

**CLERK OF THE BOARD OF SUPERVISORS
EXHIBIT/DOCUMENT LOG**

MEETING DATE & AGENDA NO. 06/25/2025 # 10

STAFF DOCUMENTS (Numerical)

No.	Presented by:	Description:
1.	Staff	37-page PowerPoint Presentation
2.		
3.		
4.		

PUBLIC DOCUMENTS (Alphabetical)

No.	Presented by:	Description:
A.	John, Brian and Antoinette	12-page PowerPoint Presentation
B.		
C.		
D.		
E.		
F.		
G.		

OFFICIAL RECORD
Clerk of the Board of Supervisors
County of San Diego

Exhibit No. 1

Meeting Date: 6/25/25 Agenda No. 10

Presented by: Staff



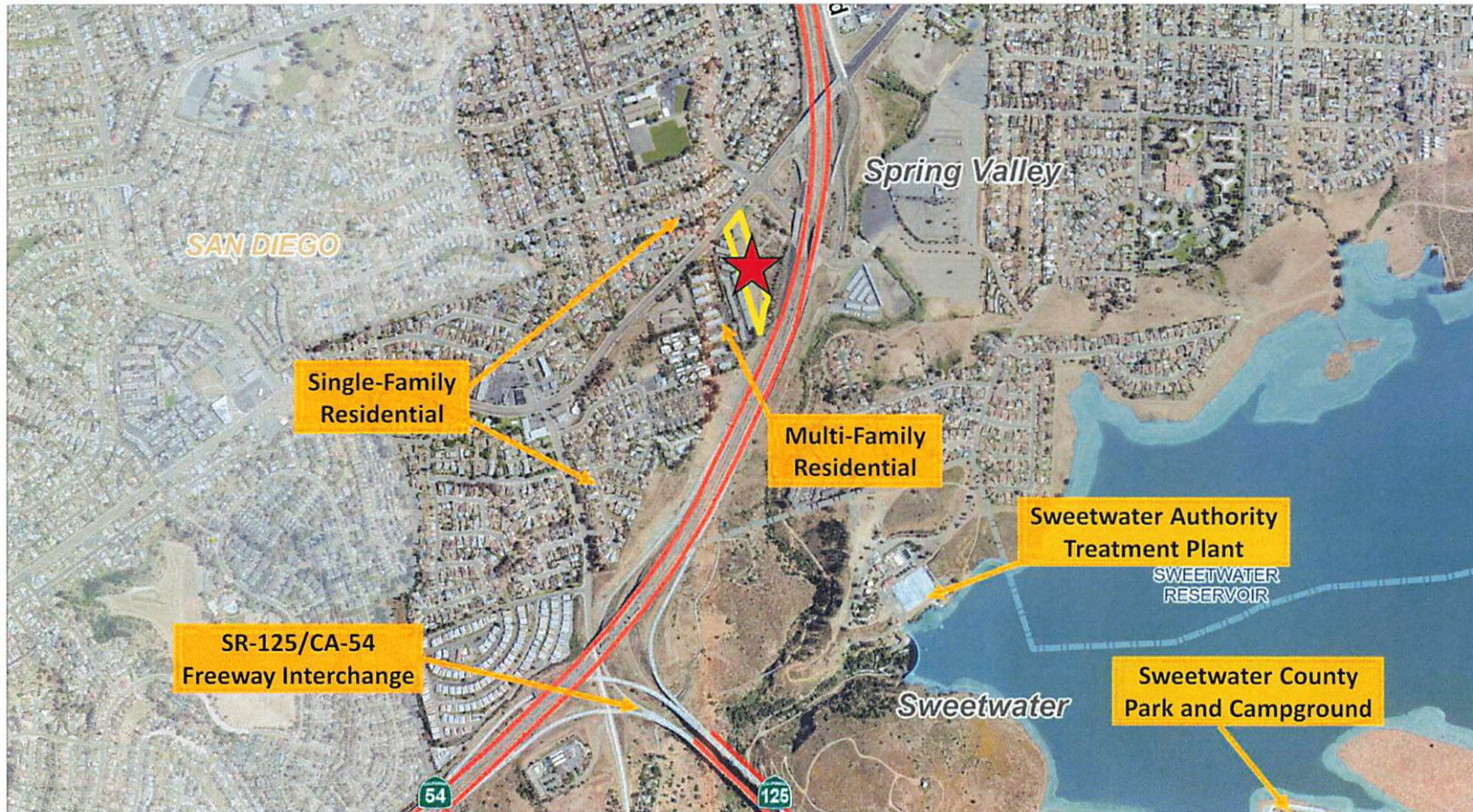
PARADISE VALLEY WIRELESS TELECOMMUNICATION FACILITY APPEAL

Board of Supervisors

June 25, 2025

Item #10

Vicinity Map & Project Site



Paradise Valley
Road Appeal
PDS2025-AA-25-001

Aerial

Spring Valley
Community Plan Area

~ Roads

■ Site

■ Incorporated

■ CPA



N 0 500 1,000
Feet

Site Existing Uses



Paradise Valley
Road Appeal
PDS2025-AA-25-001

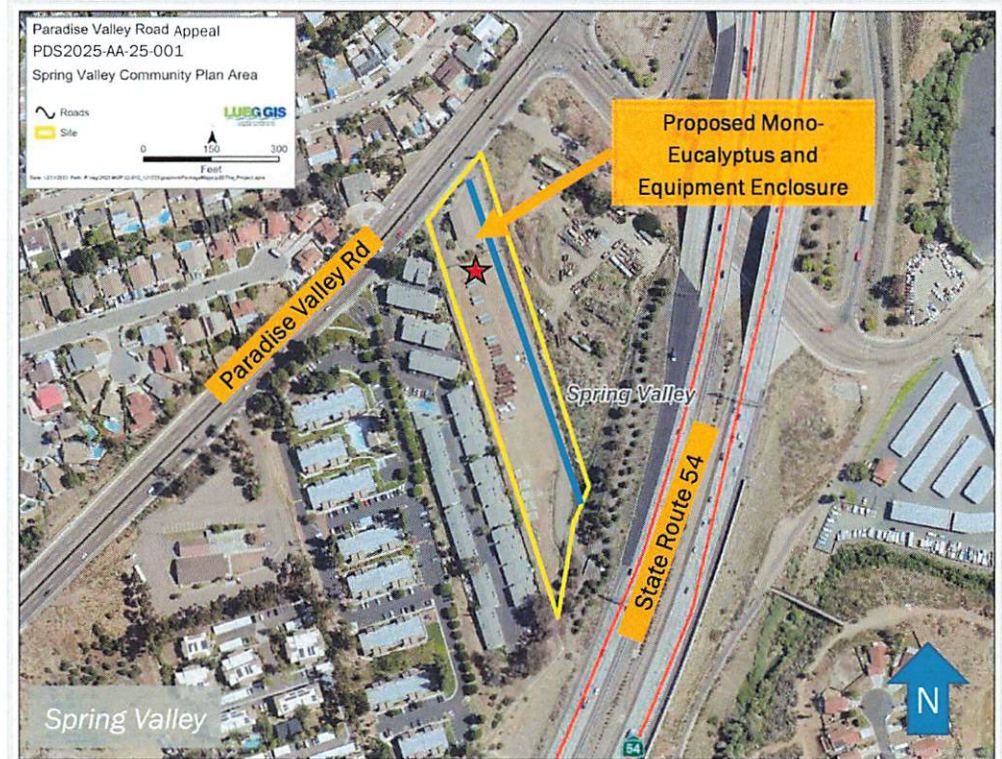
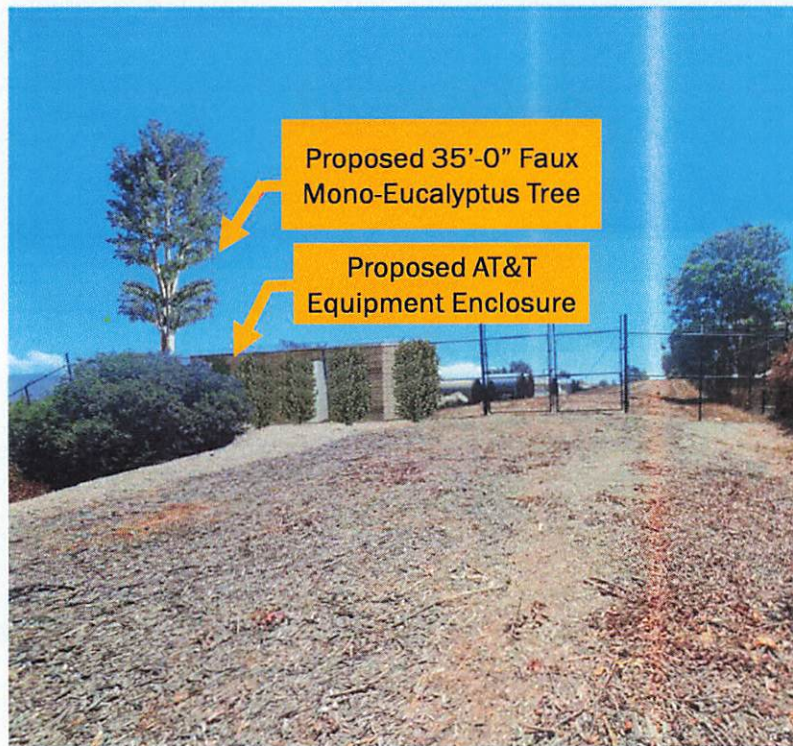
Aerial
Spring Valley
Community Plan Area

~ Roads
□ Site
■ CPA



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Feet

Project Description



Planning Commission

- Planning Commission Approved: February 28, 2025
- Appeal filed by a resident on behalf of Sweetwater Hills Townhomes: March 10, 2025

Points of Appeal

1. Improper CEQA Exemption

- CEQA Compliance and Environmental Concerns

2. Lack of Justification for Coverage Needs

- Project relies on theoretical coverage maps instead of real-world data

3. Inconsistent Setback Policies

- Unequal setbacks for small cell and non-small cell wireless facilities

4. Precedents in Other Communities

- Similar projects denied through stronger local advocacy

Point of Appeal #1: Staff Analysis

- Project evaluated for fire risk by the San Miguel Fire Protection District
- County staff found no risk to the Sweetwater Aqueduct or Reservoir
- No significant environmental impacts or unusual circumstances identified
- Project Qualifies under CEQA Section 15303 exemption



