



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: September 16, 2010 **REPORT NO.** PC-10-068

ATTENTION: Planning Commission, Agenda of September 23, 2010

SUBJECT: VERIZON WIRELESS BLACK MOUNTAIN - PROJECT NO. 190928.
PROCESS FOUR (4)

REFERENCE: <http://www.sandiego.gov/planning/community/profiles/pdf/cp/cprpfv.pdf>
(Rancho Penasquitos Community Plan)
<http://www.sandiego.gov/planning/genplan/pdf/generalplan/adoptedudelem.pdf>
(City of San Diego General Plan – Wireless Facilities)

**OWNER/
APPLICANT:** AMERICAN TOWER INC.
VERIZON WIRELESS

SUMMARY

Issue(s): Should the Planning Commission approve an existing Wireless Communication Facility (WCF) AT 14002 Black Mountain Road (Attachment 1) within the Rancho Penasquitos Community Plan?

Staff Recommendation:

1. APPROVE Planned Development Permit No. 777428 and;
2. APPROVE Neighborhood Use Permit No. 777429.

Community Planning Group Recommendation: On April 7, 2010, the Rancho Penasquitos Planning Board (RPPB) voted 8-0-0 to support the Verizon Wireless Black Mountain project (Attachment 10). As a condition of approval, the RPPB suggested a change in the color of the microwave dish covers to grey as illustrated in the photosimulations.

Environmental Review: The project does not have the potential to result in a significant impact on the environment. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines, Section 15301

[Existing Facilities]. The WCF is an existing facility with no construction proposed. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 17, 2009, and the opportunity to appeal that determination ended October 1, 2009 (Attachment 7).

Fiscal Impact Statement: None. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The project site is located at 14002 Black Mountain Road (Attachment 3) in the AR-1-1 zone within the Rancho Penasquitos Community Plan (Attachment 2). The existing site consists of an 80-foot high lattice tower surrounded by a total of five other communication towers on top of Black Mountain. The equipment associated with this WCF is located inside a 512 square foot shelter adjacent to the tower.

PacTel Mobile Access was granted the original Conditional Use Permit (CUP) No. 87-0063 on July 28, 1987 (Attachment 9). The CUP consisted of a 60 foot high microwave transmission tower with twelve dishes in addition to a 415 square foot equipment building. Subsequently, Pactel Mobile Access was acquired by AirTouch Cellular who obtained an administrative approval to increase the height of the tower by 20 feet. AirTouch and Vodafone back in the late 90's merged to form Verizon Wireless. During this time, the newly formed Verizon Wireless company submitted an application and was issued Conditional Use Permit 96-7657. The CUP allowed Verizon Wireless to continue to operate at this location until January 29, 2008, and then a new application would be required for review and a decision by the appropriate decision maker at that time.

DISCUSSION

Project Description - This Verizon WCF consists of multiple antennas and microwave dishes and is an interconnect antenna facility, also known as a switch station (Attachment 16). The switch station is required to direct and relay a signal that electronically connects the system together within the City of San Diego. The project site is surrounded by other communication lattice towers with the tallest facility at 131 feet and the shortest at 38 feet (Attachment 13). An application for a Neighborhood Use Permit (NUP) and a Planned Development Permit (PDP) has been submitted by Verizon to continue the use of this existing WCF without any additional antennas or microwave dishes. The only modification consists of replacing the microwave covers from white to grey to help reduce and minimize all visual impacts to the site (Attachment 15).

The closest developed land use is well over 3/4 of a mile away to the west from the project site (Attachment 14). This Verizon lattice tower is located amongst several other communication towers which can be seen from some distant views such as Highway-15 and Black Mountain

towers which can be seen from some distant views such as Highway-15 and Black Mountain Road. Lowering the height of the existing Verizon lattice tower to 30 feet to comply with the underlying zone will not improve the views since the other towers (many do not have expiration dates) will still exist at this location and instead, would result in a significant negative effect to Verizon's network.

