

Report to the Hearing Officer

DATE ISSUED: July 8, 2020 REPORT NO. HO-20-035

HEARING DATE: July 15, 2020

SUBJECT: VERIZON MICRO HEIGHTS. PROCESS THREE DECISION

PROJECT NUMBER: <u>645765</u>

OWNER/APPLICANT: City of San Diego/Verizon Wireless

SUMMARY

<u>Issue</u>: Should the Hearing Officer approve a Wireless Communication Facility (WCF) in the 2200 block of Del Mar Heights Road between Crest Way and Mar Scenic Drive in the Public Right-of-Way within the Torrey Pines Community Planning area?

Staff Recommendation: Approve Conditional Use Permit (CUP) No. 2364615

<u>Community Planning Group Recommendation</u>: On June 11, 2020, the Torrey Pines Community Planning Group voted 8-0-0 with recommended conditions (Attachment 11).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the <u>California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities)</u>. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 19, 2020 and the opportunity to appeal that determination ended July 3, 2020.

BACKGROUND

Verizon is proposing to maintain an existing Wireless Communication Facility (WCF) located on the 2200 block of Del Mar Heights north side of Del Mar Heights Road between Crest Way and Mar Scenic Drive in the OP-2-1 zone of the Torrey Pines Community Planning Area. Land uses surrounding the project site include single-unit residential to the east, south and east with open space immediately adjacent to the north (Attachments 1, 2, and 3).

<u>Council Policy 600-43</u> assigns preference levels to WCFs proposed on different land uses. Since the WCF is located within the Public Right-Of-Way (PROW), it is identified as a Preference 1 location. This is considered the most preferred location and applicants are strongly encouraged to site a facility in the PROW before pursuing a Preference 2 Location. The WCF consists of three panel antennas

mounted on top of a 26-foot, one-inch City light pole. The only modification proposed with this project is the addition of chin straps on the bottom of the antennas to conceal the existing coax cables. The connections to and from the antennas in addition to the mounting apparatus are concealed within the pole minimizing all visual impacts. The associated equipment is located on the ground below the pole and consists of an existing micro cabinet, a power meter pedestal, and a transformer. The WCF was originally approved by the Hearing Officer on December 9, 2009 under Conditional Use Permit No. 173182. The approval included a ten-year expiration date. This condition is consistently applied to all wireless facilities that are not completely concealed and integrated as defined in the WCF Design Guidelines. The purpose and intent of this condition is to allow the City to analyze the WCF design with the current surrounding development in addition to upgrading the WCFs to address any advancements in designs and innovations.

The City does not have a procedure to renew permits, instead, applicants are required to submit new applications for expiring permits. Additionally, the project as a whole shall be reviewed in accordance with the current regulations, City policies, General Plan, and the WCF Design Guidelines. Normally, WCFs located within a Preference 1 location will result in a Process 1 staff-level decision. However, this only applies for WCFs located in the PROW and attached on an existing vertical structure (City-standard light standard, SDG&E utility pole, etc.). According to the current regulations and pursuant to Land Development Code Section 141.0420(c)(B), the project as designed requires a Conditional Use Permit, Process Three, Hearing Officer decision as the project is in the PROW with ground-mounted equipment other than a pole to which the wireless communication facilities are attached.

DISCUSSION

Project Description:

The project proposes the continued operation of a Verizon WCF consisting of three panel antennas mounted on an existing light pole with the addition of chin straps to conceal the coax at the bottom of the antennas. The associated equipment is located on the ground and consists of a micro cabinet, a power meter pedestal, and a transformer (Figure 1). The project as designed, complies with San Diego Municipal Code (SDMC) Section 141.0420(f) This section states, "The applicant shall use all reasonable means to conceal or minimize the visual impacts of the wireless communication facilities through integration. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." Landscaping will help screen the above ground equipment, which will be painted to blend with the landscape. Additionally, the antennas have been designed to extend no further than six inches from the light standard pole to help minimize bulk and visual impact. The antennas are painted to match the aggregate finish to match the pole





Figure 1: Existing site and Photo Simulation of Proposed project

Community/General Plan Analysis

The Torrey Pines Community Plan does not address WCFs as a specific land use. However, the City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities inside existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities shall be concealed from view.

Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones citywide with the appropriate permit process. Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. The intent of the regulations is to camouflage facilities from public view. The panel antennas are mounted at the top of the pole and are painted to match the concrete aggregate light standard. The cabinets will be painted to blend in with the landscape area to help minimize potential visual impacts. The addition of chin straps to the bottom of the antennas will conceal the coax cables and present a cleaner appearance of the overall pole.

Pursuant to SDMC Section 141.0420(c)(1)(B), a CUP is required for a WCF in the Public Right-of-Way when the associated equipment is ground mounted. The antennas are mounted at the top of the pole and installed as close to the pole as possible to replicate the light pole. The light pole is slightly larger in diameter than a typical City light pole in order to accommodate the coax cables.,

The associated equipment cabinets are located at the base of the pole and will be painted to blend with the landscape. The only modification to the WCF will be the addition of chin straps to conceal the coax cables and improve the overall appearance. As a result, the project compiles with SDMC Section 141.0420, and the WCF Design Guidelines, as well as the requirements of the Torrey Pines Community Plan and the City's General Plan. The proposed development would not adversely affect the Torrey Pines Community Plan or the City of San Diego General Plan and Progress Guide.

Community Planning Group Recommendation:

permit and 2) Request that applicant paint the equipment cabinets, as well as those next to theirs, a conditions to include 1) the project should include additional landscaping to screen the cabinets to the greatest extent possible and maintain such landscape in a healthy condition for the life of the On June 11, 2020, the Torrey Pines Community Planning Group voted 8-0-0 with recommended dark green color to mitigate for adverse visual impacts of those cabinets

City staff reviewed the recommended conditions and have the following responses:

- Conditions Nos. 16-20 (attachment 6) are included in the CUP to ensure sufficient landscape screening is provided in accordance with Exhibit "A" landscape plan. These are the same landscape requirements approved from CUP No. 623391 (Project No. 173182). $\widehat{}$
- Condition No. 32 requires the painting of the equipment cabinet and pedestal to match the natural vegetation north of the Wireless Communication Facility. 7

ALTERNATIVES

- Approve CUP No. 2364615 with modifications.
- Deny CUP No. 2364615, if the Hearing Officer makes findings based on substantial evidence that the approval is not authorized by state or local zoning law. 7

Respectfully submitted,

Zounes William

William Zounes, Bevelopment Project Manager

Attachments:

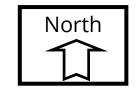
- Project Location Map
- **Aerial Photograph**
- Community Plan Land Use Map
 - Project Data Sheet
- **Draft Resolution with Findings**
- **Draft Permit with Conditions**
- Coverage Maps
- Photo survey
- Photo Simulations
- Community Planning Group Recommendation
- **Project Plans**