Points of Appeal

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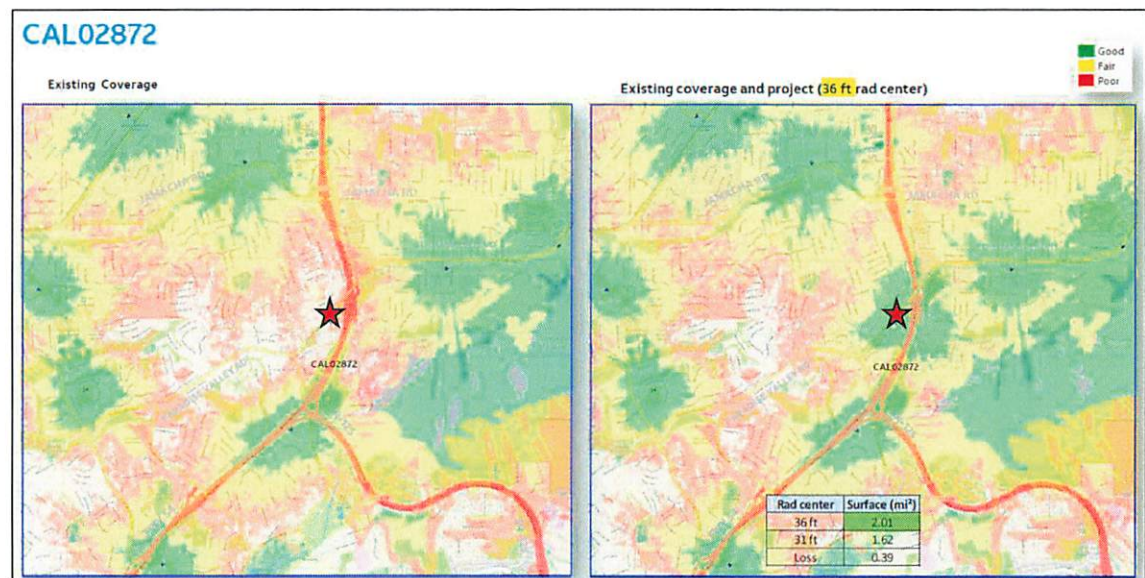
- Unequal setbacks for small cell and non-small cell wireless facilities

4. Precedents in Other Communities

- Similar projects denied through stronger local advocacy

Point of Appeal #2: Staff Analysis

- Coverage analysis uses industry-standard predictive models recognized by the FCC
- Independent drive test not required by County code
- Project addresses identified service gaps and improves network capacity



Points of Appeal

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Point of Appeal #3: Staff Analysis

- Zoning Code Regulations differ for small cell and non-small wireless cell facilities
- The 300-foot setback from childcare facilities applies only to small cell wireless facilities
- The proposed tower meets required 50-foot setbacks and was relocated to increase distance from homes
- By federal law, the County is prohibited from regulating wireless facilities based on the environmental effects of radio frequency emissions if the facilities comply with FCC regulations.

Points of Appeal

1. Improper CEQA Exemption

- CEQA Compliance and Environmental Concerns

2. Lack of Justification for Coverage Needs

- Project relies on theoretical coverage maps instead of real-world data

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Point of Appeal #4: Staff Analysis

Staff Analysis:

- The County independently evaluated the project, found it compliant with all requirements, and confirmed it supports long-term infrastructure and emergency communication goals.

Actions to Consider

1. Deny the appeal and sustain the Planning Commission's decision to approve the Project.
2. Grant the appeal and deny the Project.
3. Request additional analysis or information, including any additional direction from the Board, and return to the Board within a specified time period.

Recommendations

CPG Motion Failed:

- Spring Valley Community Planning Group (6-Yes, 6-No, 1-Abstain, 2-Absent / February 14, 2023) Deny the Appeal

Staff Recommendations:

- Deny the Appeal
- Uphold Planning Commission Decision
- Adopt the Environmental Findings
- Enter into Defense and Indemnification Agreement





PARADISE VALLEY WIRELESS TELECOMMUNICATION FACILITY APPEAL

Board of Supervisors

June 25, 2025

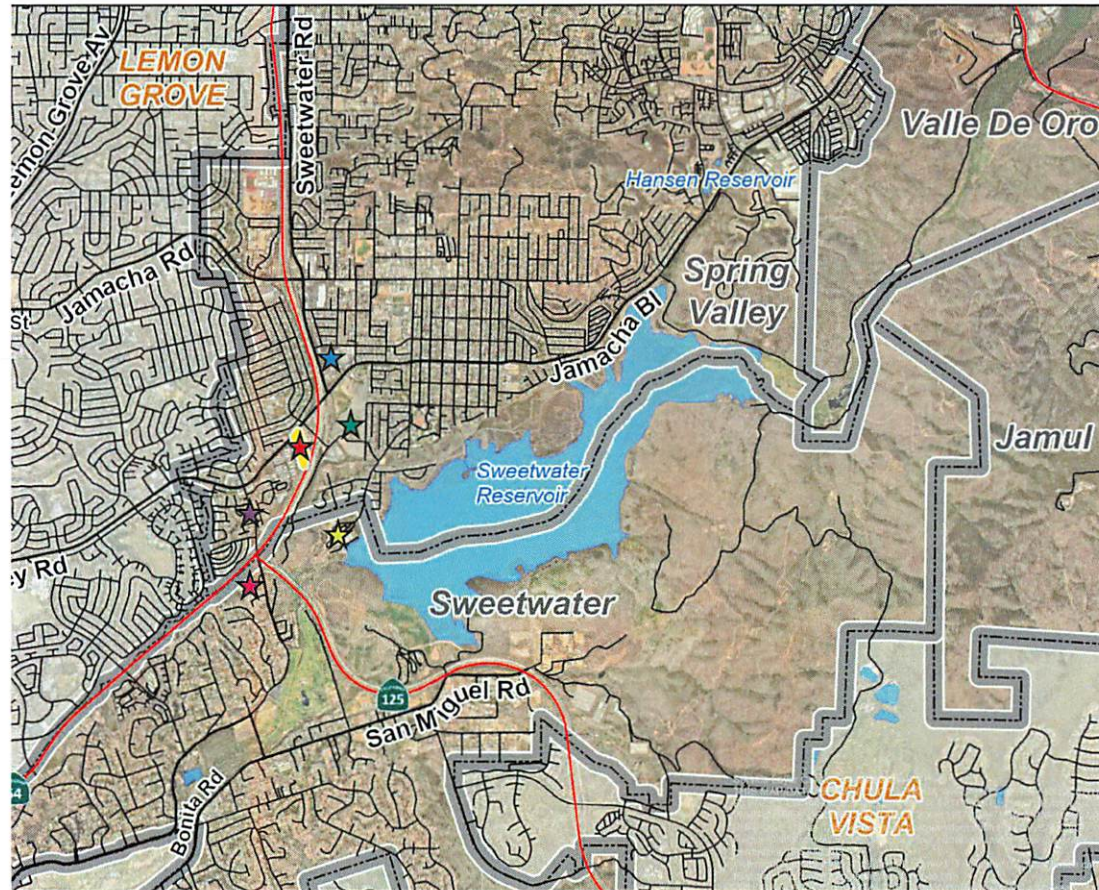
Item # 10

Point of Appeal #2: Alternative Site Analysis

Alternative Site Analysis

Locations & Feasibility

- ★ 5821 Sweetwater Road
 - Outside of the search ring and would not allow us to be able to meet ATT coverage objective
- ★ 487 Sweetwater Road
 - Any facility expansion would require increasing the mono-tree height beyond the existing 35 feet, reducing concealment and increasing visibility in conflict with Section 6987 Design Regulations
- ★ 6377 Quarry Road
 - The property owner withdrew their interest
- ★ 8475 Avenida Anguilla
 - Locating a wireless facility in a residential zone is not a preferred zone for a facility
- ★ 8715 Ranza Road
 - Unable to locate a facility at this location due a facility was not feasible as there is a difference in elevation



Paradise Valley
Road Appeal
PDS2025-AA-25-001

Aerial

Spring Valley
Community Plan Area

⤵ Roads
★ Site
□ Incorporated
■ CPA



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Miles

Point of Appeal #3: Board Direction

- Board may direct staff to analyze setback requirements and amend the Wireless Ordinance.
- Estimated one-time costs of \$600,000 to \$900,000 are not included in the FY 2024-2025 budget.
- Combining this effort with related projects could reduce staff time and overall costs.



Point of Appeal #4: Appellant's Case Study/Research

- Appellant's Case Study: La Jolla Successfully Blocked a Telecom Project • In 2019, La Jolla residents successfully opposed a similar wireless project, forcing the withdrawal of a cell tower proposed along the La Jolla Bike Path. The City of San Diego listened to resident concerns, resulting in the project's cancellation.
- Staff research:
 - Application withdrawn
 - City of San Diego §141.0420 Wireless Communication Facilities (c) Conditional Use Permit Regulations (2) Decided in accordance with Process Four, where the development meets the following locational criteria: (A) On dedicated parkland subject to San Diego Charter section 55 in any zone, except on public right-of-way within dedicated parkland, with antennas located less than 100 feet from the property line of a premises with a dwelling unit, child care center, or school with children enrolled in any grade kindergarten through grade 8.
- Appellant's Case Study: Encinitas Enforces Stronger Wireless Setbacks • The City of Encinitas requires a 500-foot setback between cell towers and residences, schools, and daycares.
- Staff research:
 - Wireless communication facilities may be located adjacent to child day care centers within 100 feet of the antenna array with a major use permit
 - City of Encinitas § 9.70.070 Major Use Permit Application Permitted. Wireless communication facilities proposed in certain locations may submit an application for a major use permit, which shall contain all information required by Section 9.70.080, Supplementary Materials. Such application may be granted only if the applicant/permittee submits evidence demonstrating that there is no other feasible alternative to the proposed location. The locations to which this provision applies are: § 9.70.080 Supplementary Materials. B. Design. All project applications shall adhere to the following criteria: 1. Location Relative to Elementary Schools, Middle Schools, Child Day Care Centers, Hospitals, and Residential Dwellings. Drawings shall include the location of all elementary schools, middle schools, child day care centers, hospitals, and residential dwellings within 100 feet of the antenna array.

