

**ATTACHMENT C – MUP Form of Decision
PDS2022-MUP-22-012**



ATTACHMENT C

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Director

County of San Diego PLANNING & DEVELOPMENT SERVICES

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June 25, 2025

PERMITTEE: MD7, LLC ON BEHALF OF AT&T WIRELESS
MAJOR USE PERMIT: PDS2022-MUP-22-012
E.R. NUMBER: PDS2022-ER-22-18-004
PROPERTY: 8555 PARADISE VALLEY ROAD WITHIN THE SPRING VALLEY COMMUNITY
PLAN AREA WITHIN THE UNINCORPORATED COUNTY OF SAN DIEGO
APN(s): 586-170-15-00

DECISION OF THE PLANNING COMMISSION

MAJOR USE PERMIT DECISION

Grant, as per plot plan dated October 8, 2024, consisting of twenty 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 **June 25, 2027** 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.

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. **LNDSKP#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 [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Off-Street Parking Design Manual](#), 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 [County's Light Pollution Code](#).
 - 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 [Off-street Parking Design Manual](#) 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 REQUIREMENT:** 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 **11/4/2024** 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@sdcountry.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. **LNDCP#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 [PDS, 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 way, 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 **11/4/2024**. 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 ([County of San Diego Noise Ordinance](#)), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** 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.

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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 [the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10410](#) 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: <https://www.sandiegocounty.gov/content/sdc/dpw/pfdlist.html>

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	TC	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 [Section 7366 of the County Zoning Ordinance](#). 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
VINCE NICOLETTI, 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