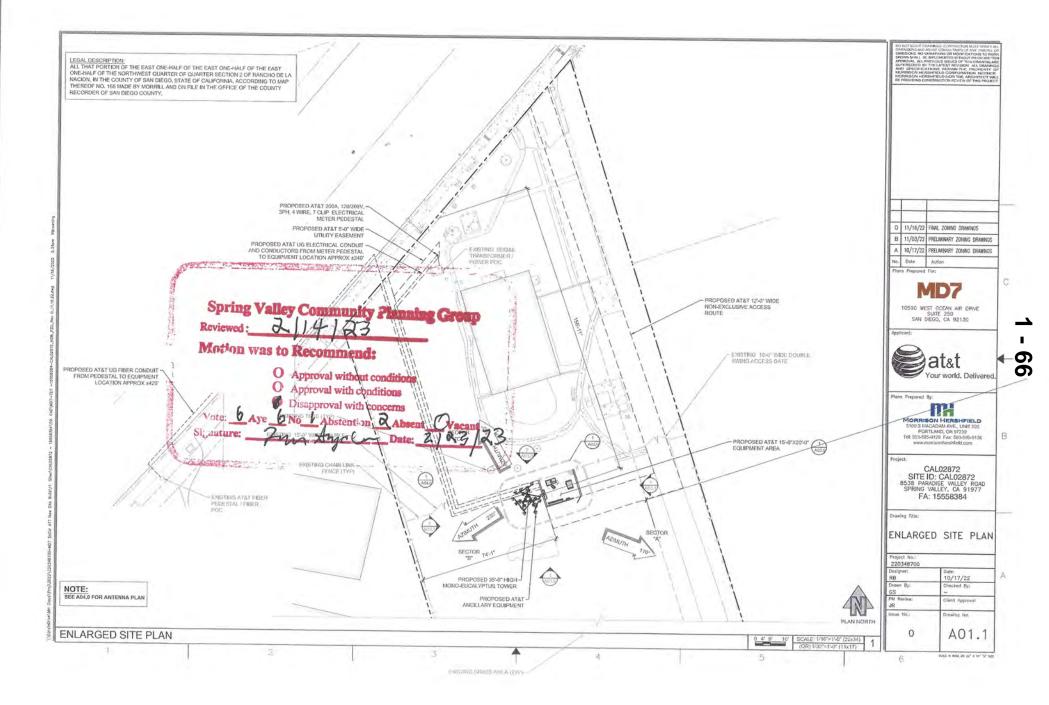
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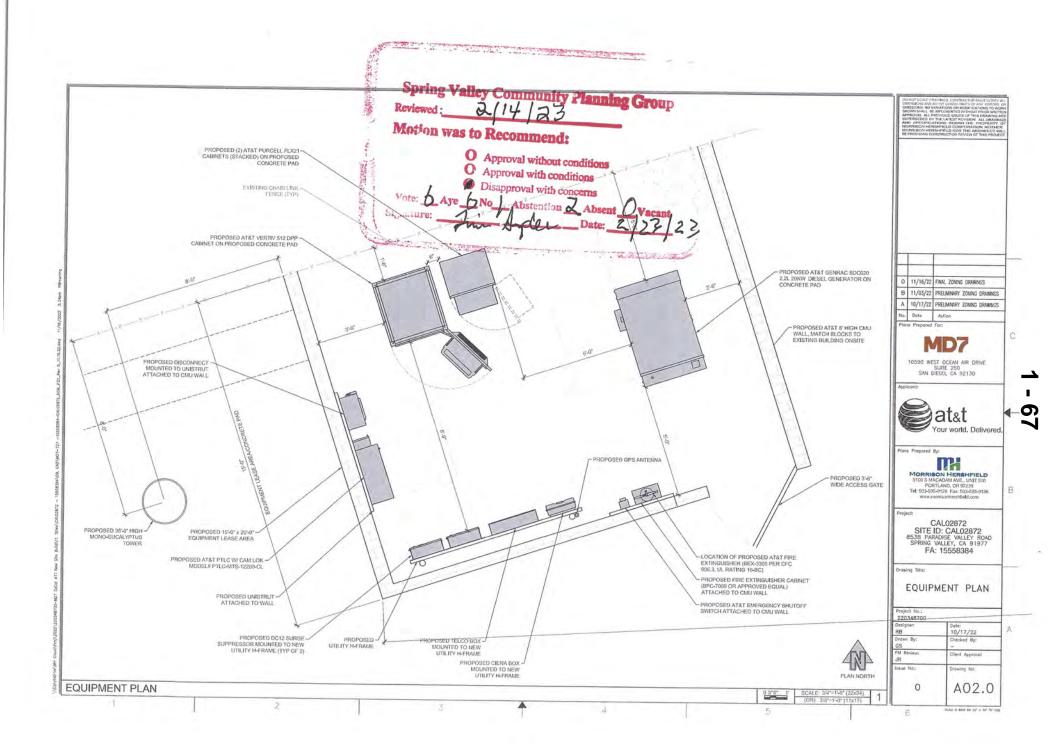