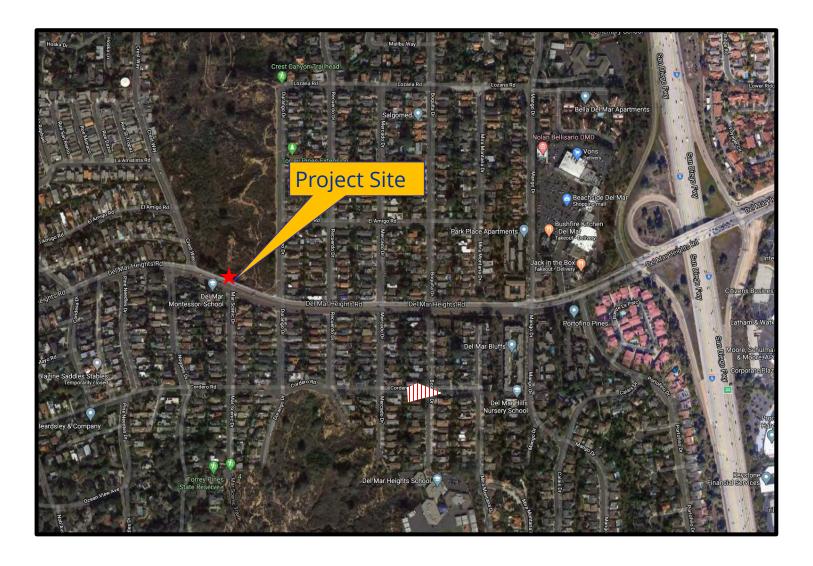


Location Map

<u>Verizon Micro Heights- Project No. 645765</u>

North side of Del Mar Heights Road between Crest Way and Mar Scenic Drive

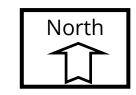


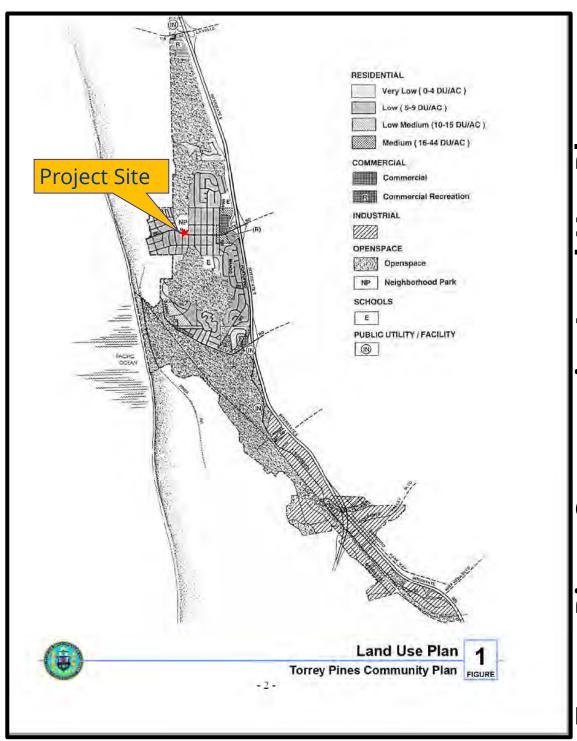




Aerial Photograph

<u>Verison Micro Heights- Project No. 645765</u> North side of Del Mar Heights Road between Crest Way and Mar Scenic Drive







Torrey Pines Community Land Use Plan North side of Del Mar Heights Road between Crest Way and Mar Scenic Drive Verizon Micro Heights- Project No. 645765



		PROJECT DATA SHEET		
PROJECT NAME:		Verizon Micr Heights		
PROJECT DESCRIPTION:		The project proposes the continued operation of a Verizon WCF consisting of three panel antennas mounted on an existing light pole with the addition of chin straps to conceal the coax at the bottom of the antennas.		
COMMUNITY PLAN A	REA:	Torrey Pines		
DISCRETIONARY ACTI	ONS:	Conditional Use Permit		
COMMUNITY PLAN LA	AND USE	Neighborhood Park		
		ZONING INFORMATION:		
ZONE:	OP -2-1			
HEIGHT LIMIT:	30 feet			
LOT SIZE:	N/A			
FLOOR AREA RATIO:	N/A			
FRONT SETBACK:	N/A			
SIDE SETBACK:	N/A			
STREETSIDE SETBACK				
REAR SETBACK:	N/A			
PARKING:	N/A	<u> </u>	<u> </u>	
		LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NO	ORTH:	Open Space/OP-2-1	Vacant Land	
so	UTH:	Residential Low (5-9 DU/AC)/RS-1-6	Single residential dwelling units	
E	AST:	Residential Low (5-9 DU/AC)/RS-1-6	Single residential dwelling units	
W	/EST:	Residential Low (5-9 DU/AC)/RS-1-6	Single residential dwelling units	
DEVIATIONS OR VARI REQUESTED (INCENTI		None		
COMMUNITY PLANNING GROUP RECOMMENDATION:		On June 11, 2020, the Torrey Pines Community Planning Group voted 8-0-0 with recommended conditions.		

HEARING OFFICER RESOLUTION NO. _____ CONDITIONAL USE PERMIT NO. 2364615 VERIZON MICRO HEIGHTS PROJECT NO. 645765

WHEREAS, CITY OF SAN DIEGO, Owner, and VERIZON WIRELESS, Permittee, filed an application with the City of San Diego for a permit for a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2364615);

WHEREAS, the project site is located within City of San Diego Public Right-of-Way on the north side of Del Mar Heights Road between Crest Way and Mar Scenic Drive in the OP-2-1 zone of the Torrey Pines Community Planning Area;

WHEREAS, the project site is legally described as Right-of-Way owned by the City of San Diego in the 2200 block of Del Mar Heights Road;

WHEREAS, on June 19, 2020 the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines Section 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on July 15, 2020, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2364615 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2364615:

A. Conditional Use Permit SDMC Section 126.0305

1. Findings for all Conditional Use Permits:

a. The proposed development will not adversely affect the applicable land use plan.

The project proposes the continued use of a Verizon Wireless Communication Facility (WCF) consisting of three panel antennas mounted on top of a 30-foot City light pole. The only modification proposed with this project is the addition of chin straps on the bottom of the antennas to conceal the existing coax cables. The connections to and from the antennas in addition to the mounting apparatus are concealed within the pole minimizing all visual impacts. The associated equipment is located on the ground below the pole and consists of an existing micro cabinet, a power meter pedestal, and a transformer. The project is located within the City of San Diego Public Right-of-Way on the north side of Del Mar Heights Road at the intersection of Mar Scenic Drive in the OP-2-1 zone of the Torrey Pines Community Planning Area. The existing WCF was originally approved by the Hearing Officer on December 9, 2009. That permit expired on December 9, 2019.

The Torrey Pines Community Plan does not address WCFs as a specific land use. However, the City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities inside existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities shall be concealed from view.

Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones citywide with the appropriate permit process. Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. The intent of the regulations is to camouflage facilities from public view. The panel antennas are mounted at the top of the pole and are painted to match the concrete aggregate light standard. The cabinets will be painted to blend in with the landscape area to help minimize potential visual impacts. The addition of chin straps to the bottom of the antennas will conceal the coax cables and present a cleaner appearance of the overall pole.

Pursuant to Land Development Code (LDC) Section 141.0420(c)(1)(B) the project consists of a WCF within the PROW with ground-mounted equipment, which requires a Conditional Use Permit (CUP), Process 3, Hearing Officer decision. The project is located on the north side of Del Mar Heights Road between Crest Way and Durango Drive. Crest Canyon is immediately adjacent to the north. Del Mar Heights Road is a four-lane major and the speed limit is 40 miles per hour. The Verizon light pole is

mid-block between light poles at Crest Way and Durango Drive. The light pole at Durango Drive is a WCF supporting Sprint antennas. As designed, Verizon's light pole is intended to replicate a typical City light pole, although, it has a slightly larger diameter to accommodate the required cables. The three antennas are located on top of the light pole and the associated equipment is located on the ground at the base of the pole. Existing native landscape provides some screening of the equipment.

As a result, the project compiles with San Diego Municipal Code (SDMC) Section 141.0420, Wireless Communication Facilities, the WCF Design Guidelines, as well as the requirements of the Torrey Pines Community Plan and the City's General Plan. The proposed development would not adversely affect the Torrey Pines Community Plan or the City of San Diego General Plan and Progress Guide.

b. The proposed development will not be detrimental to the public health, safety, and welfare.

The project proposes the continued use of a Verizon Wireless Communication Facility (WCF) consisting of three panel antennas mounted to a City light pole. The only modification proposed with this project is the addition of chin straps to conceal the existing coax cables. The connections to and from the antennas in addition to the mounting apparatus are concealed within the pole minimizing all visual impacts. The associated equipment is located on the ground below the pole and consists of an existing micro cabinet, a power meter pedestal, and a transformer. The project is located within the City of San Diego Public Right-of-Way on the north side of Del Mar Heights Road at the intersection of Mar Scenic Drive in the OP-2-1 zone of the Torrey Pines Community Planning Area. The existing WCF was originally approved by the Hearing Officer on December 9, 2009. That permit expired on December 9, 2019.

The project was determined to be exempt from CEQA pursuant to Section 15301 (Existing Facilities). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare to include but not limited to height limitation, concealment requirements, and electromagnetic fields controls. All proposed improvement plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes.

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions.".

Therefore, the proposed development will not be detrimental to the public health, safety, and welfare

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The existing WCF was previously approved on December 9, 2009 by the Hearing Officer. The project site is located within the OP-2-1 zone of the Torrey Pines Community Planning Area. The project meets all applicable requirements of this zone. The WCF Regulations (LDC Section 141.0420) contain design requirements for Wireless Communication Facilities (WCF), which include the requirement to utilize the smallest, least visually intrusive antennas, components and other necessary equipment and to use all reasonable means to conceal or minimize the visual impacts of the wireless communication facilities through integration. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape and siting solutions.