Point of Appeal #4: Applicant's Response

Applicant's Response:

- **Claim 4 (Case Study):** La Jolla Successfully Blocked a Telecom Project. Appellant notes that in 2019, La Jolla residents defeated a proposed cell site along the La Jolla Bike Path.
- **AT&T Response:** The La Jolla project cited by the Appellant involved significantly different facts including the proposed placement of the cell tower in the middle of the La Jolla bike path. The Paradise Valley Road Project is located on mostly vacant Water Authority land and used for Water Authority purposes. AT&T submits that the special circumstances associated with the La Jolla Bike Path cell site are not relevant to the siting of this Project.
- **Claim 5 (Case Study):** Encinitas Enforces Stronger Wireless Setbacks. Appellant notes that Encinitas requires a 500' setback between cell towers and residences.
- **AT&T Response:** AT&T maintains that the Appellant's claim regarding City of Encinitas setbacks is factually incorrect. The City of Encinitas cell site setback requirement from residences is not 500' as claimed by the Appellant, but only 100'. This notwithstanding, the City of Encinitas Zoning Code standards have no standing in the Project's considerations, and we respectfully submit that the Appellant's reference to the City of Encinitas setbacks is not relevant to this Project.
- Each jurisdiction has the right and authority with input from its constituents to establish its own standards concerning setbacks along with numerous other design requirements. AT&T maintains that the County has carefully considered the delicate balance of citing telecommunication towers on lands under County jurisdiction with input from County constituents in the current County Zoning Ordinance. The Project fully complies with all current zoning standards adopted by the County.

Defense and Indemnification Agreement

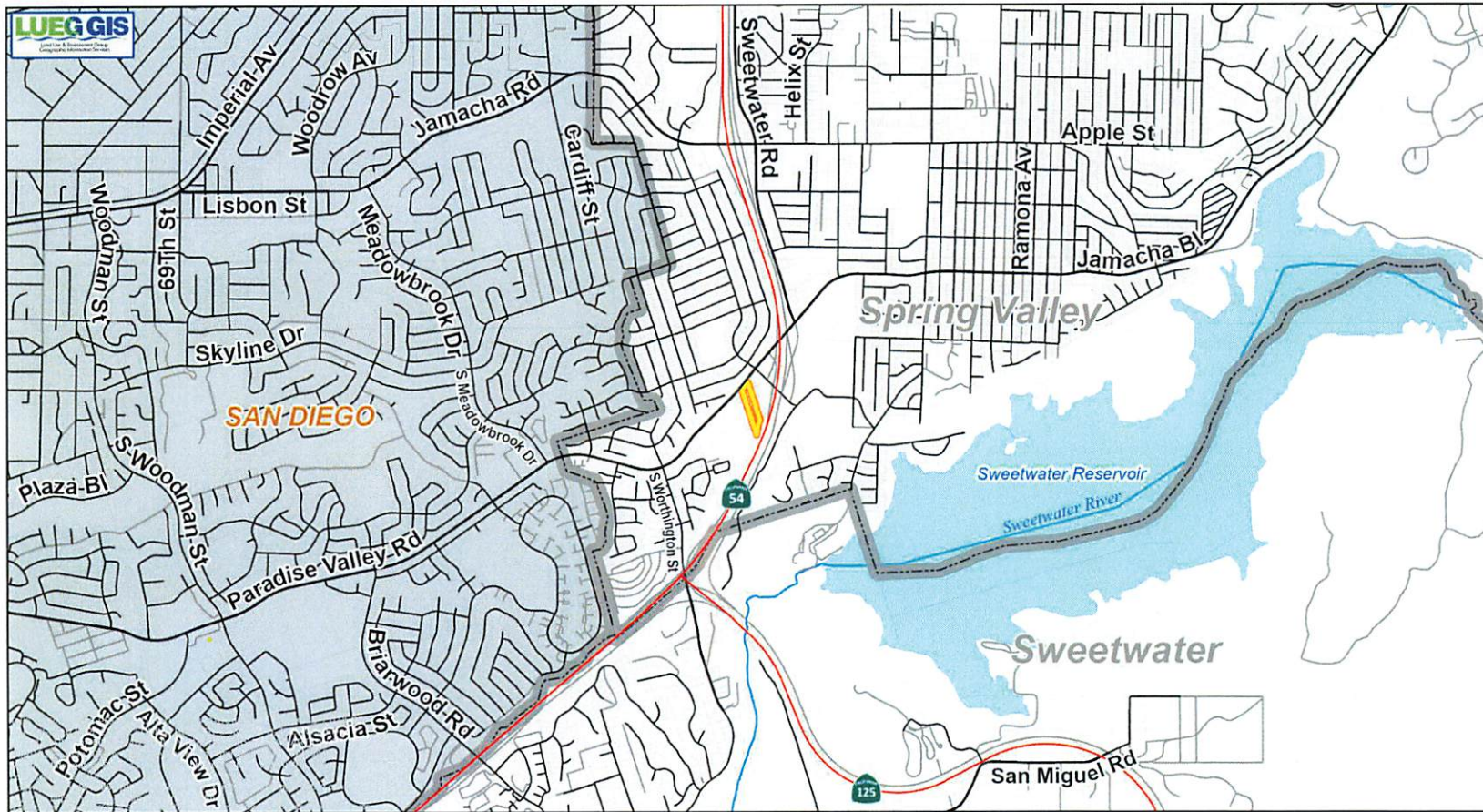
1. Cover legal expenses arising from project processing/approval.
 - Range: \$50,000 (small-scale projects) to \$1,500,000+ (large, complex projects).
 - Determined by the Board of Supervisors.

2. Recommendation
 - Require agreement within 10 days of this hearing.
 - Provide \$500,000 security within 10 days of litigation being filed.
 - Rescind MUP and CC approval if agreement or security is not received.

Public Health and Safety/EMF

The County is preempted by federal law from considering potential environmental effects of Radio Frequency (RF) emissions from personal wireless service facilities that comply with FCC regulations

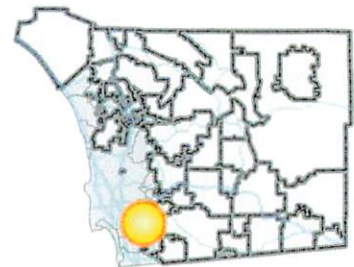
Vicinity Map



Paradise Valley
Road Appeal
PDS2025-AA-25-001

Vicinity
Spring Valley
Community Plan Area

Roads Incorporated
Site CPA
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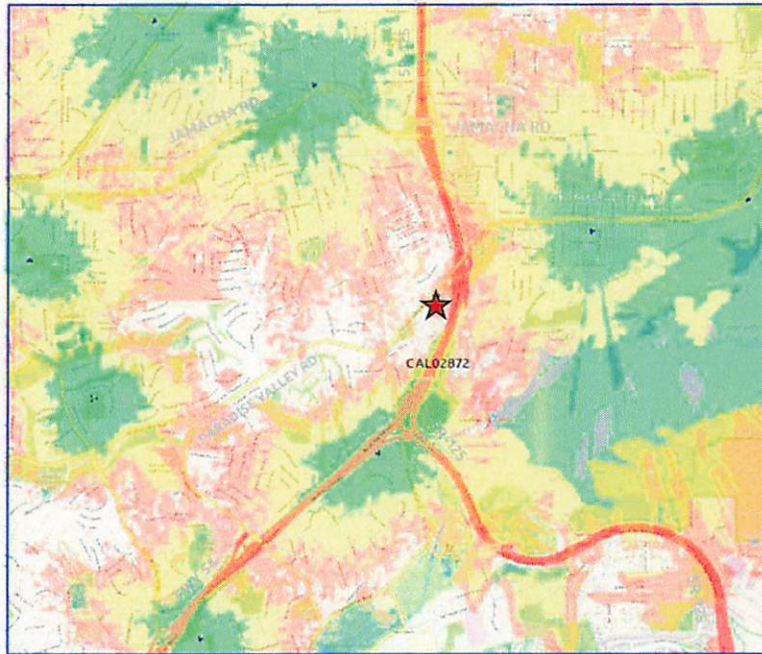
Geographic Service Area