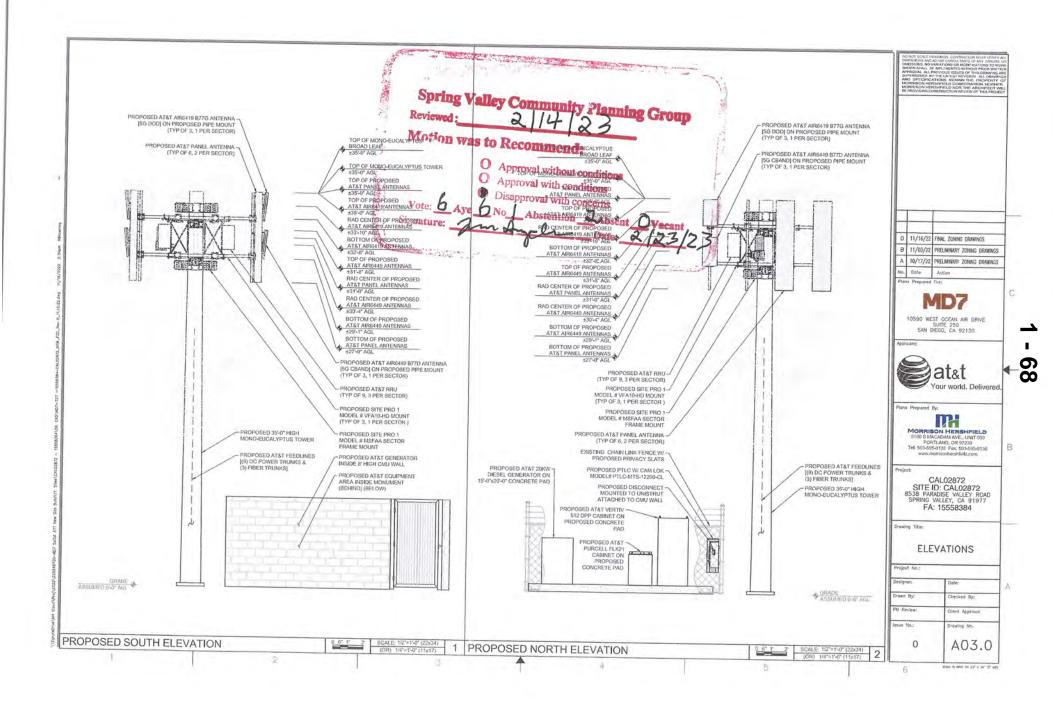


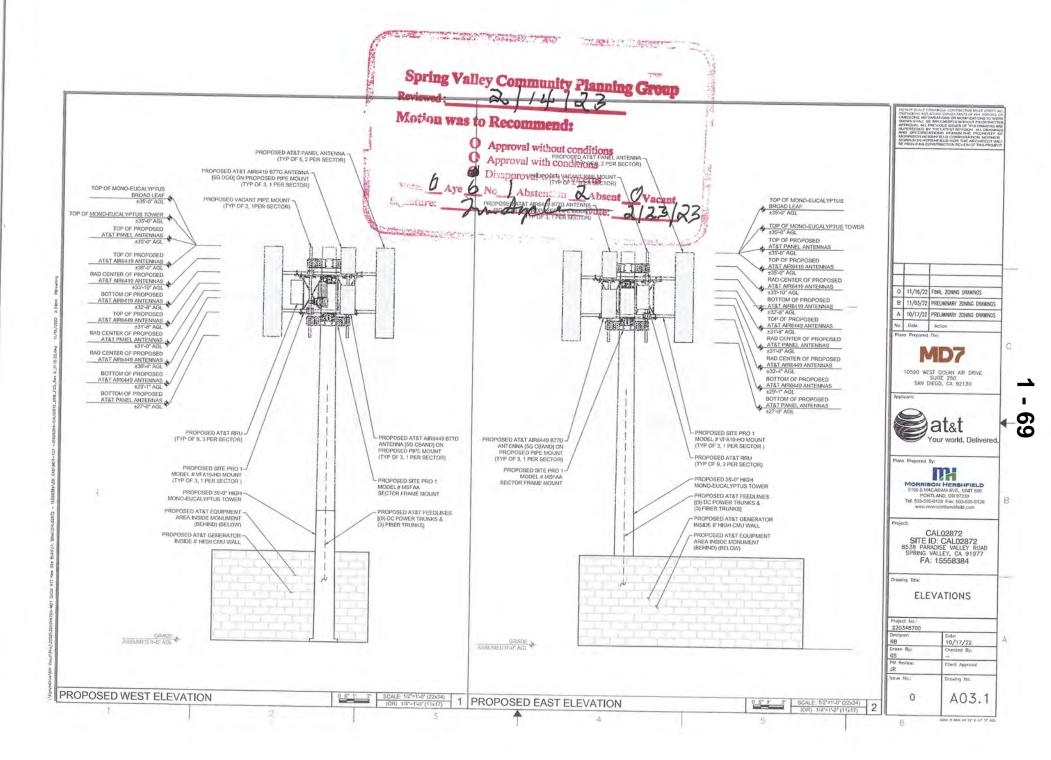


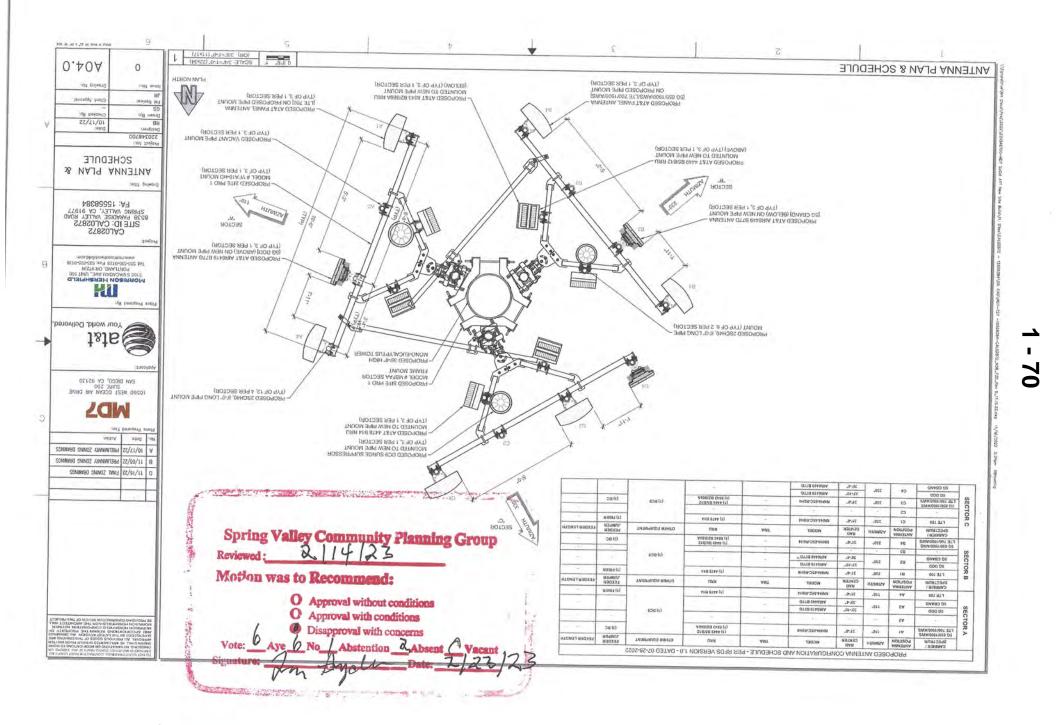










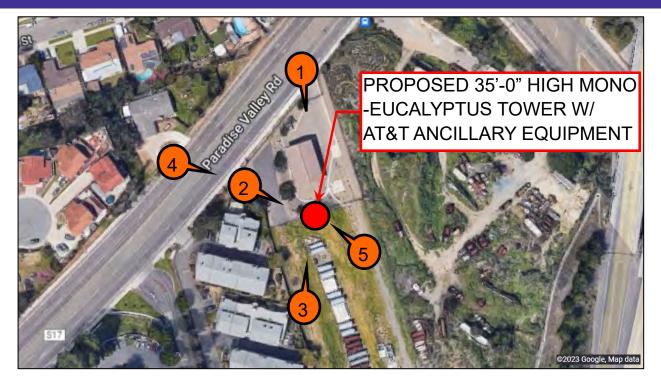


# Attachment F – Photos, Geographic Service Area Maps, Alternative Site Analysis

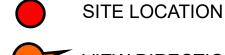
# **NEW SITE BUILD**

8555 PARADISE VALLEY ROAD, SPRING VALLEY, CA 91977 CAL02872

32.701231, -117.013197