Verizon's design uses all reasonable means to minimize the WCF by limiting the project to three antennas on top of the light structure. The light pole is intended to replicate a standard city light pole, but is slightly larger in diameter to accommodate the required cables, associated components and reduce potential visual impacts. The light pole is painted to match the aggregate of typical city light poles. The associated equipment is located on the ground below the pole and above grade and consists of an existing micro cabinet, a power meter pedestal, and a transformer.

The project is an existing WCF facility integrated with an existing light pole which has become part of the streetscape since 2009. The antennas are painted to match the concrete aggregate light standard. The associated equipment is installed inside the above ground cabinets, adjacent to Crest Canyon. These cabinets are painted to blend in with the native landscape and to help minimize potential visual impacts to the surrounding area. To further improve appearance of the WCF, chin straps will be installed to conceal the cables at the base of the antennas. The addition of chin straps will make the light pole more consistent with the current Wireless Guidelines and increase concealment. The existing location was the preferred location from the Torrey Pines Community Planning Group as the site provides service to the surrounding residential development and Del Mar Heights Road. If the antennas were lowered below the top of the pole, there is the possibility that a significant coverage impact could occur. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

d. The proposed use is appropriate at the proposed location.

The City of San Diego encourages wireless carriers to locate on non-residential properties. In this case, the search ring is completely residential, with the exception of Crest Canyon open space, which is why Verizon originally selected this location. The panel antennas located on top of the streetlight pole are painted to match the concrete aggregate light standard with minimal airspace between the antennas and the pole. Additionally, the project proposes chin straps to conceal existing coax cables.

Verizon is proposing to maintain the WCF on the north side Del Mar Heights Road at the intersection of Mar Scenic Drive within the public right-of-way. A site justification analysis was prepared by Verizon demonstrating a need for this WCF. According to the justification analysis, without the existing coverage footprint from the existing WCF the loss of the coverage could result in significant impacts to those living, working, and traveling through the surrounding area. Additionally, a loss of service could possibly have a significant impact on customers' essential communications services. Originally, Verizon's preferred WCF locations were adjacent to single family residences, but after discussing the location with the community, Verizon agreed to move to the current location, adjacent to open space. The WCF is appropriately designed at the location and integrates as a functional streetlight standard that is larger in diameter than standard light poles but designed to replicate a city light pole with both the height and the type of pole.

The design is consistent with the City's General Plan for wireless facilities. There are currently no plans to expand and/or further develop this area of the right-of-way. However, a 10-year expiration will be included as a condition of approval to ensure that the design and use is still appropriate at that time. As demonstrated by both Verizon's justification analysis and the design, the existing WCF use is appropriate at the proposed PROW location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 2364615 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2364615 a copy of which is attached hereto and made a part hereof.

William Zounes		

Development Project Manager Development Services

Adopted on: July 15, 2020

IO#: 11003679

RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 11003679 SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2364615 VERIZON MICRO HEIGHTS PROJECT NO. 645765 HEARING OFFICER

This Conditional Use Permit No. 2364615 is granted by the Hearing Officer of the City of San Diego to, CITY OF SAN DIEGO, Owner, and VERIZON WIRELESS, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0303. The project site is located within the City of San Diego Public Right-of-Way on the north side of Del Mar Heights Road between Crest Way and Mar Scenic Drive in the OP-2-1 zone of the Torrey Pines Community Planning Area.

Subject to the terms and conditions set forth in this Permit, permission is granted to Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 15, 2020, on file in the Development Services Department.

The project shall include:

- a. An existing 30-foot tall City light pole supporting three panel antennas and the addition of chin straps. The associated equipment consists of a ground-mounted micro cabinet, a power meter pedestal, and a transformer as illustrated in the approved 'Exhibit A' dated July 15, 2020.
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized July 29, 2023.
- 2. The above utilization date notwithstanding, the granting of this discretionary permit does not entitle the continued operation of the existing, expired facility. Within 60 days of permit approval, applications must be made for all required construction permits. Within 90 days of application, all required construction permits must be issued. Within 90 days of permit issuance, final inspection must be obtained.
- 3. This permit and corresponding use of this site shall expire on July 29, 2030. Upon expiration of this approval, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
- 4. No later than ninety (90) days prior to the expiration of this approval, the Permittee may submit a new application to the Development Services Department for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.
- 5. Under no circumstances, does approval of this permit authorize the Permittee to utilize this site for WCF purposes beyond the permit expiration date. Use of this permit approval beyond the expiration date of this permit is prohibited.
- 6. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 7. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
- 8. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Permittee and any successor(s) in interest.

- 9. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 10. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 11. The Permittee shall secure all necessary building permits. The Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 12. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 13. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

14. The Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement

or other disposition of the matter. However, the Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Permittee.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any construction permit, the Permittee shall obtain a Public Right-of-Way Permit for the construction of facilities in Del Mar Heights Road, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

- 16. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval.
- 17. The Owner/Permittee shall install all required landscape under CUP No. 2364615 (Project No. 645765) prior to Final Inspection.
- 18. The Owner/Permittee shall be responsible for a Maintenance and Monitoring period that ensures plant material establishment through supplemental irrigation for the first 25 months and no supplemental irrigation for an additional 11 months, for a total of 36 months of Maintenance and Monitoring.
- 19. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.
- 20. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

- 21. Every aspect of this project is considered an element of concealment including but not limited to the dimensions, bulk and scale, color, materials and texture. Any future modifications to this permit must not defeat concealment.
- 22. No exposed cabling is permitted.
- 23. The WCF shall conform to the approved exhibits.

- 24. The Permittee shall install and maintain appropriate warning signage on the WCF as required by State and Federal regulations. The Permittee shall be responsible for complying with all State and Federal regulations.
- 25. The accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation. If requested by the City, Permittee shall provide an updated RF Compliance Report to address any issues associated with the emitting components of the WCF.
- 26. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
- 27. All facilities and related equipment shall be maintained in good working order. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.
- 28. The Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational, in which case, the removal and the restoration of this site to its original condition is required.
- 29. A total of three (3) wireless communication antennas (55" length) with chin straps shall be maintained on the exterior of a 12-inch diameter concrete aggregate light standard located at the intersection of Del Mar Heights Road and Mar Scenic Drive as illustrated in the approve Exhibit "A". The antennas and chin straps shall be painted to match the light standard.
- 30. Neither the antennas, not its components shall exceed above the 30-foot Coastal Height Limit.
- 31. Final inspection shall not be granted until the final product conforms to the stamped approved plans and approved photo simulation(s).
- 32. Within 60-days of the approval of the Conditional Use Permit, the Permittee shall paint the Verizon equipment cabinet and meter pedestal matching the native vegetation north of the Wireless Communication Facility.

INFORMATION ONLY:

- Please note that a Telecom Planning Inspection Issue will be placed on the project prior to
 Final Clearance from the City's Building Inspector to ensure compliance with the approved
 plans and associated conditions. Prior to calling for your Final Inspection from your building
 inspection official, please contact the Project Manager listed below at (619) 687-5942 to
 schedule an inspection of the completed facility. Please schedule this administrative inspection
 at least five working days ahead of the requested Final Inspection date.
- The issuance of this development permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this

discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on July 15, 2020.



Permit Type/PTS Approval No.: CUP No. 2364615 Date of Approval: July 15, 2020

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

William Zounes

Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

City of San Diego

Owner

By

Print Name: Cybele L. Thompson, RPA, FMA,

CCIM, LEED AP

Print Title: Director, Real Estate Assets

[Verizon Wireless]

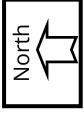
Permittee

By _____

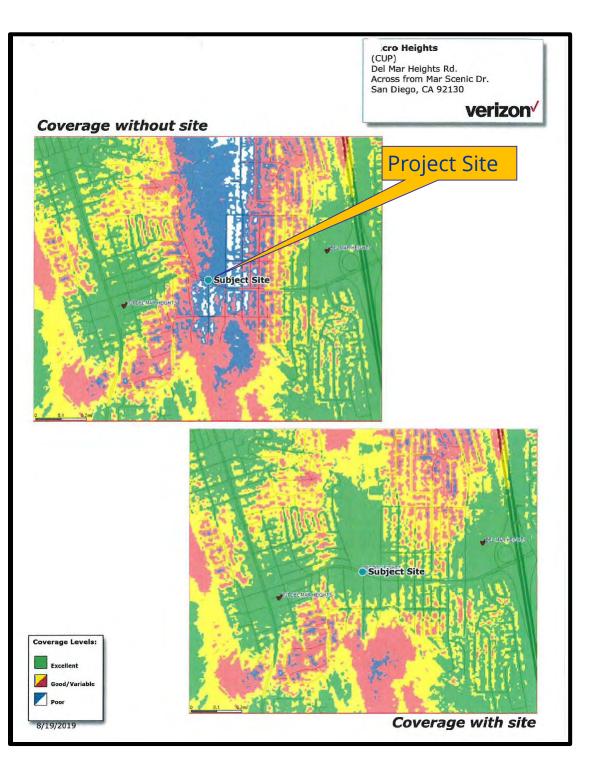
Print Name:

Print Title:

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.