No Facility

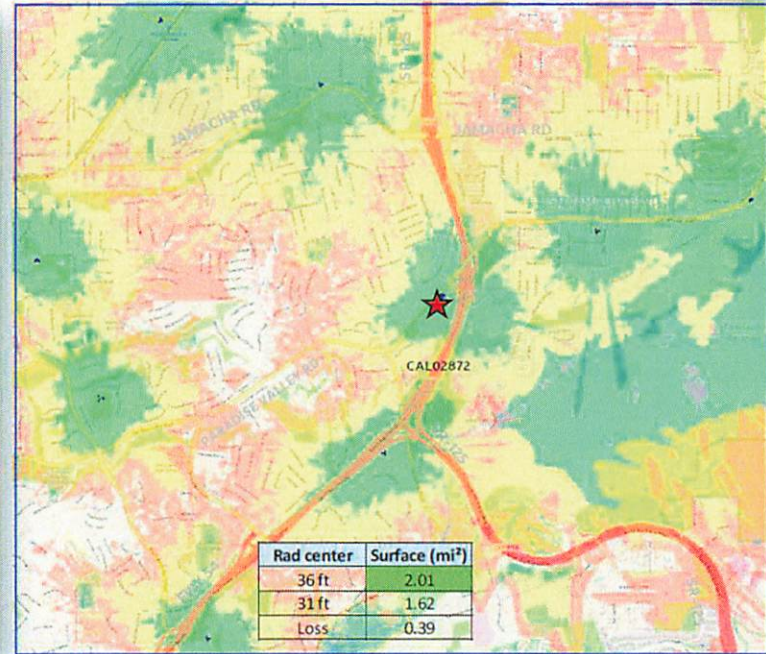
Proposed Project

CAL02872

Existing Coverage

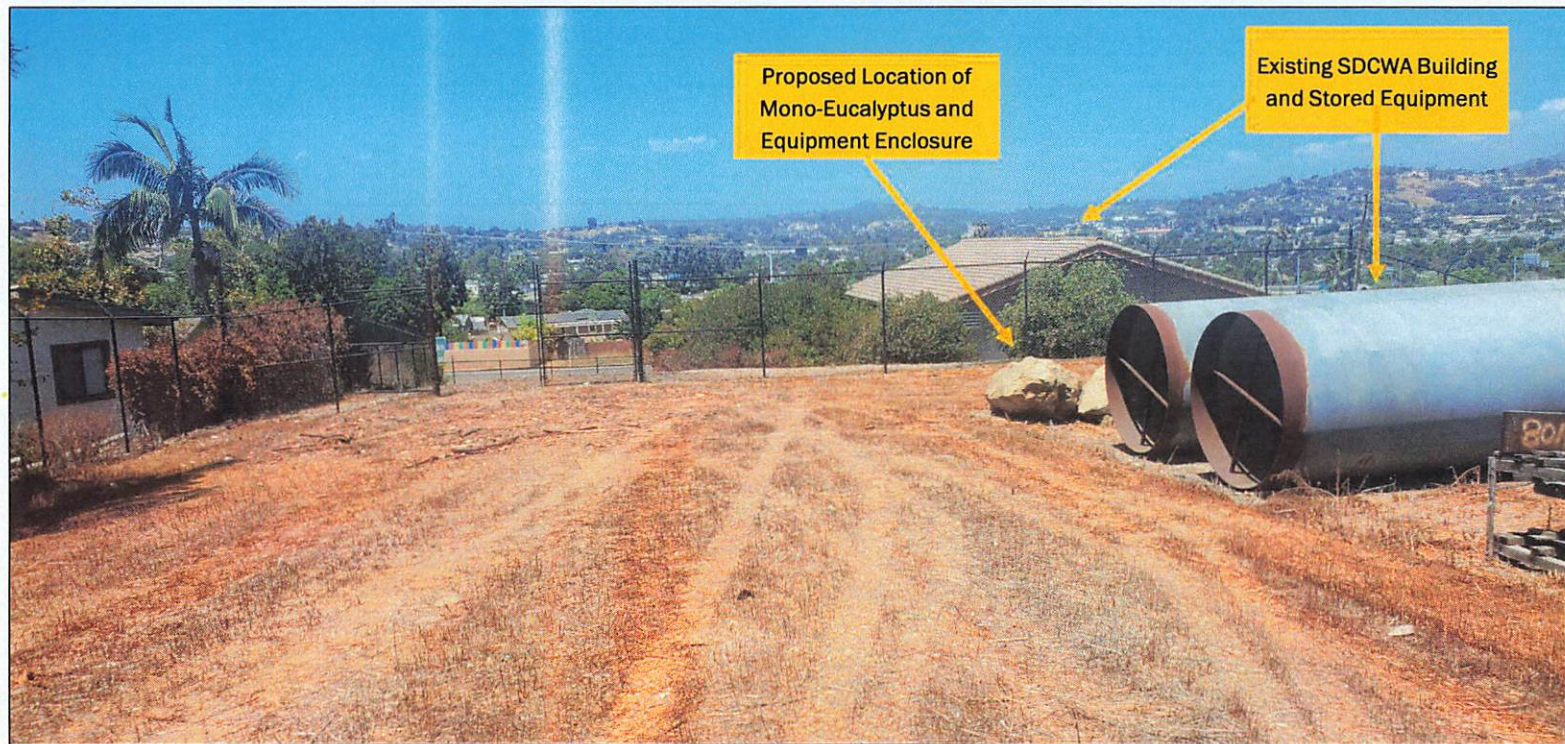


Existing coverage and project (36 ft rad center)



Site Photos

Project Site (North)



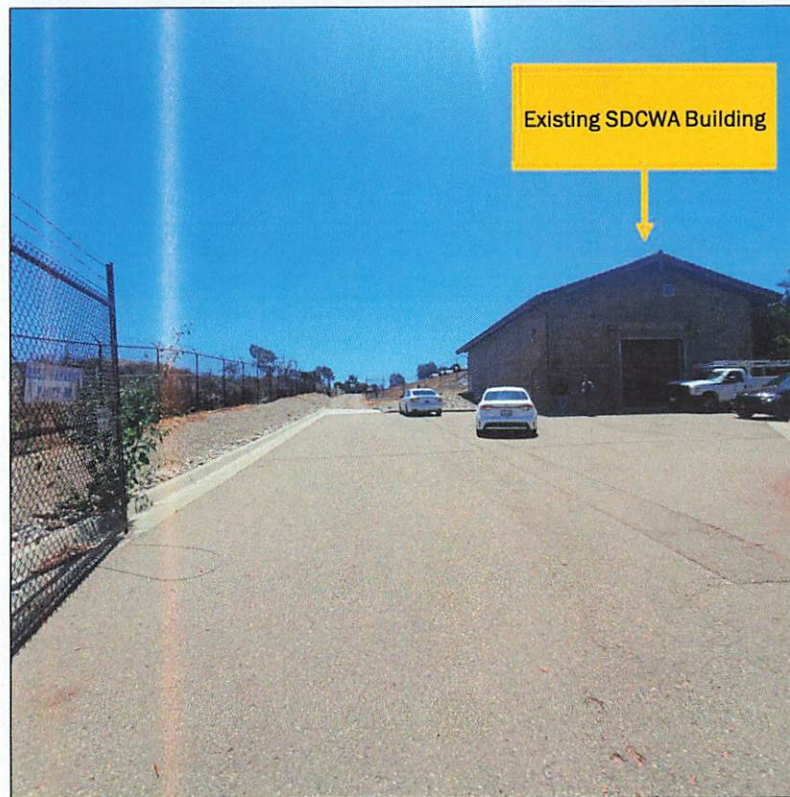
Site Photos

Project Site (South)

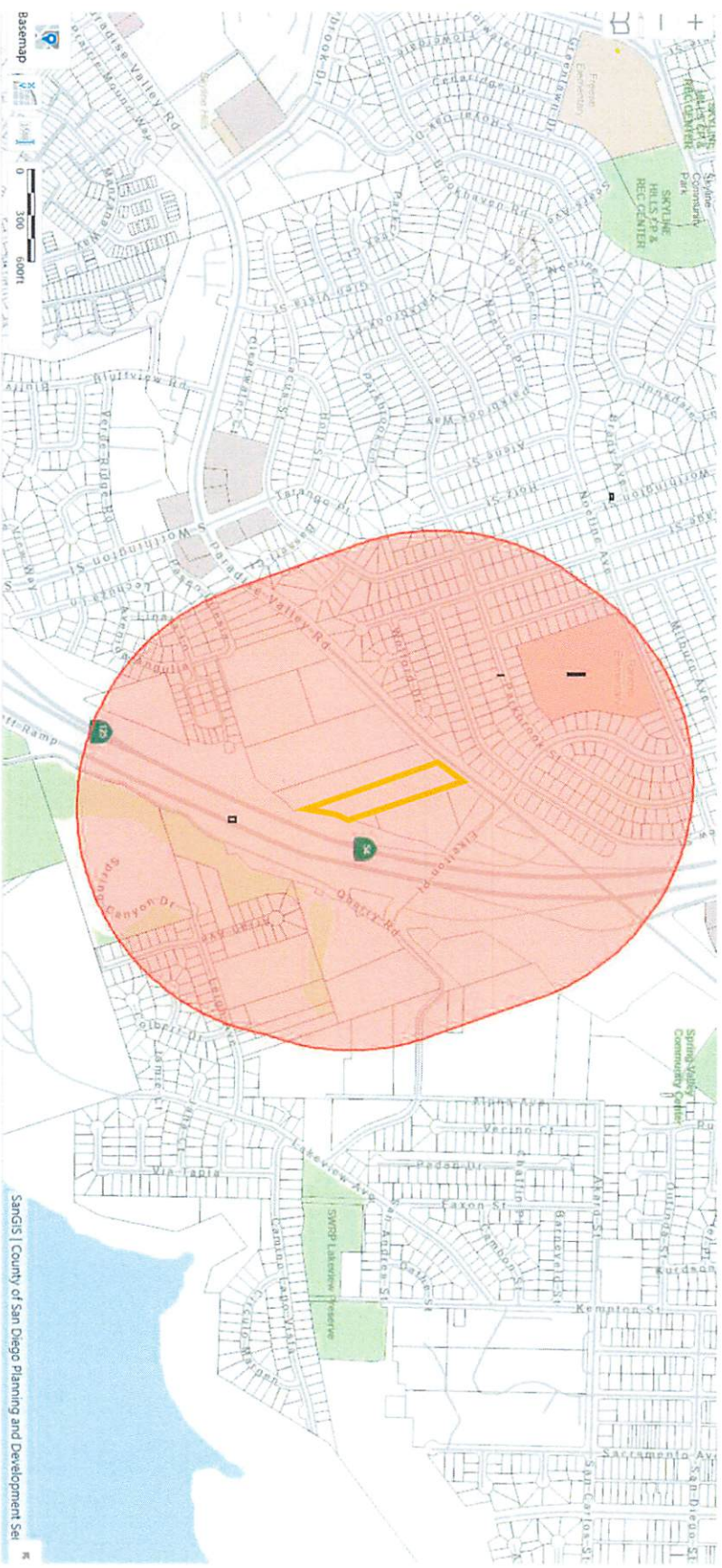


Site Photos

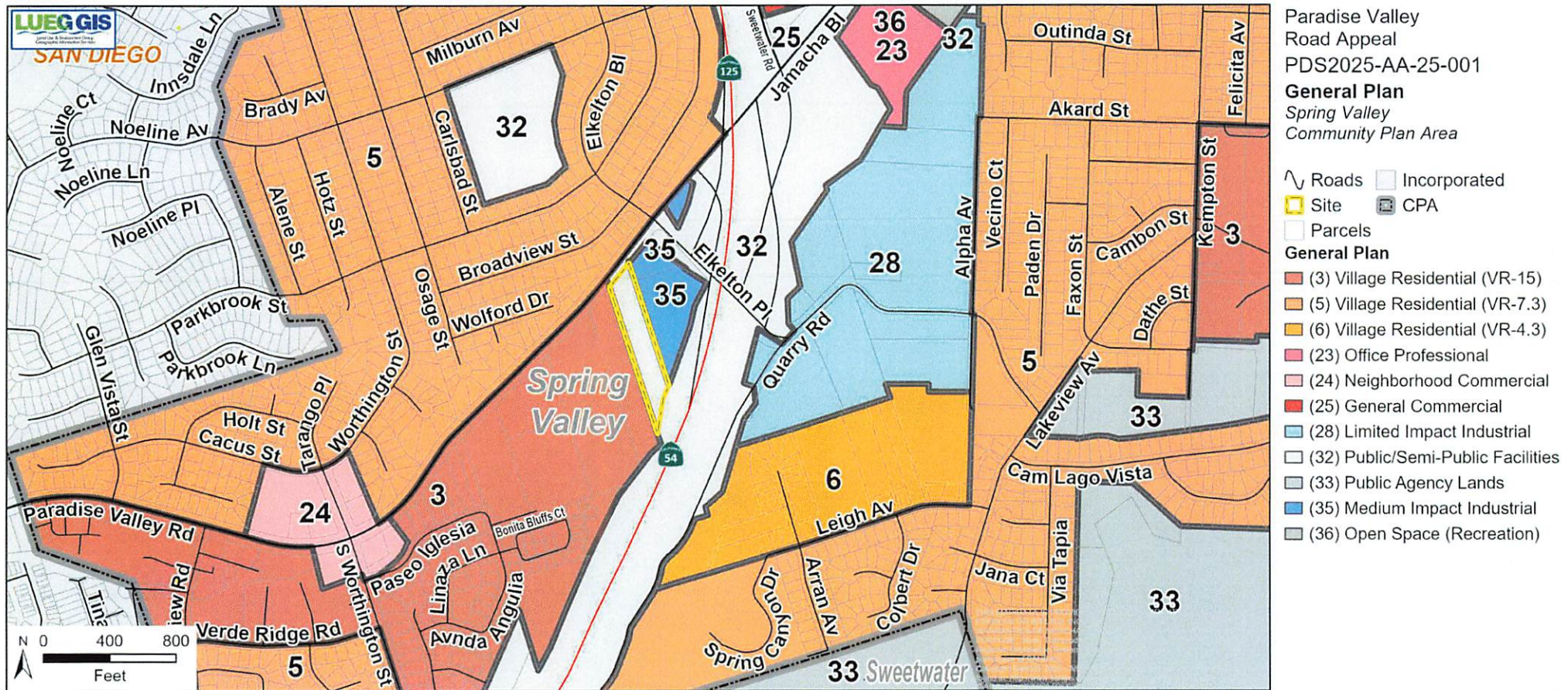
Project Site (South)