# **LEGEND**









5100 S Macadam Avenue. Unit 500 | Portland, OR 97239

VIEW 1

8555 PARADISE VALLEY ROAD, SPRING VALLEY, CA 91977 CAL02872

**NEW SITE BUILD** 

32.701231, -117.013197









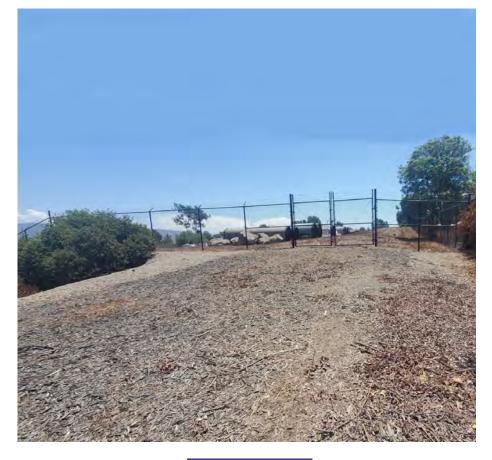


VIEW 2

8555 PARADISE VALLEY ROAD, SPRING VALLEY, CA 91977 CAL02872

**NEW SITE BUILD** 

32.701231, -117.013197





## VIEW: BEFORE







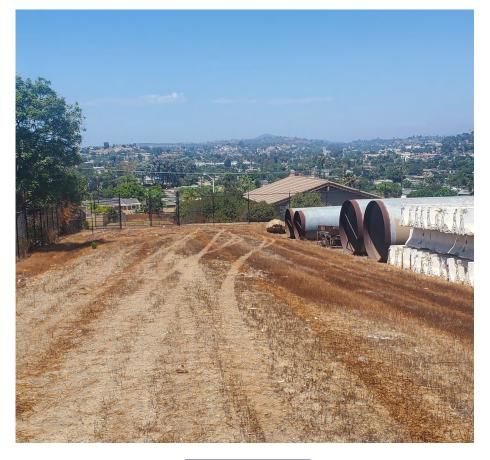
5100 S Macadam Avenue. Unit 500 | Portland, OR 97239