<u>Verizon Micro Heights- Project No. 645765</u> North side of Del Mar Heights Road between Crest Way and Mar Scenic Drive Coverage Map







Photo Survey



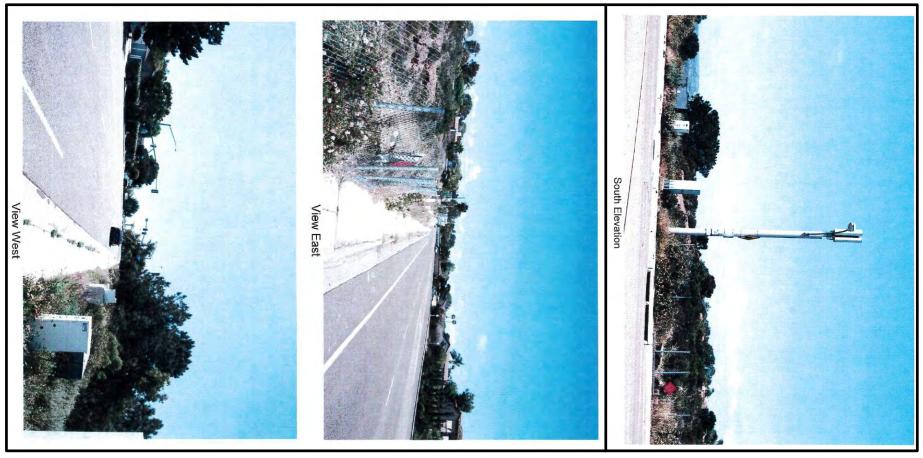


Photo Survey





Photo Survey

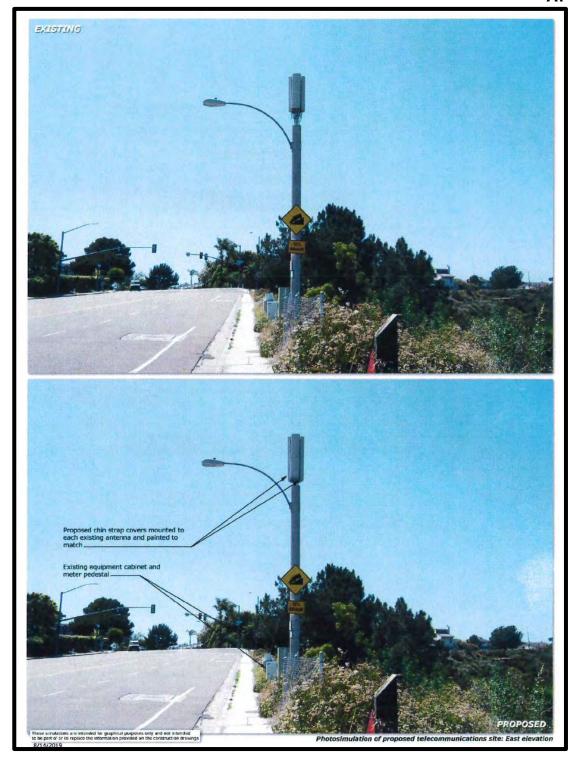


Photo Simulation

<u>Verizon Micro Heights- Project No. 645765</u> North side of Del Mar Heights Road between Crest Way and Mar Scenic Drive





Photo Simulation

<u>Verizon Micro Heights- Project No. 645765</u> North side of Del Mar Heights Road between Crest Way and Mar Scenic Drive



City of San Diego Development Services 1222 First Ave., MS-302 San Diego. CA 92101

Community Planning Committee Distribution Form Part 2

San Diego, CA 92101		4.00 A. Carlo	wit 2
Project Name: Verizon Micro Heights CUP/PDP	Project Nui 645765		istribution Date: 2/10/2019
Project Scope/Location: TORREY PINES - Process Four - CUP and PDP to allow standard pole. Three antennas mounted to a light po add "chin straps" to antennas to hide cables. PROW of Mar Scenic Drive (32,949277, -117,254331) OP-2-1 zool Limitation Overlay Zone, Torrey Pines Community Plants	le, with ground-mo on north side of Del ne. Coastal Zone (N	unted equipment. Mar Heights Road	No changes except to between Crest Way and
Applicant Name: Shelly Kilbourn		hone Number: 885	A.
Project Manager: Nathan White	Phone Nun 619.446.54	nber: E 181 n	mail Address: gwhite@sandiego.gov
Committee Recommendations (to be completed)			
Vote to Approve	Members Yes	Members No	Members Abstain
☐ Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
☐ Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
☐ Vote to Deny	Members Yes	Members No	Members Abstain
No Action (Please specify, e.g., Need further information, Split	vote, <u>Lack of quorun</u>], etc.)	☐ Continued
CONDITIONS CUMP TO PERSONAL PROPERTY OF SHOW.	The Hon	tellant	At
SIGNATURE TO VAN HOVST	DATE:	19.18 120/000	
Attach Additional Pages if Necessary.	City of San	nagement Divis Diego	
	1222 First / San Diego,	ent Services Der Avenue, MS 302 CA 92101	A Section 1

Subject: Fwd: PRC Meeting Resolution **From:** Troy <troyvhdmv@gmail.com>

Date: 6/10/2020, 6:56 PM

To: Adam Gevanthor <adampublic@graphicaccess.com>

these are the exceptions right?

thanks

Verizon: approved unanimously subject to the following:

The collection of utility cabinets combines such that they are cumulatively considerable in the way that they impact views towards Crest Canyon. These impacts are significant and adverse.

Request that the applicant add additional landscaping to screen the cabinets to the greatest extent possible and maintain such landscape in a healthy condition for the life of the permit. We request that the applicant plant additional shrubs around cabinets to mitigate for visual impacts from DM Heights Road.

Request that applicant paint their cabinets, as well as those next to theirs, a dark green color to mitigate for adverse visual impacts of those cabinets.

Request that City stop approving the placement of above surface utility cabinets within the row adjacent our open space resource areas (identified in our community plan as areas worthy of preservation),

------ Forwarded Message ------

Subject:PRC Meeting Resolution

Date: Fri, 8 May 2020 03:14:31 +0000

From:adampublic@graphicaccess.com <adampublic@graphicaccess.com>

To: Daniel Jensvold <a href="mailto:baselensvold@gmailto:baselensvold@gmailto:baselensvold@gmailto:baselensvold@gmailto:ba

Thanks to all for your participation. It ultimately went smoothly and set the groundwork for using Zoom for the Board meetings.

Please let me know if there is anything that should be changed on the following resolutions.

Adam

Brad, Liz, Troy (briefly), Mike H, Adam, Dan,

Verizon: approved unanimously subject to the following:

The collection of utility cabinets combines such that they are cumulatively considerable in the way that they impact views towards Crest Canyon. These impacts are significant and adverse.