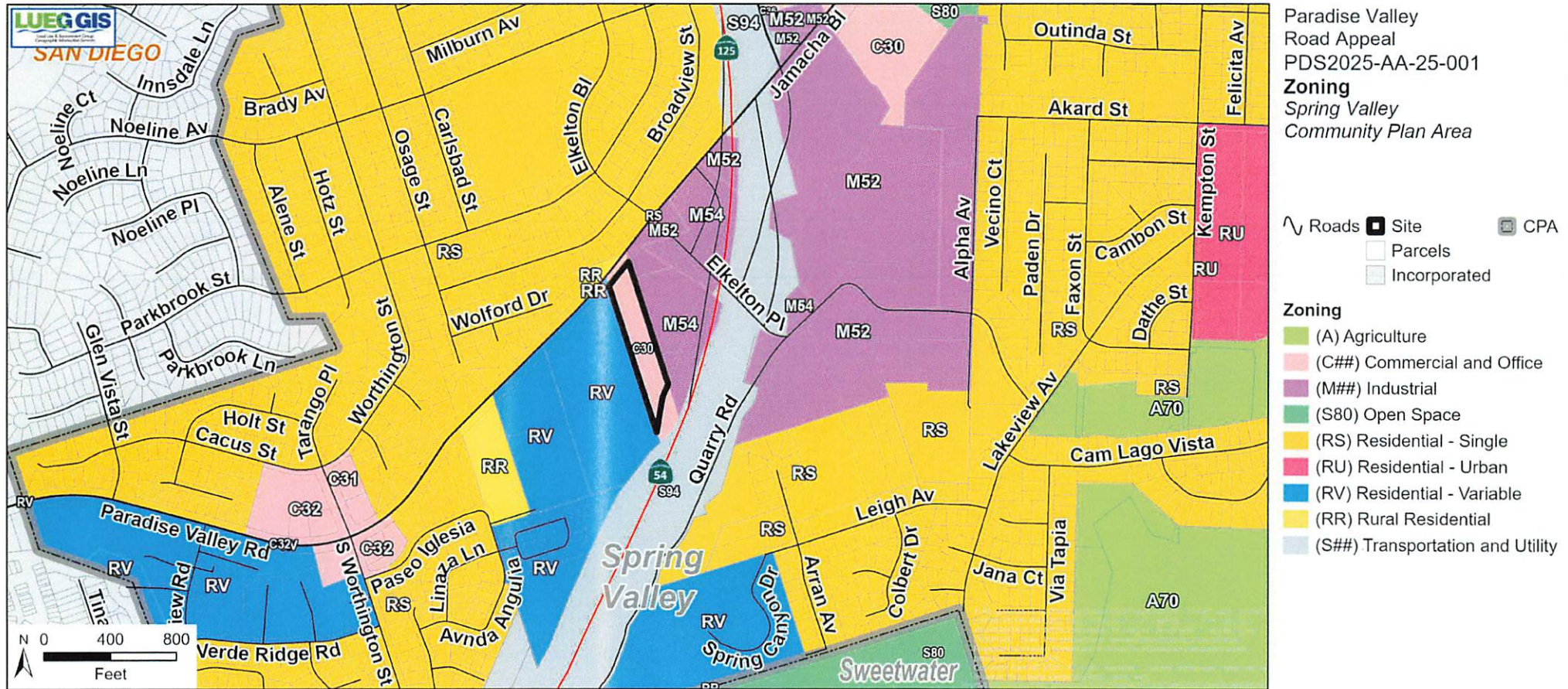
Public Notification: 1,500-foot Buffer



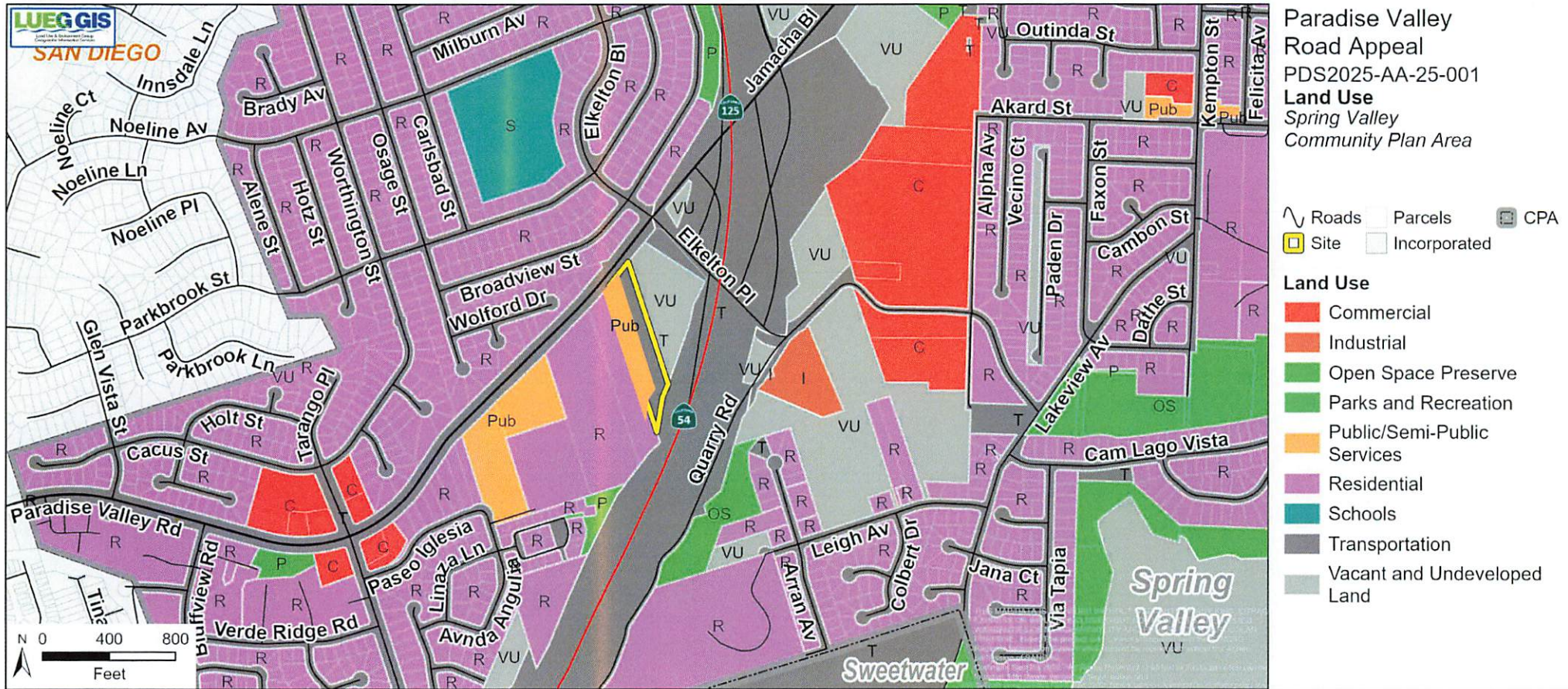
Land Use Map



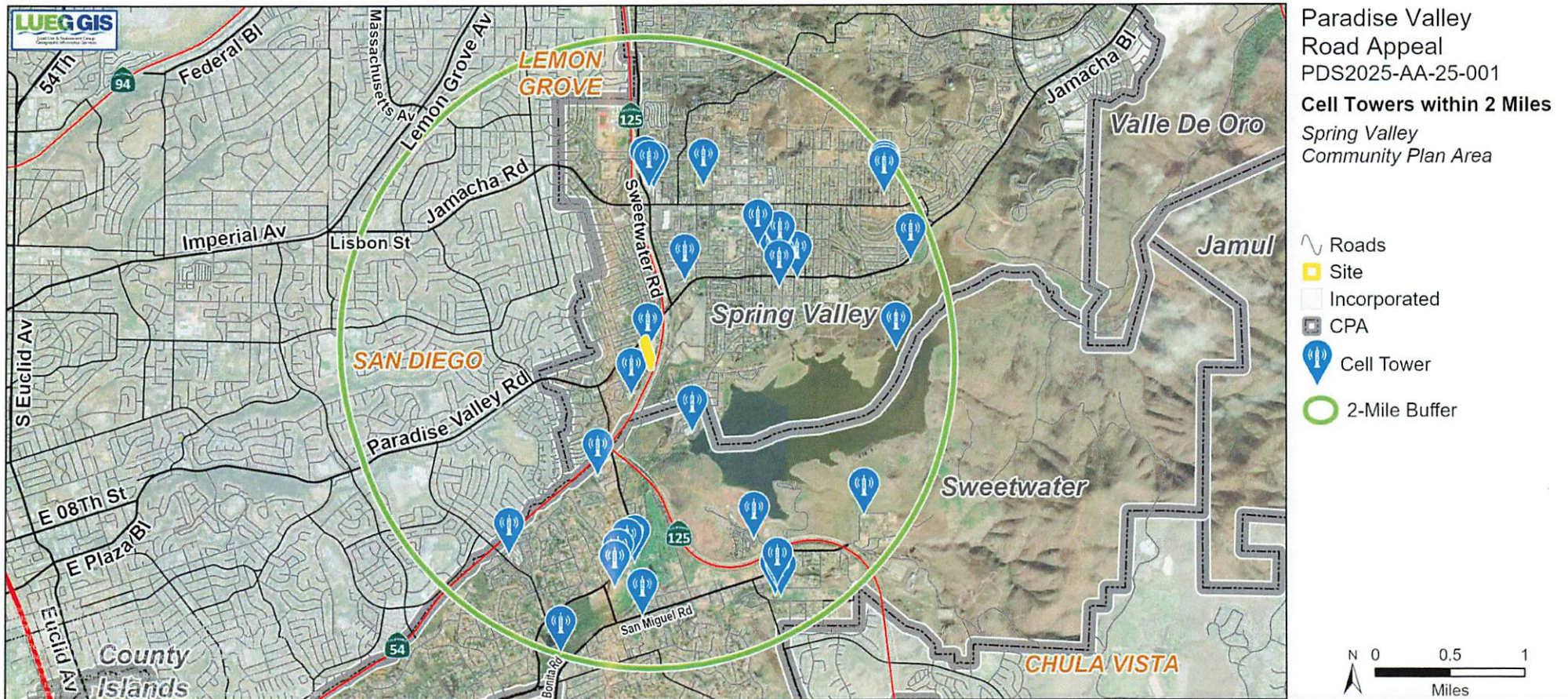
Zoning Map



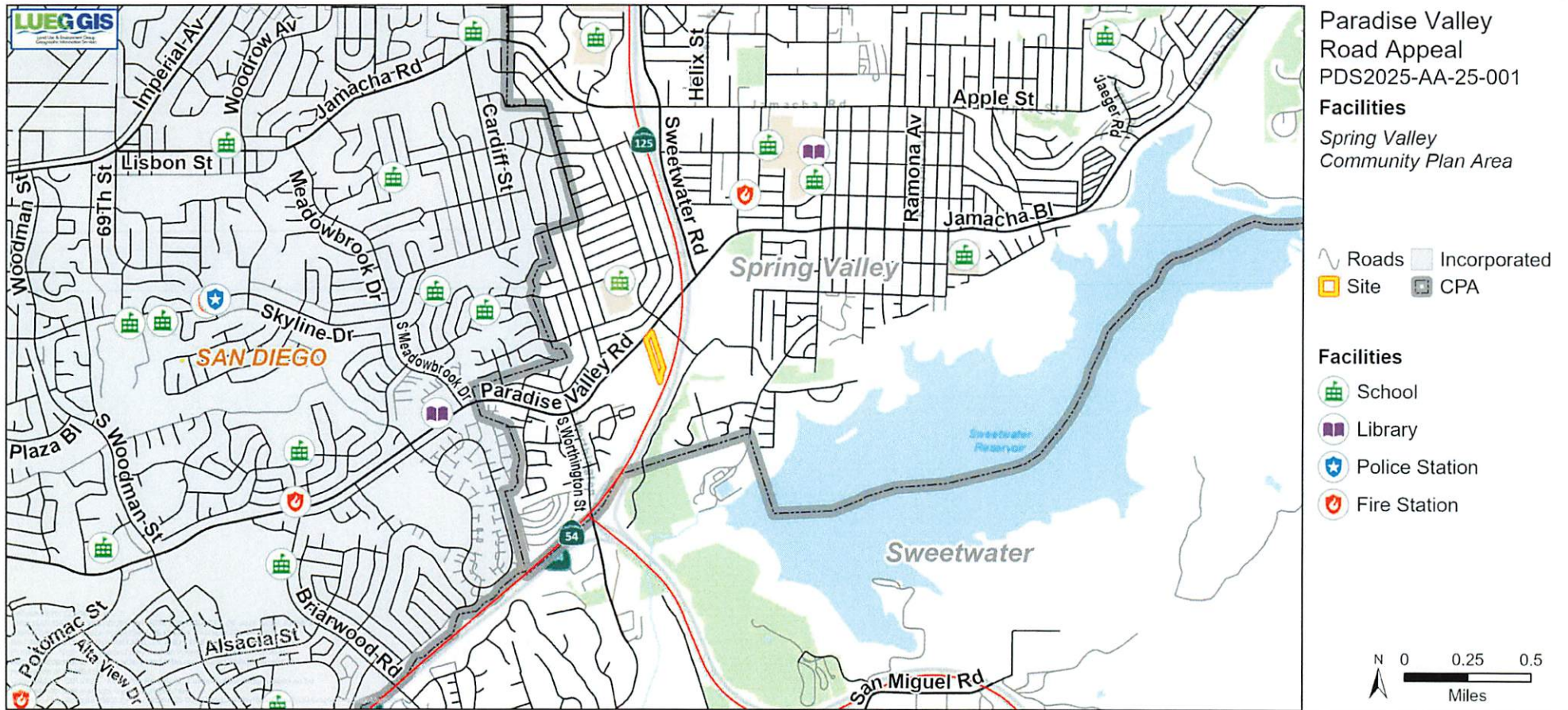
Land Use



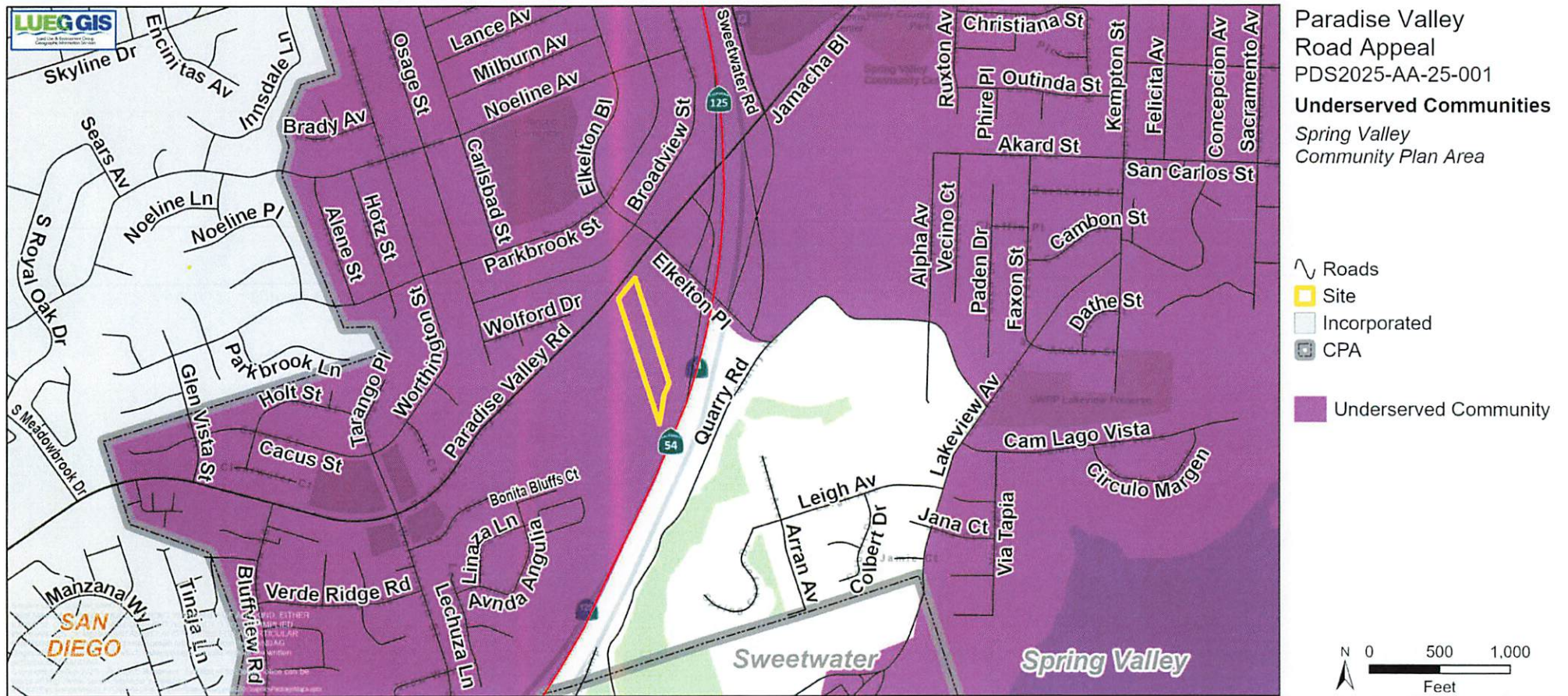