VIEW 3

8555 PARADISE VALLEY ROAD, SPRING VALLEY, CA 91977 CAL02872

**NEW SITE BUILD** 

32.701231, -117.013197









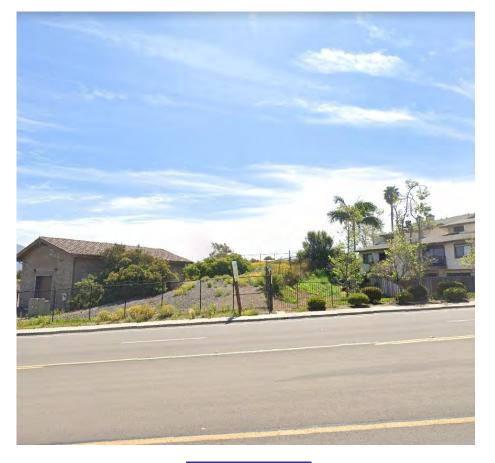


VIEW 4

8555 PARADISE VALLEY ROAD, SPRING VALLEY, CA 91977 CAL02872

**NEW SITE BUILD** 

32.701231, -117.013197









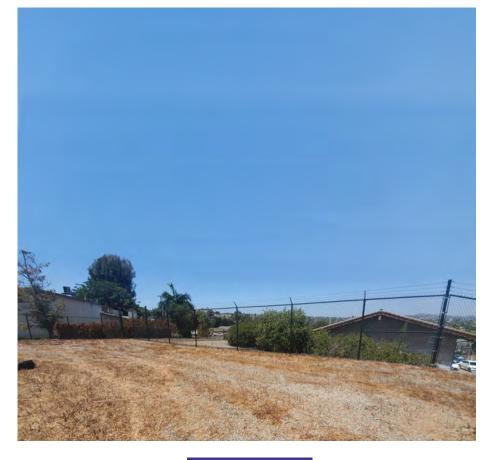


VIEW 5