1 of 2 6/10/2020, 6:56 PM

ABV.	ABBREVIATION	EQ.	EQUAL	MECH.	MECHANICAL	
AC	ACOUSTIC(AL)	EQUIP.	EQUIPMENT	MET.	METAL	
A/C	AIR CONDITIONING	EXIST.	EXISTING	MIN.	MINIMUM	
ALT.	ALTERNATE	EX.	EXTERIOR	MISC.	MISCELLANEOUS	
ALUM.	ALUMINUM	F.S.	FACE OF STUD	NAT.	NATURAL	
A.B.	ANCHOR BOLT	FIN.	FINISH	N.	NORTH	
APPROX.	APPROXIMATE	FIX.	FIXURE	N.I.C.	NOT IN CONTRACT	1000 1000 1000
ARCH.	ARCHITECT(URAL)	FL.	FLOOR	N.T.S.	NOT TO SCALE	SIT
A.C.	ASPHALTIC CONCRETE	F.L.	FLOW LINE	O.C.	ON CENTER	211
BM.	BEAM	F.D.	FLOOR DRAIN	O.D.	OUTSIDE DIAMETER	
BLK(G)	BLOCKING	FLOUR.	FLOURESCENT	OPNG.	OPENING	
BD.	BOARD	FT./	FOOT PER	OPP.	OPPOSITE	
BOT.	ВОТТОМ	FTG.	FOOTING	PL.	PLATE	
BLDG.	BUILDING	FDN.	FOUNDATION	PLYWD.	PLYW00D	
CAB.	CABINET	GAL.	GALLON	REINF.	REINFORCE(ING)	
C.I.	CAST IRON		GALVANIZED	RM.	ROOM	
C.B.	CATCH BASIN	GALV.		SCHED.	SCHEDULE	
CLG.	CEILING	G.I.	GALVANIZED IRON	SEC.	SECTION	
CEM.	CEMENT	G.	GAS	SHT.	SHEET	
CER.	CERAMIC	GA.	GAUGE	SIM.	SIMILAR	
C.O.	CLEAN OUT	GL.	GLASS	S.	SOUTH	
CLR.	CLEAR	G.L.	GLUED LAMINATE	SPECS.	SPECIFICATIONS	
COL.	COLUMN	GYP.	GYPSUM	SQ.	SQUARE	1
CONC.	CONCRETE	HT.	HEIGHT	STD.	STANDARD	
CONN.	CONNECTION	H.M.	HOLLOW METAL	STL.	STEEL	VICINITY MAP
CONT.	CONTINUE(OUS)	HORIZ.	HORIZONTAL	STRUCT.	STRUCTURAL	VICIIVITI IVIVI
DET.	DETAIL	H.B.	HOSE BIBB	SUSP.	SUSPENDED	//
DIAM.	DIAMETER	INFO.	INFORMATION	T & P	TELEPHONE & POWER	Photo
DIM.	DIMENSION	I.D.	INSIDE DIAMETER	THK.	THICK	
DR.	DOOR	INSUL.	INSULATE(ION)	T & B	TOP & BOTTOM	
DBL.	DOUBLE	INT.	INTERIOR	TYP.	TYPICAL	1 / 1 / 1 M
DN.	DOWN	JT.	JOINT	U.N.O.	UNLESS NOTED OTHERWISE	124 414
DS.	DOWN SPOUT	KIT.	KITCHEN	VENT.	VENTILATION	2 LC 10 F V
DWG.	DRAWING	LAB.	LABORATORY	VERT.	VERTICAL	
D.F.	DRINKING FOUNTAIN	LT.	LIGHT	W.	WATER	
EA	EACH	LIN.	LINEAL	WT.	WEIGHT	- /
E.	EAST	MFR.	MANUFACTUR(ER'S)	W.W.M.	WELDED WIRE MESH	- WA 1 65
ELEC.	ELECTRIC(AL)	M.O.	MASONRY OPENING	W.	WEST	14 An
EL.	ELEVATION	MAT.	MATERIAL	W/	WITH	
ENCL.	ENCLOSURE	MAX.	MAXIMUM	WD.	WOOD	

- CONDITIONAL USE PERMIT TO CONTINUE OPERATION OF AN EXISTING VENIZON WIREL TELECOMMUNICATIONS UNMANNED SUBSTATION CONSISTING OF THE FOLLOWING:

 1. THREE (3) EXISTING 4'-7" PANEL ANTENNAS (ONE PER SECTOR)

- ONE (1) EXISTING POWER METER PEDESTAL
 ONE (1) EXISTING POWER METER PEDESTAL
 ONE (1) EXISTING GO-07 HIGH LIGHT STANDARD
 THREE (3) NEW 18" CHIN STRAPS TO BE INSTALLED ON (E) ANTENNAS FOR CABLEING

OTAL NUMBER OF EXISTING ANTENNAS: THREE (3) TOTAL NUMBER OF EXISTING POWER PEDESTAL: ONE (1)
TOTAL NUMBER OF EXISTING EQUIPMENT CABINETS: ONE (1)

CONSTRUCTION DATA:

EXISTING LIGHT STANDARD HEIGHT CONSTRUCTION TYPE: JURISDICTION: APN: ZONE:

30'-0" A.G.L N/A CITY OF SAN DIEGO ADJACENT TO 300-299-09 OP-2-1

verizon^v

SITE NAME: "MICRO HEIGHTS"

(CUP)
DEL MAR HEIGHTS RD.

ACROSS FROM MAR SCENIC DR. SAN DIEGO, CA 92130

> LATITUDE: 32.949272 LONGITUDE: -117.254322

THIS VICINITY MAP NOT TO SCALE

LEGAL DESCRIPTION

SITE PARCEL NO:

SHEET INDEX

DESCRIPTION

TITLE SHEET

SITE PLAN & ENLARGED SITE PLAN

(F) SOUTH & EAST ELEVATIONS (E) NORTH & WEST ELEVATIONS

ANTENNA SPECIFICATIONS

SCI ANTENNA SKIRT PLANS ANTENNA SKIRT PLAN VIEW ANTENNA SKIRT ISOMETRIC VIEWS ADJACENT TO 300-299-09

CITY OF SAN DIEGO STREET RIGHT-OF-WAY ON THE NORTH SIDE OF DEL MAR HEIGHTS ROAD BETWEEN CREST WAY & MAR SCENIC DR.





CORNER OF DEL MAR HEIGHTS RD. & MAR SCENIC DR. SAN DIEGO, CA 92130 TITLE SHEET ZONING DRAWINGS

SITE NAME:

50 CITE

0 0 0 0

PROJECT INFORMATION

2016 BUILDING STANDARDS ADMINISTRATIVE CODE PART 1. TITLE 24, C.C.R.

2016 CALIFORNIA ELECTRICAL CODE (C.E.C.) PART 3, TITLE 24, C.C.R. (BASED ON THE 2014 NATIONAL FLECTRICAL CODE)

2016 CALIFORNIA PLUMBING CODE (C.P.C.) PART 5, TITLE 24, C.C.R. (BASED ON THE 2015 UNIFORM PLUMBING CODE) 2016 CALIFORNIA ENERGY CODE (PART 6, TITLE-24, CCR) 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE (C.G.B.S.C.) (PART 11, TITLE-24, CCR)

AS OF JANUARY 1, 2017 ALL WORK AND MATERIALS SHALL COMPLY WITH THE FOLLOWING:

2016 CALIFORNIA BUILDING CODE (C.B.C.)
PART Z. TITLE 24, C.C.R.
(BASED ON THE 2015 INTERNATIONAL BUILDING CODE WITH 2016
CALIFORNIA AMENDMENTS)

2016 CALIFORNIA MECHANICAL CODE (C.M.C.) PART 4, TITLE 24, C.C.C. (BASED ON THE 2015 UNIFORM MECHANICAL CODE WITH 2016 CALIFORNIA AMENDMENTS)

2016 CALIFORNIA FIRE CODE (C.F.C.) PART 9, TITLE 24. C.C.R. (BASED ON THE 2016 INTERNATIONAL FIRE CODE WITH 2016 CALIFORNIA AMENDMENTS)

2016 TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS

AND ALL APPLICABLE CODES, LOCAL, CURRENT OSHA LAWS, T-24 ENERGY CONSERVATION, LISTS OF STANDARDS, AND DISABLED ACCESS REGULATIONS WHERE REQUIRED.