Cell Towers within 2 Miles



Facilities



Underserved Communities



Aerial Map

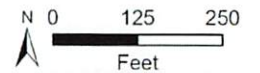


Paradise Valley
Road Appeal
PDS2025-AA-25-001

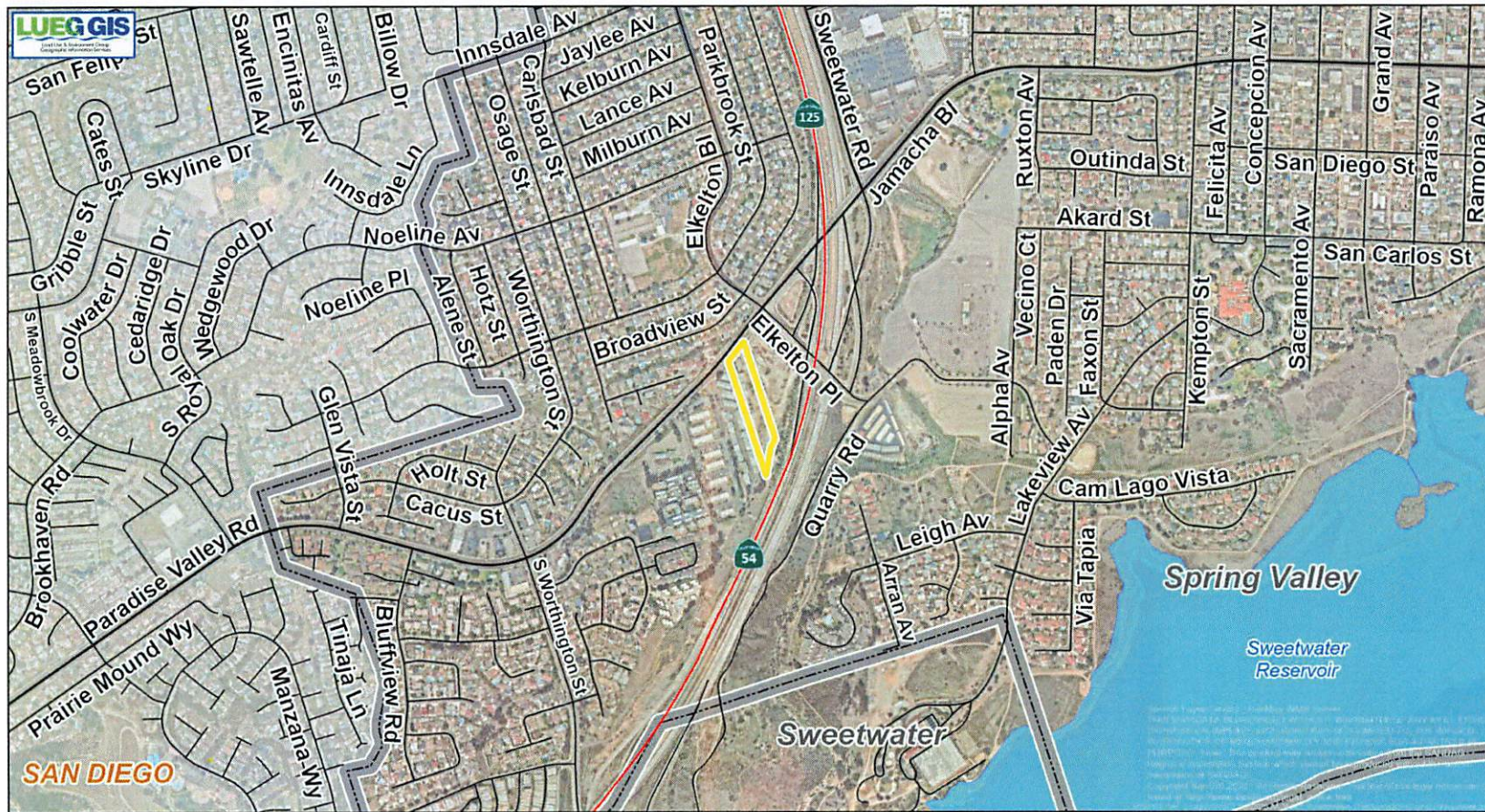
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Aerial Map