8555 PARADISE VALLEY ROAD, SPRING VALLEY, CA 91977 CAL02872

**NEW SITE BUILD** 

32.701231, -117.013197











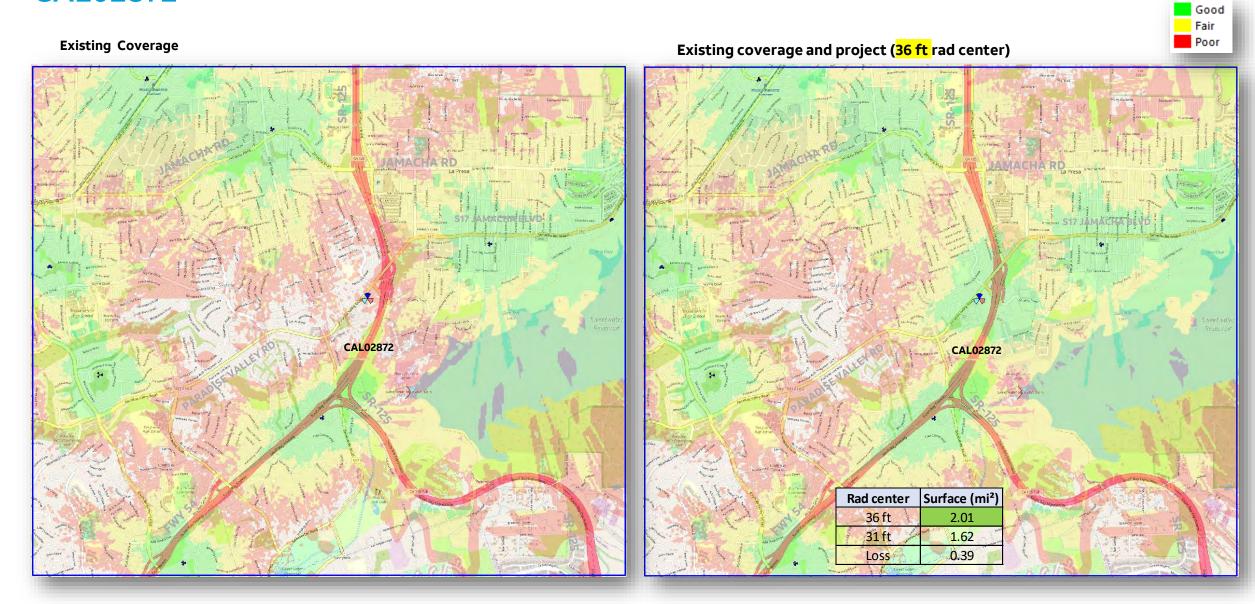
# **CAL02872**<sup>1</sup>

Coverage Plots:

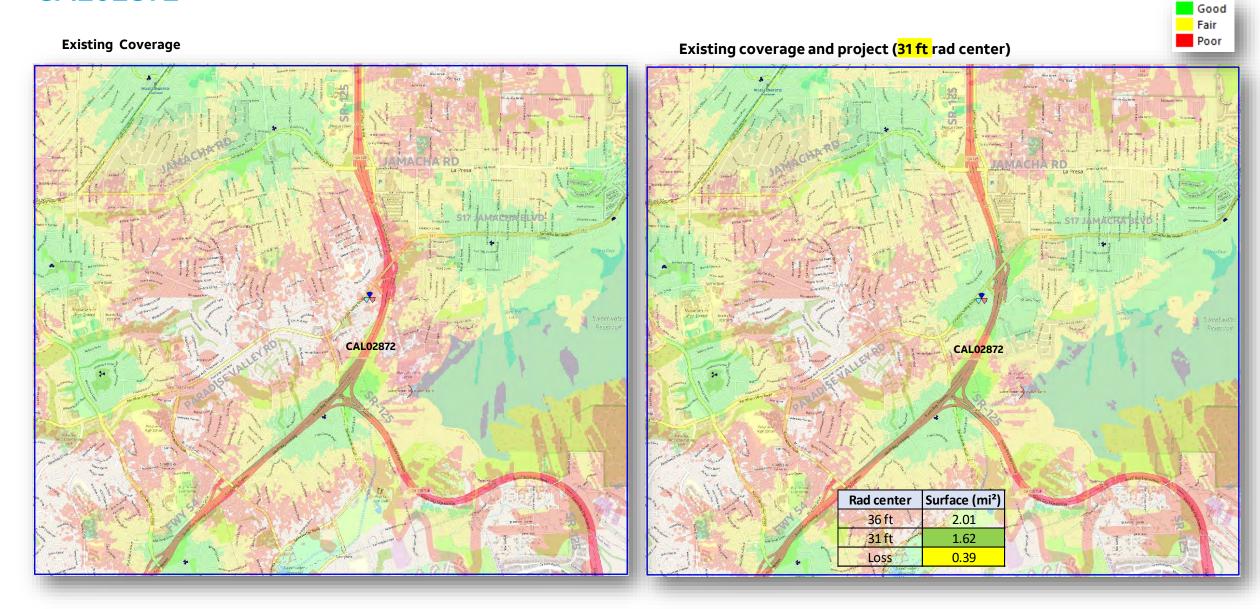
A comparison is shown on the following slides with a 31 vs 36 ft rad center resulting in a loss of 0.39 square miles.