CITY OF SAN DIEGO 1200 THIRD AVENUE, 17TH FLOOR SAN DIEGO CA 9210 CONTACT: CAROL YOUNG PH: (619) 236-6081 APPLICANT

PROJECT TEAM

VERIZON WIRELESS
15505 SAND CANYON AVE.
BUILDING D. FIRST FLOOR
IRVINE, CA. 92618

APPLICANT'S AGENT: PLANCOM, INC. 302 STATE PLACE ESCONDIDO, CALIFORNIA 92029 PH: (619) 208-4685 CONTACT: SHELLY KILBOURN

ARCHITECT: DERRA DESIGN, INC. 495 E. RIN CON ST. SUITE 204 CORONA, CA. 92879 PH: (951) 268-1650 CONTACT BILL ATKINS

APPROVALS	
71111011110	

APPROVED BY	DATE	INITIALS	COMMENTS	
RF ENGINEER				
SITE DEV.				
SITE ACQ.				
PM				
	I -			
	-			_

NOTES

THE MAXIMUM NUMBER OF PREVIOUSLY APPROVED DIRECTIONAL CELLULAR ANTENNAS CURRENTLY INSTALLED IS THREE (3)

THE MAXIMUM NUMBER OF GPS ANTENNAS TO REMAIN IS TWO (2)

THE SIZE, HEIGHT, DIRECTION AND LOCATION OF ANTENNAS SHALL BE ADJUSTED TO

ALL ITEMS, WHETHER EXISTING OR NEW, WHICH ARE WITHIN THE VERIZON WIRELESS

COMMENTS:

RF DOCUMENT

THESE PLANS DESIGNED PER RF DOCUMENT

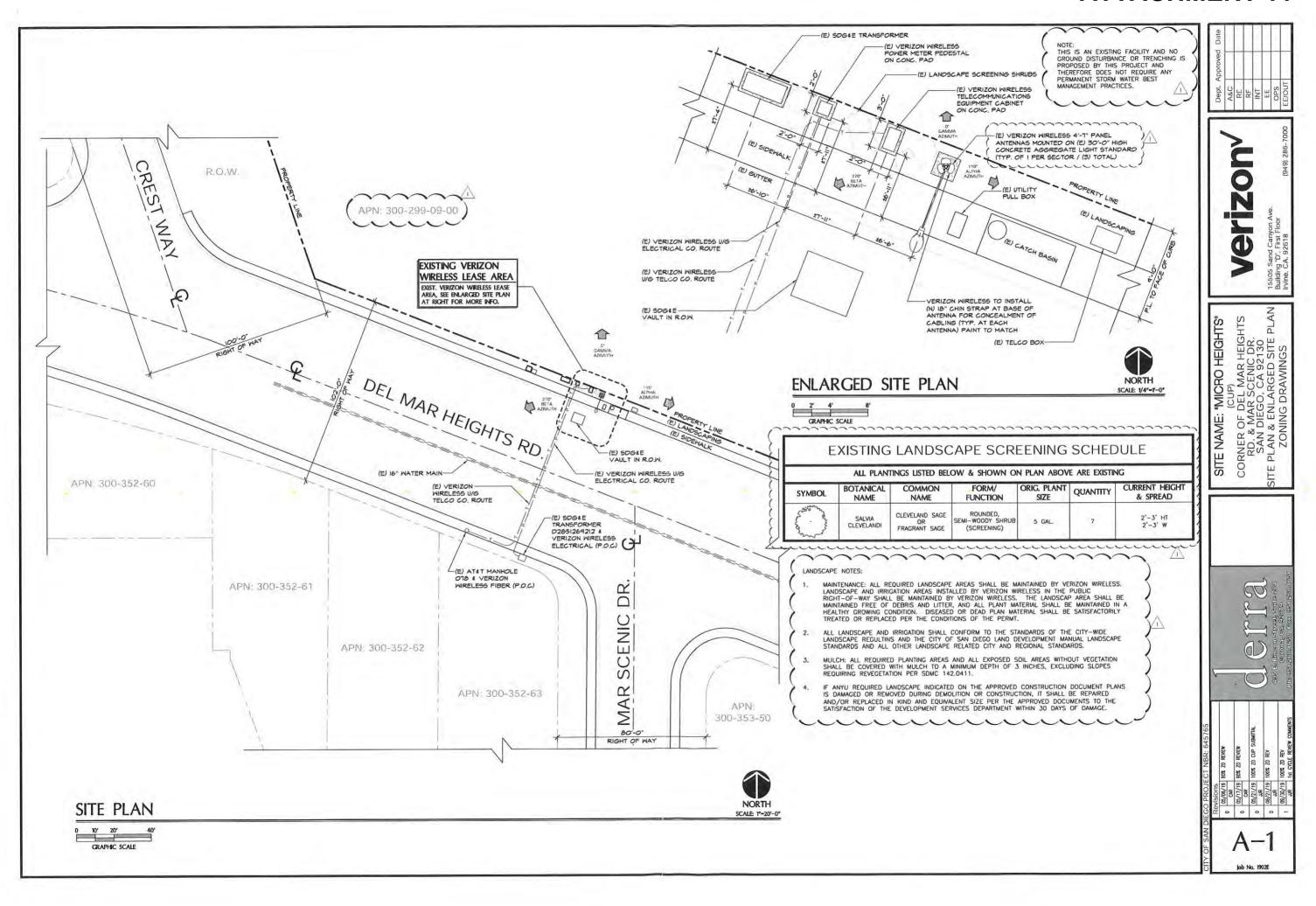
PROPRIETARY INFORMATION

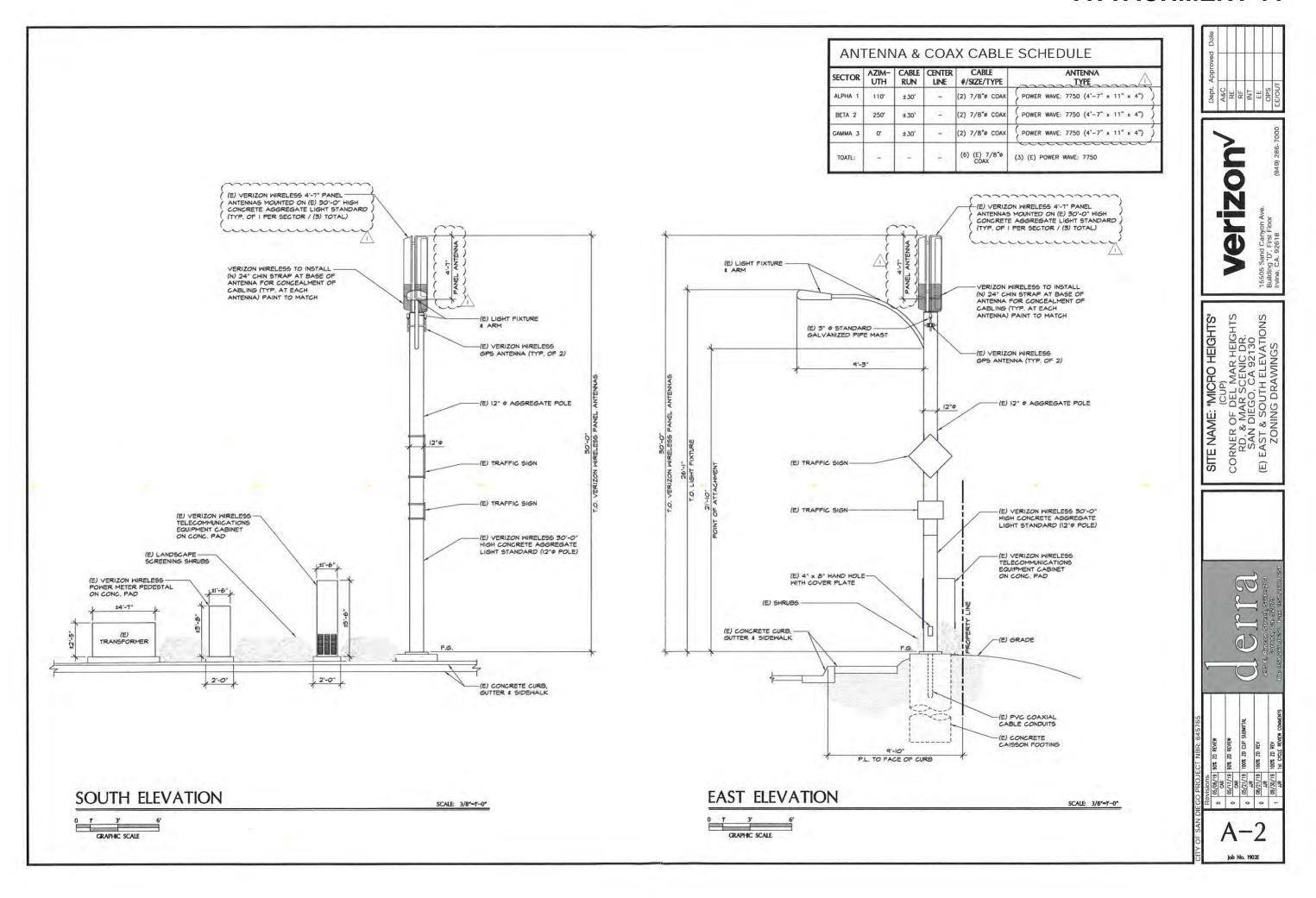
NOT FOR USE OR DISCLOSURE OUTSIDE VERIZON WIRELESS EXCEPT UNDER WRITTEN

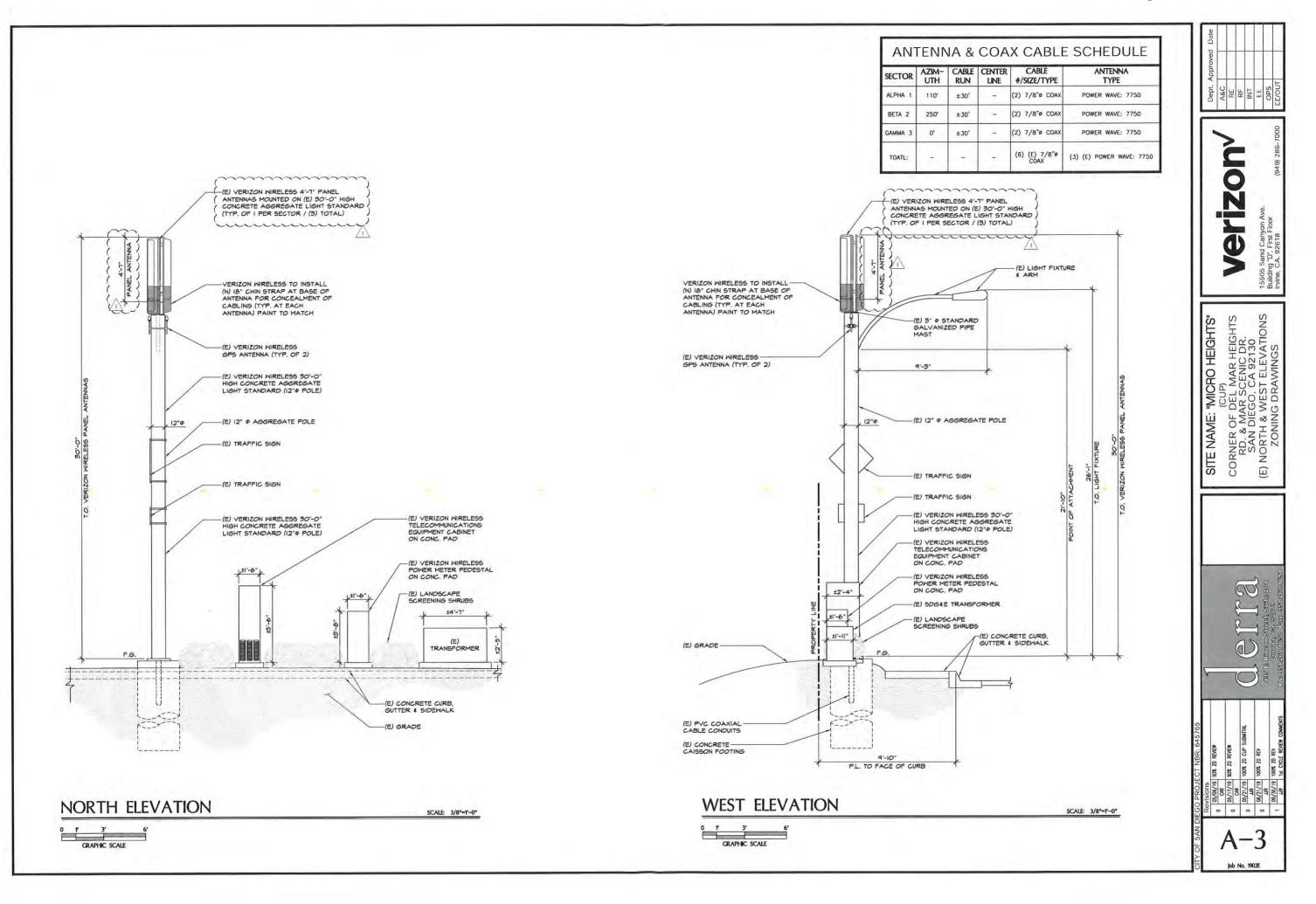