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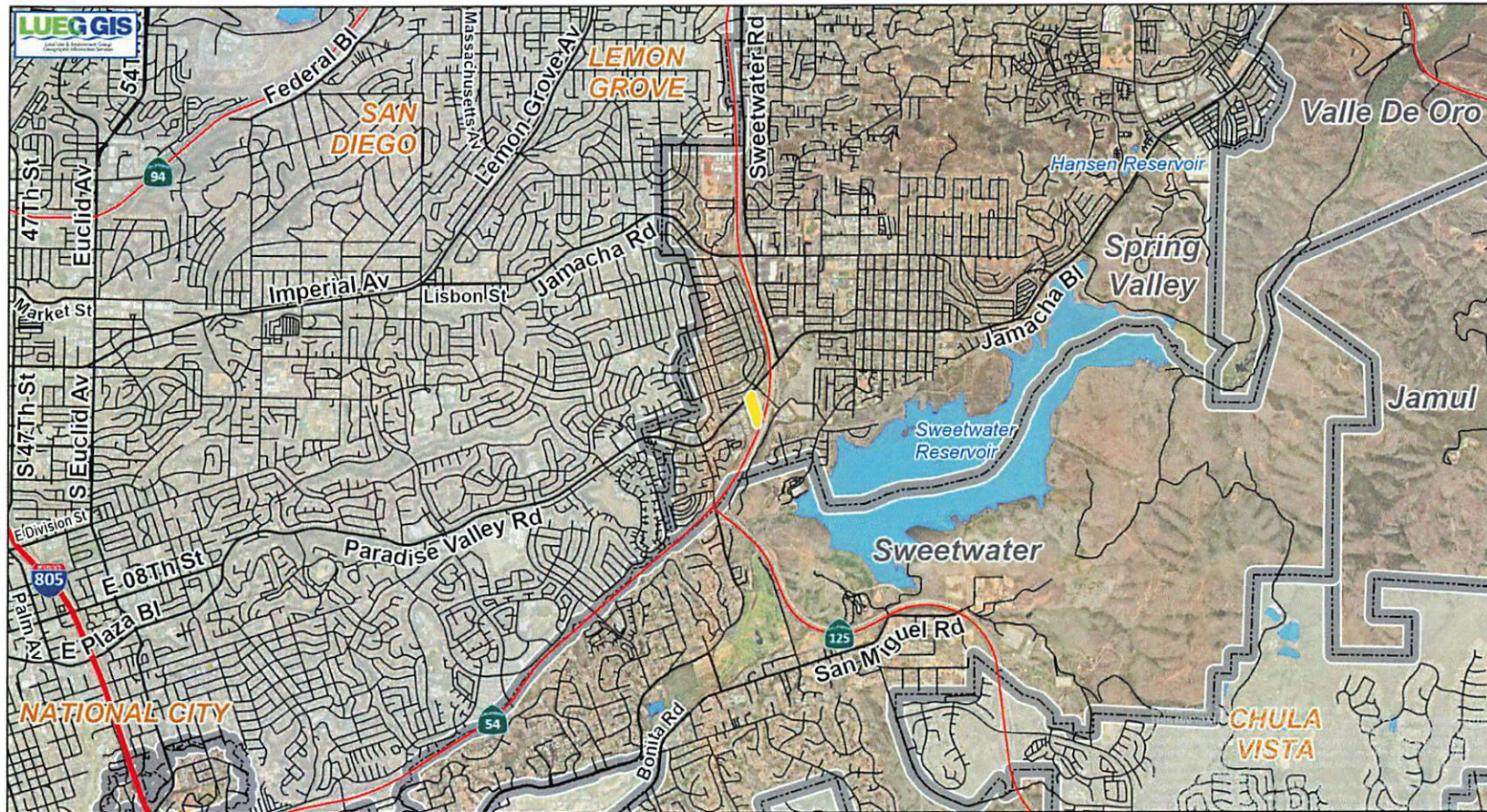
■ Incorporated

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Aerial Map



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Miles

OFFICIAL RECORD
Clerk of the Board of Supervisors
County of San Diego

Exhibit No. A

Meeting Date: 6/25/2025 Agenda No. 10

Presented by: John, Brian and Antoinette

**COUNTY OF SAN DIEGO BOARD OF
SUPERVISORS**

AGENDA ITEM #10. NOTICED PUBLIC HEARING:

**APPEAL OF PARADISE VALLEY ROAD WIRELESS
TELECOMMUNICATION
FACILITY MAJOR USE PERMIT AND CEQA
EXEMPTION**

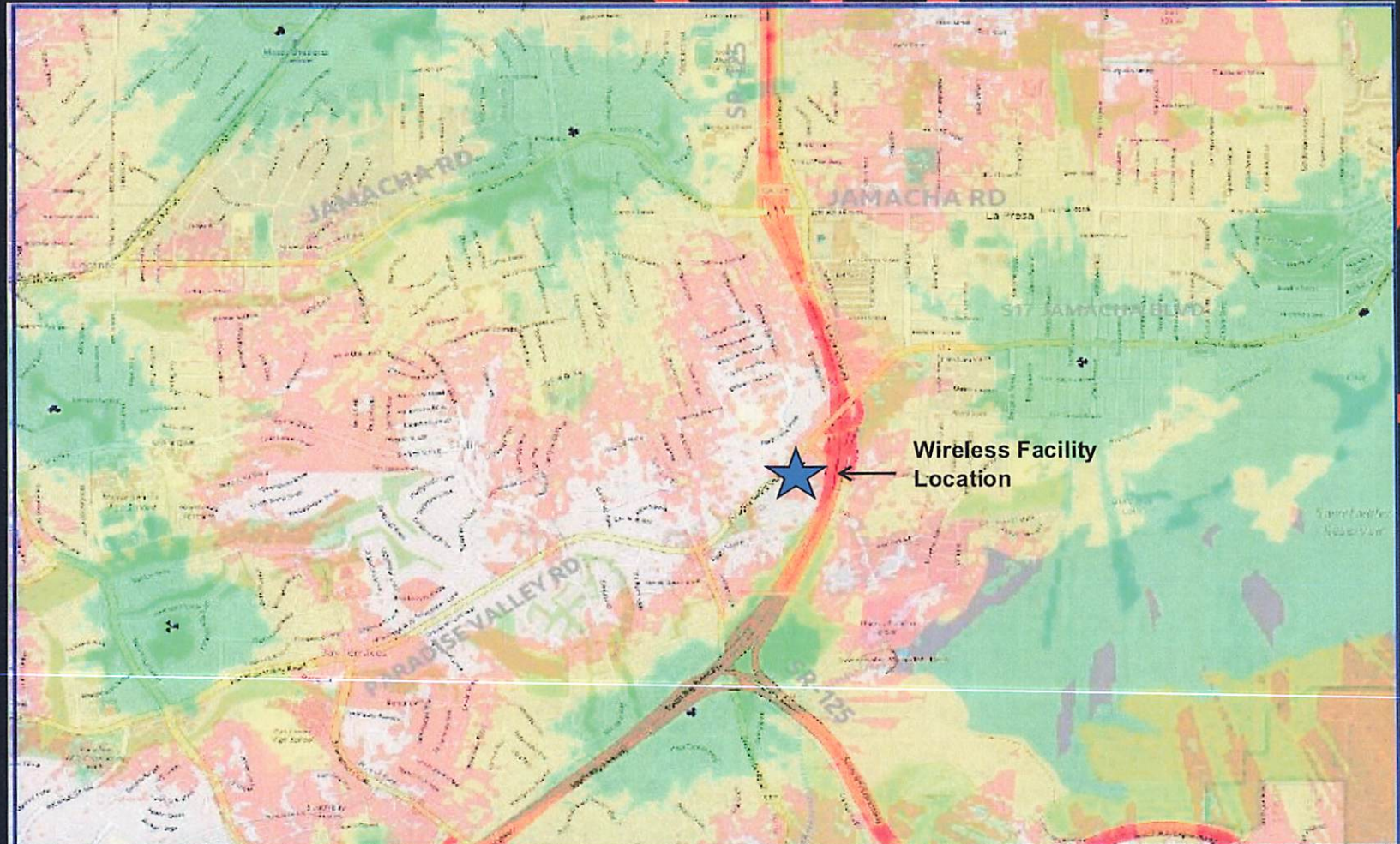
MD7



JUNE 2025

Existing Coverage

Green: Excellent
Yellow: Fair
Red: Poor
White: No Coverage

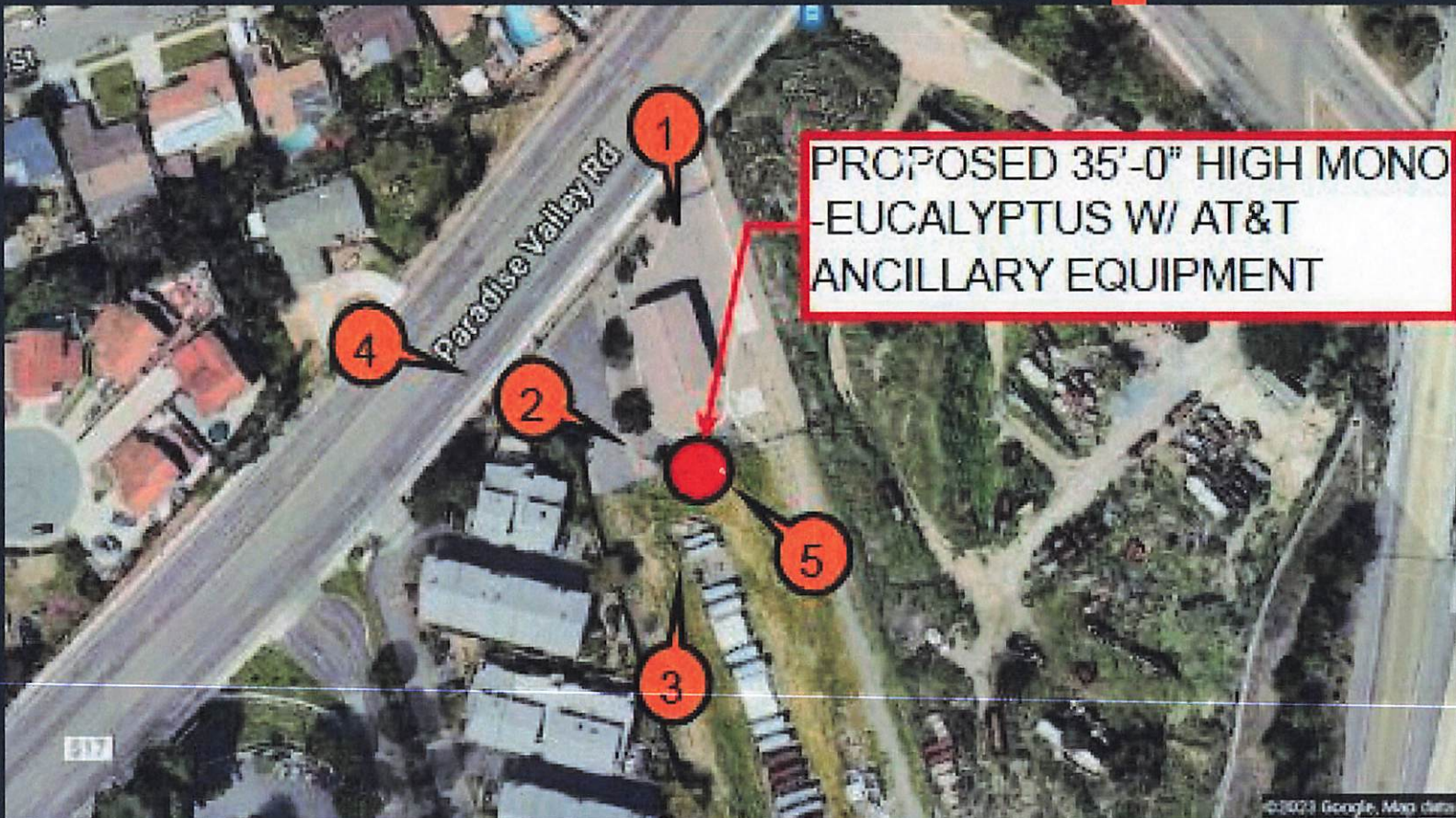


Proposed Coverage

Green: Excellent
Yellow: Fair
Red: Poor
White: No Coverage



Photo Simulations



View 1 - Looking North from Paradise Valley Rd



VIEW: BEFORE



VIEW: AFTER

View 2 - Looking Northwest from Paradise Valley Rd



VIEW: BEFORE

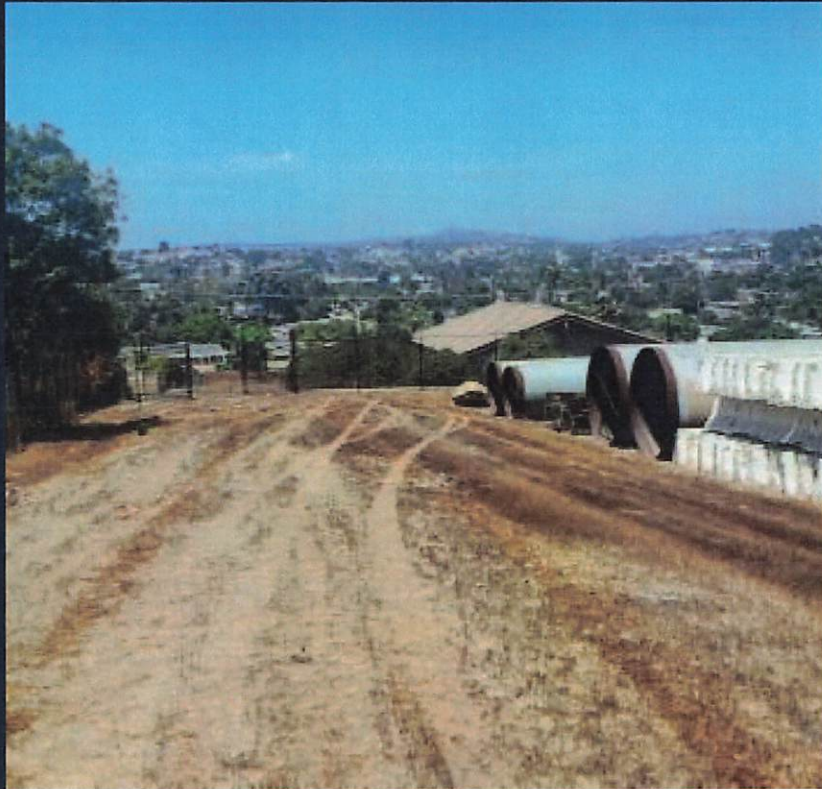


PROPOSED 35'-0" HIGH
MONO-EUCALYPTUS W/
ANCILLARY EQUIPMENT

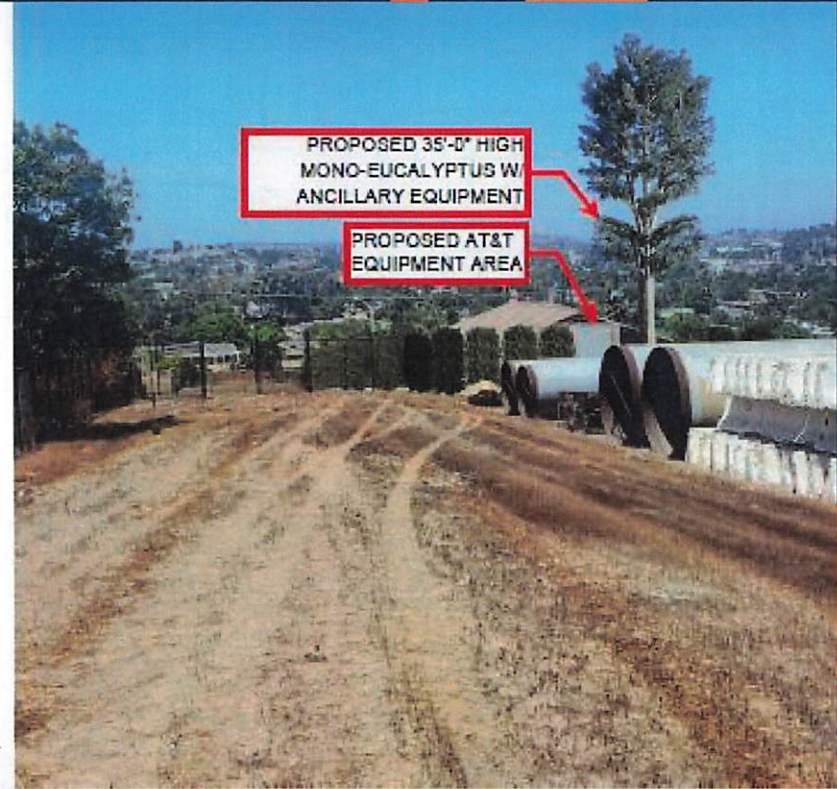
PROPOSED AT&T
EQUIPMENT AREA

VIEW: AFTER

View 3 - Looking South Toward Paradise Valley Rd



VIEW: BEFORE



VIEW: AFTER

View 4 - Looking North from Paradise Valley Rd



VIEW: BEFORE

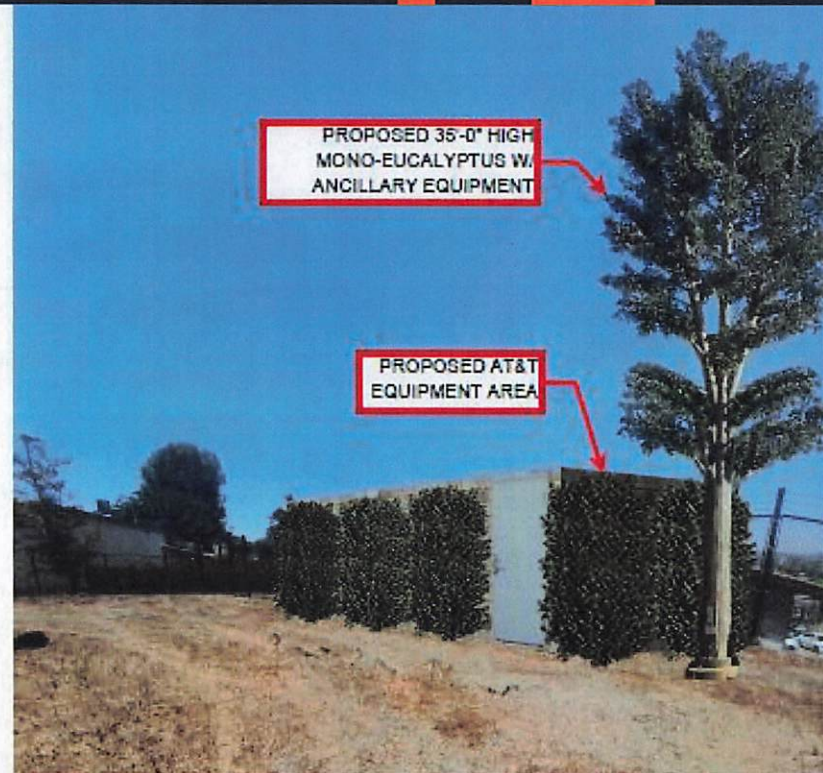


VIEW: AFTER

View 5 - Looking Southwest toward Paradise Valley Rd



VIEW: BEFORE



VIEW: AFTER

Alternative Sites Considered

Alternative locations were thoroughly evaluated; the three alternative sites identified that would meet coverage objectives did not meet the necessary criteria outlined in the County's Zoning Ordinance or General Plan. These sites fell short for several reasons, including zoning preferences, land use compatibility, and the County's concealment standards for wireless facilities. As a result, they were not viable options for this project.

- 487 Sweetwater Road
- 6377 Quarry Road
- 8475 Avenida Anguilla

Responding to Concerns from Residents



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Thank You