# CAL02872

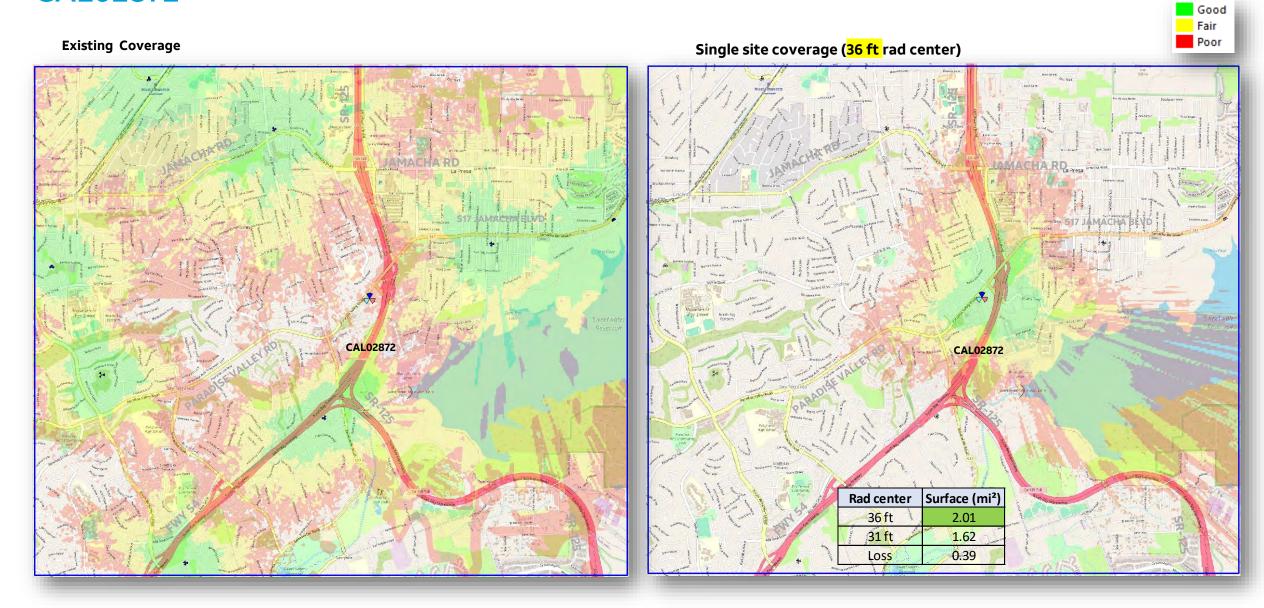


# CAL02872





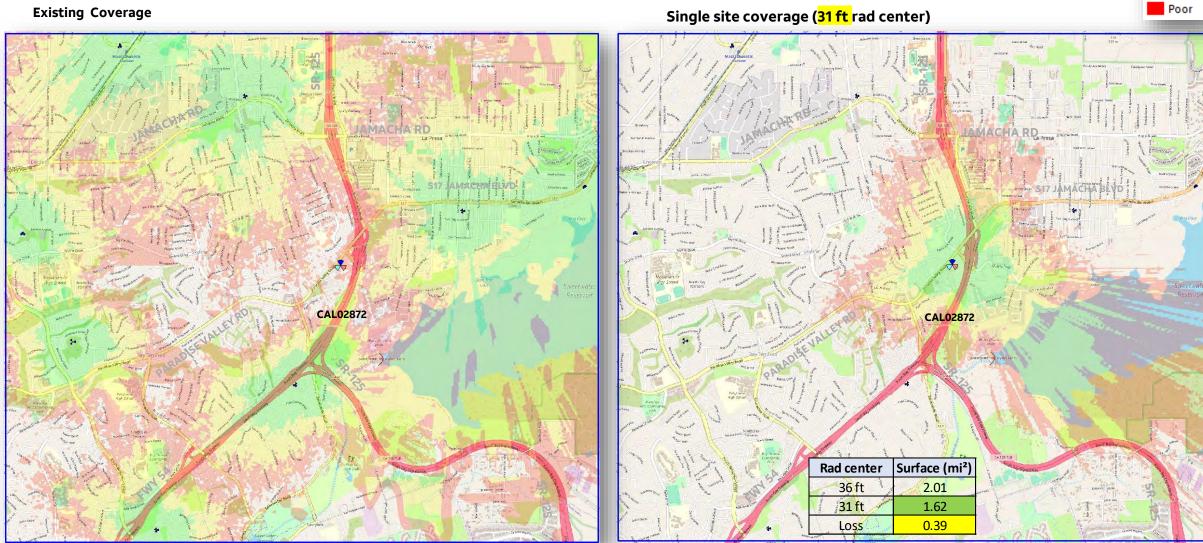
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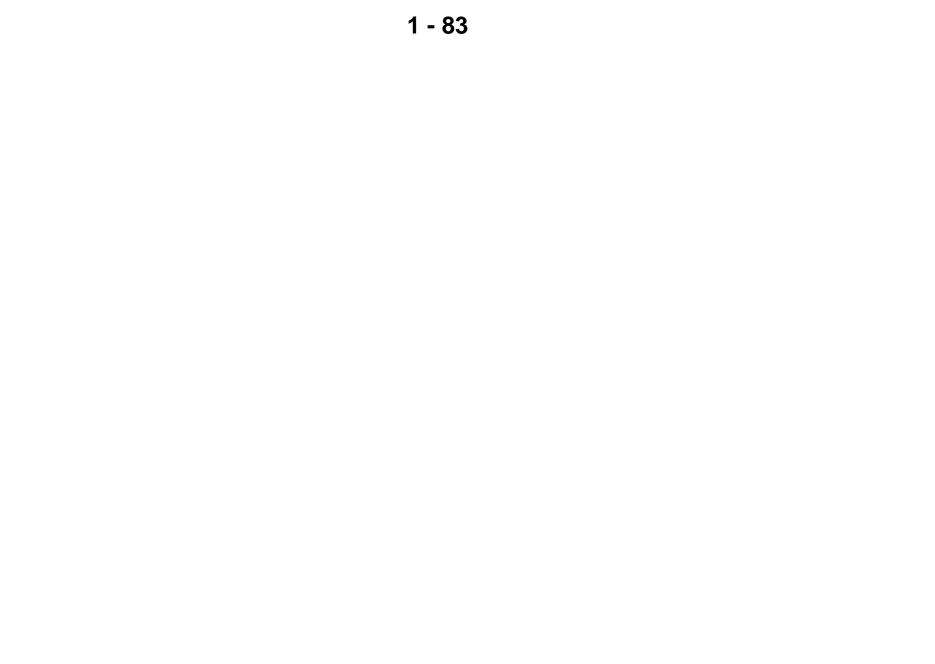
CAL02872