SPECIAL INSPECTION IS REQUIRED FOR THE FOLLOWING WORK: NONE

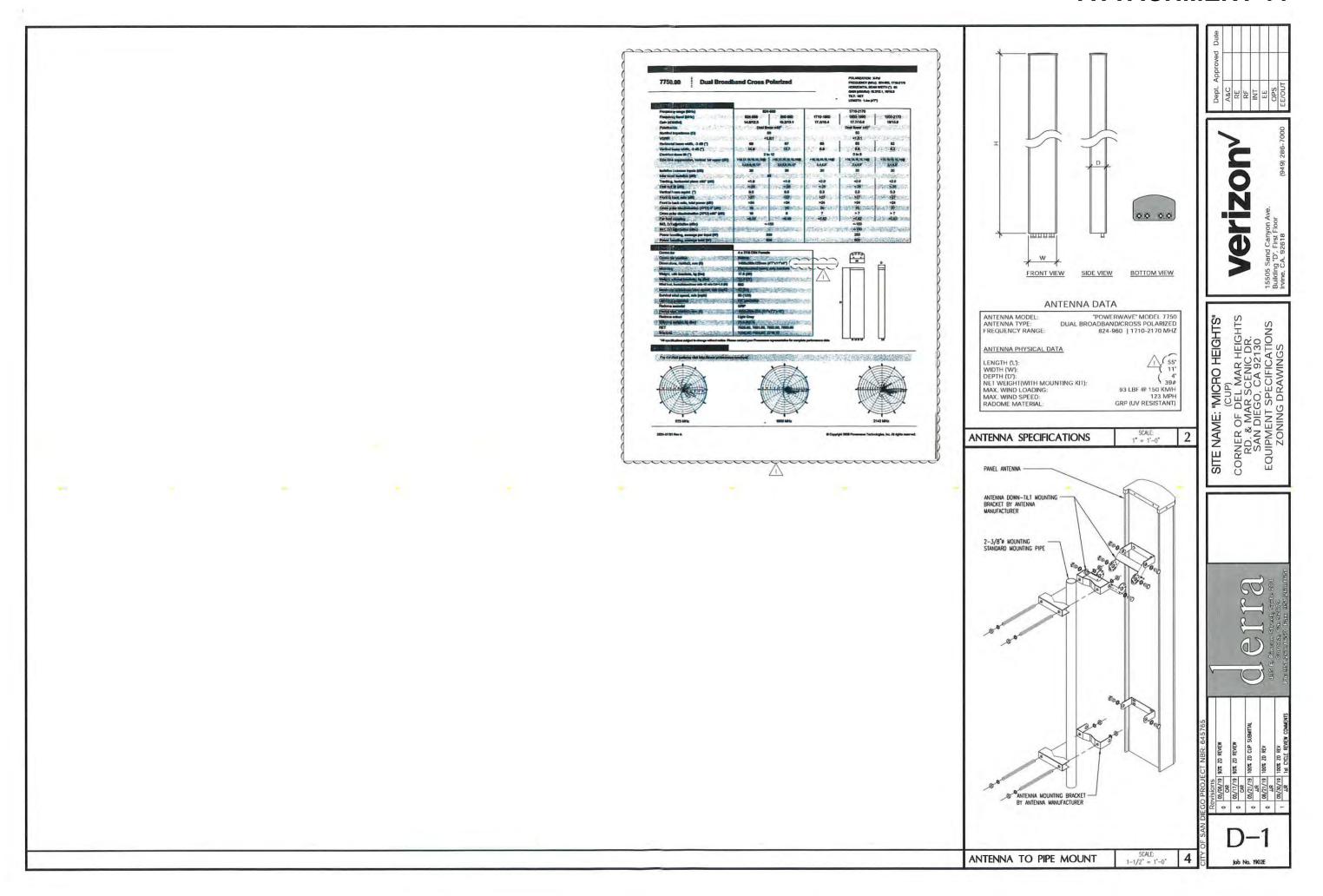
SPECIAL INSPECTIONS

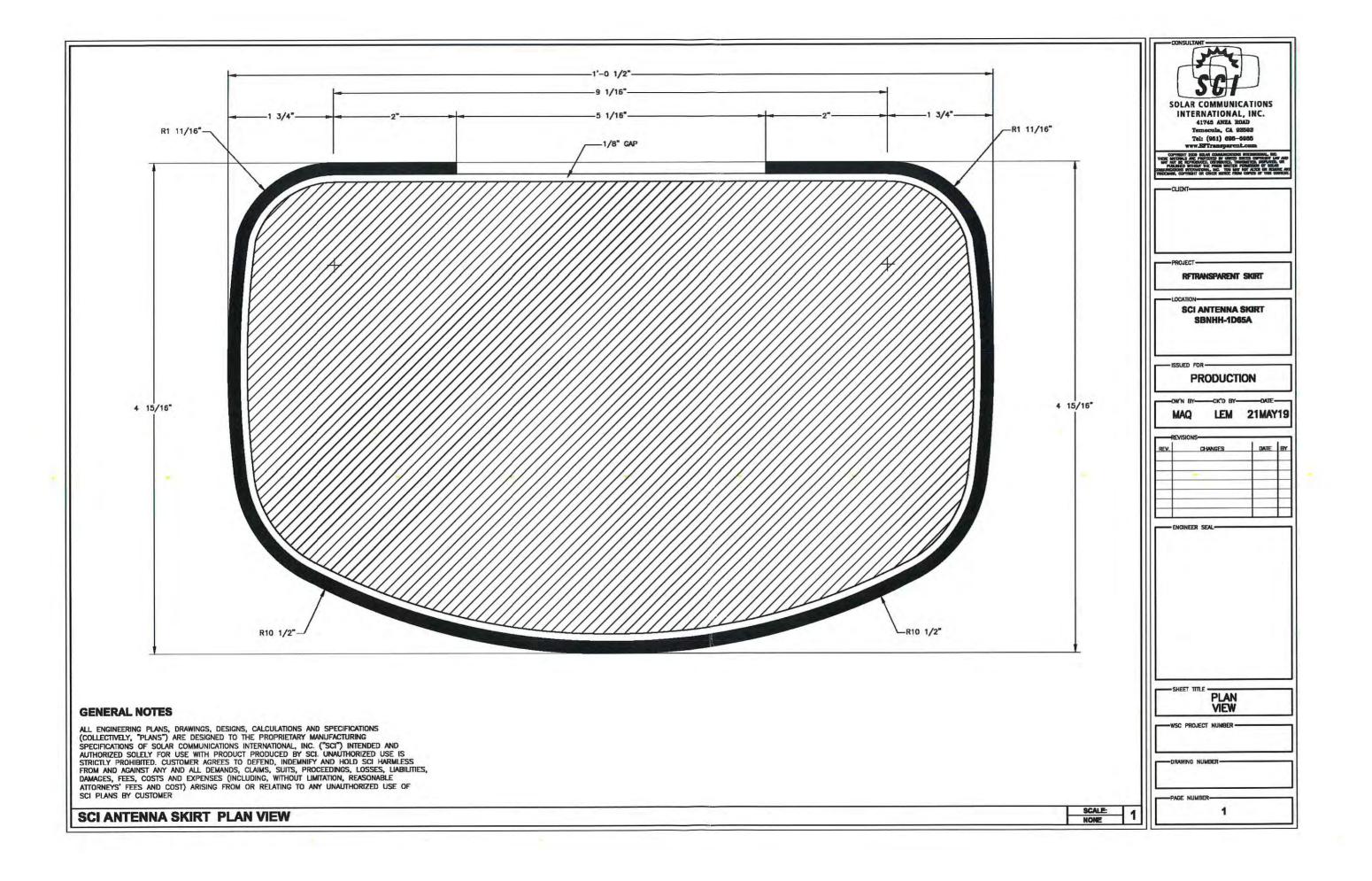
Job No. 1902E

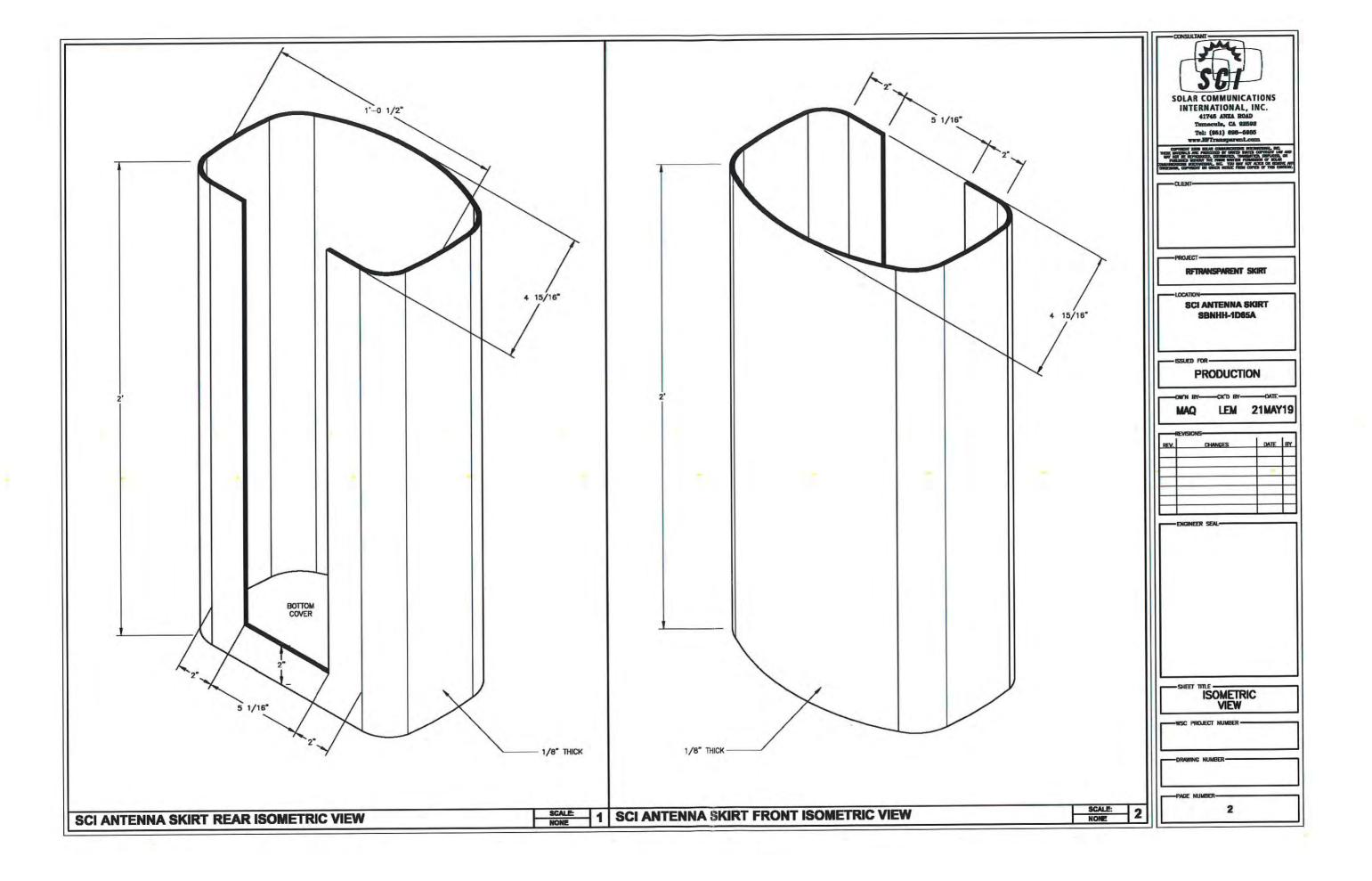


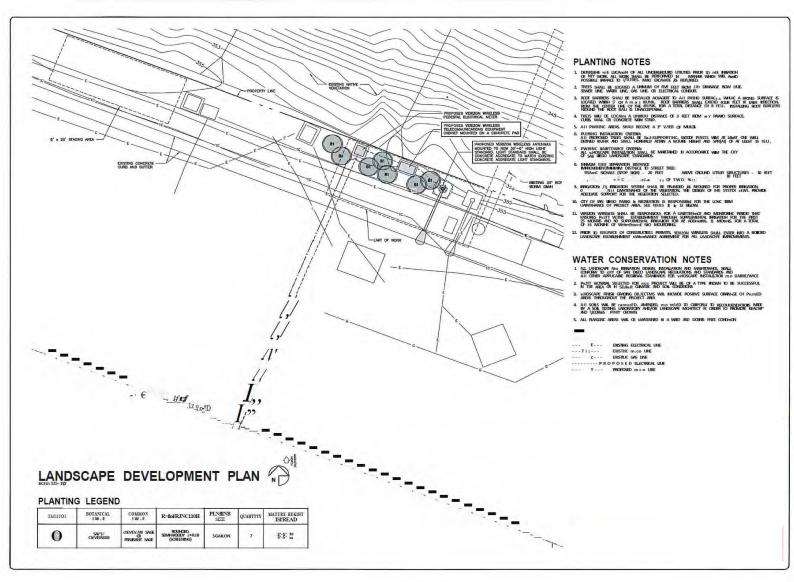












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