1 - 82



Good Fair





January 29, 2024

**To:** San Diego County Planning and Development Services 5510 Overland Avenue San Diego, CA 92123 From: MD7, LLC Harold Thomas Jr, Land Use I (858)-750-1798 hthomasjr@md7.com

Re:Alternative Site AnalysisSite ID:CAL02872\_NSB - 15558384\_ASite Address:8555 Paradise Valley Road, Spring Valley, CA 91977

## **Alternative Site Analysis**

Background

AT&T is seeking approval of a MUP to begin operation of a new monopole mounted wireless telecommunication facility located at 8555 Paradise Valley Road in a variable commercial zone, C30-E (Office Professional). This facility would necessitate the construction of a 35-foot mono eucalyptus tower as well as a 15-foot by 20-foot CMU wall enclosure. As part of San Diego County's MUP requirements, AT&T has also looked for viable alternatives in both design and location to ensure that the facility best supports the community.

As demonstrated on the coverage maps provided in Exhibit A, this site is intended to close a gap in coverage through La Lomita. La Lomita includes a section of highway 125 and Paradise Valley Road that is heavily traveled and where there is a confluence of primarily residential and commercial uses and the highways that serve them. It is important for public safety to have. continuous coverage through this corridor. This is also to cover Rancho elementary school and provide students and teachers with better coverage for better result in more modern, tech-centric education.

## Alternative Site #1

The first alternative site that AT&T considered is the county owned property of the Department of Animal Services located at 5821 Sweetwater Road. This location is zoned as rural residential, RR. The location being near highway 125 was appealing for coverage. However, with additional review the site became less feasible. There was little feasibility as the site is located outside of the search ring and would not allow us to be able to meet our coverage objective. With these considerations in mind, the chosen facility remains the best location.

#### 10590 WEST OCEAN AIR DRIVE / SUITE 250 / SAN DIEGO, CA 92130

## **Alternative Site #2**

The second alternative site that AT&T considered is a portion of the parking lot of the Spring Valley Shopping Center, located at 487 Sweetwater Road. This location is within a Commercial C36. The location would keep the facility close to the target area of CAL02872. This location would be a colocation facility run by Crown Castle. This site meets the requirements for AT&T's coverage; however, upon reaching out to landlord, the existing facilities were filled and could not accommodate AT&T. In addition, any expansion of facility would require extending the mono tree higher compared to existing tree line (the existing tree is roughly around 35-feet high). This lowers any existing concealment and cause higher visibility against Section 6987 Design Regulations of camouflaged facilities blending into surrounding area. Overall, the existing facility remains the best location when considering all factors.

### **Alternative Site #3**

The third alternative site that AT&T considered was located at 6377 Quarry Road., Spring Valley, CA 91977. The site would have been located within a county preferred zone (M52). The location of the site would have been located towards the outer regions of the target area. However, we noticed that the site would have been located within one of the county's preferred zones, therefore we sought to begin negotiations with the property owner. As we approached the property owner, we shared our proposal of a cell tower at their location and shared the benefits that having the tower would bring. However, despite our best efforts we were unable to move forward with proceeding with the site, as the property owner withdrew their interest. Another aspect that became apparent through our analysis of the site was the stark differences in elevation that this location had over our proposed location. At the proposed location we would have an elevational advantage of 333ft. Whereas this location would have had an elevation of 260ft. When compounded with the fact that the coverage maps depicted these areas as having a fair amount of coverage compared to the proposed area. As a result, we were unable to progress with establishing our site at this location.

### **Alternative Site #4**

There was a site located at 8475 Avenida Anguilla that was located 0.3 miles away from the target area. While this site would be located within our target area, one of the reasons why it was not chosen was because the site is located in a residential zone. Per the Wireless Telecommunications code section 6986, locating a wireless facility in a residential zone is not a preferred zone for a facility. Additionally, there would not have been enough space to accommodate our equipment onto the rooftop. When compared to the location we are proposing, we it would allow us the ground space to locate our equipment. The proposed location is also located within a zone that is preferred as outlined in Section 6986.

#### **Alternative Site #5**

There was a potential site located at 8715 Ranza Rd. This site is located 1.2 miles away from the proposed location. We were unable to locate a facility at this location due a facility was not feasible as there is a difference in elevation. As this location would have an elevation of 272 while the proposed location is at 332 feet in elevation. Leading to a difference of 60-feet. The other factor that

prevented a site being located at this property is that this location is outside of the target area that AT&T was seeking to achieve.

## Conclusion

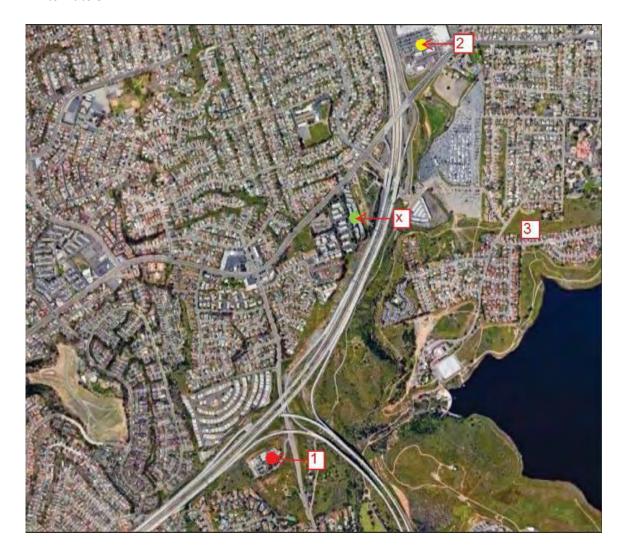
AT&T wishes to be the best possible servant to the community and compliant with all jurisdictional concerns. In our pursuit of a site location, we sought to ensure that wherever the site would be placed that it would be within a county preferred zone and be beneficial to the community. After consideration of multiple factors, AT&T chose the site at 8555 Paradise Valley Road for expansion of coverage. The expansion of coverage will result in more efficient commerce at the Spring Valley swap meet and increased satisfaction of nearby residents, Rancho Elementary School, and San Miguel Fire District 16.

The sites would also be situated within a county preferred zone (C-30 – Office Professional). The site also had the possibility of stealth design that would ensure blending into the background environment in a residential area. Even more importantly, the site will be able to service the pressing need for coverage in the area. As the coverage maps below will depict, the Paradise Valley Area, needs a strong and dependable coverage. AT&T looks to expand its commitment and partnership with the County of San Diego and continue to provide its residents with a reliable source of connectivity.

Sincerely,

Harold Thomas Land Use I MD7, LLC (858) 750-1798 <u>hthomasjr@md7.com</u>

**Location Map** Existing Facility: "Proposed Facility Alternate 1: Alternate 2: Alternate 3:

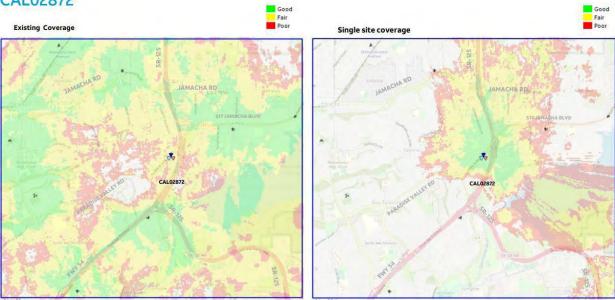


**Coverage Map 1** 









# Attachment G – Ownership Disclosure



County of San Diego, Planhing Development Services APPLICANT'S DISCLOSURE OF OWNERSHIP INTERESTS ON APPLICATION FOR ZONING PERMITS/ APPROVALS ZONING DIVISION

Record ID(s)

Assessor's Parcel Number(s)

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any ownership interest in the property involved.

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

*NOTE:* Section 1127 of The Zoning Ordinance defines <u>Person</u> as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

Signature of Applicant

----- OFFICIAL USE ONLY -----

Print Name

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 For any questions, please email us at: <u>PDSZoningPermitCounter@sdcounty.ca.gov</u> http://www.sdcounty.ca.gov/pds





September 22, 2022

**To:** MD7, LLC Tara Carmichael, Land Use II 10590 W Ocean Air Drive, Suite 250 San Diego, CA 92130 (858) 952-1936 tcarmichael@md7.com

From: San Diego County Water Authority Attn: John Kross 4677 Overland Ave San Diego, CA 92123 (858) 522-6910

Re:	Property Owner Letter of Authorization - Potential New Cell Site
Site ID:	15558384 / CAL02872
Site Address:	Paradise Valley Rd. Spring Valley, CA 91977
Parcel ID:	586-170-15-00

Dear MD7:

This is to certify that the San Diego County Water Authority is the legal property owner of record at Paradise Valley Rd Spring Valley, CA 91977, Parcel ID 586-170-15-00, and hereby authorize MD7, LLC, as agent for AT&T Mobility, to file for necessary jurisdiction permits and the FAA required EMI evaluation to obtain the permit approvals for AT&T Mobility to construct a potential new Wireless Communications Facility (WCF) located at Paradise Valley Rd Spring Valley, CA 91977. However, any such actual facility would be subject to an ultimate agreement still to be negotiated between the Water Authority and AT&T Mobility, and this consent shall not be construed in any manner as approval or agreement that such facility may be constructed.

By:	John kross 1373D5B848CF4C0 Property Owner Signature
	John Kross
	Name and Title
	9/22/2022
	Date
	8585226904
	Phone Number / Email Address

10590 WEST OCEAN AIR DRIVE / SUITE 250 / SAN DIEGO, CA 92130