Wireless Communication Facility (WCF) Regulation - The project as proposed, requires an NUP and a PDP, a consolidated Process 4, Planning Commission decision. Per San Diego Municipal Code (SDMC) Section 141.0420(d)(3), an NUP is required if a WCF is in an agricultural zone where the antennas associated with the WCF are located more than 100 feet from the property line of the following primary uses: day cares, elementary and middle schools, single or multi-unit residences. The 100 feet shall be measured from the two closest points. The PDP is required for the requested height deviation to continue to operate above the required 30 foot height limit within the AR-1-1 zone and the request to maintain an existing equipment shelter that exceeds the maximum allowable 250 square feet as identified under SDMC Section 141.0420(g)(3) (Attachment 4).

The project complies with LDC Section 141.0420(g)(2), which requires the applicant to use all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape, and siting solutions. Based on the information provided, this WCF switch station appears to be using the smallest and the least intrusive antennas as required by the regulations. Reducing the height of the facility will not affect the aesthetics to the structure, nor will it improve the views to and from the site. Allowing this switch station to continue to operate at its current height would also preserve the integrity of the Verizon's network within the City of San Diego.

Most importantly, the Rancho Penasquitos Community Plan identifies this property as a communication tower area, allowing this use and other similar towers to function in its current condition provided that there are no new additional towers to the site. Therefore, the existing height deviation can be supported by staff. The associated equipment shelter is not visible from any vantage point unless you are on the premises, and any proposed screening to the base of the tower/equipment shelter will not be beneficial to the site's appearance. After thoroughly reviewing this site location and the community plan recommendations, staff has determined that this WCF is appropriate and complies with LDC section 141.0420.

Community Plan Analysis - The project location has been designated as the Black Mountain Transmission Towers with the intended use solely for communication purposes. In order to minimize the negative visual impacts from this site location, the community plan makes the following recommendations:

- All transmission towers should be removed when technology becomes available that would render the structures obsolete.
- All towers, dishes and antennae should be painted with a non-reflective, low contrast color.

- Landscape screening should be required around the site to shield all associated equipment buildings.
- All future needed transmission facilities should utilize the existing towers as an alternative to building additional towers.
- The construction of additional towers is discouraged. If additional towers are necessary, they should not exceed the height or bulk of the existing facilities.
- Long Range Master Plans (five to ten years) should be submitted.

Consistent with the community plan, Verizon will not be adding any additional towers to the location with the existing lattice tower remaining at its current height. The number of installed antennas and microwave dishes shall remain the same resulting in no additional bulk. The lattice tower is currently screened by surrounding communication facilities and can only be clearly seen at a close distance. No new landscaping is being requested by staff to screen the base of the structure since the equipment shelter is not visible unless if you are on the premises.

Council Policy 600-43 - These guidelines establish hierarchy from the most preferred locations (Preference 1) to the least preferred locations (Preference 4) for WCFs. The project is proposed within a Preference 2 location according to Council Policy 600-43, which categorizes WCF according to the land use in which they are located. The project is located on an agricultural zone with the antennas associated with this project at least 100 feet away from any of the sensitive uses identified in LDC 141.0420. However, the project is operating above the maximum allowable height limit and exceeds the maximum allowable equipment space resulting in a Process 4, PDP decision.

General Plan - The General Plan, Section UD-A.15, states that WCFs should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The design of the facilities is to be aesthetically pleasing and respectful of the neighborhood context. The Verizon lattice tower functions as a switch station, necessary for the network to function properly in the City of San Diego. The applicant has presented a visual survey clearly demonstrating any visual impacts from the public roadways, developed land uses with the focus on the surrounding communities and Interstate 15. It has been determined by staff that the existing Verizon WCF is significantly set back from the edge of property, and the use of camouflage and screening techniques to hide or blend the Verizon lattice tower into the surrounding area would not improve the visual appearance, and may draw more attention to the compound. Therefore, staff has determined that the proposed WCF has been designed to the extent possible to be integrated and respectful to the neighborhood context.

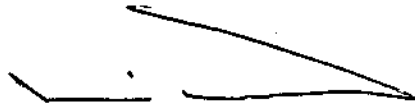
Conclusion - The project has been determined by staff to be consistent with the purpose and intent of the applicable development regulations of the San Diego Municipal Code, which includes the development regulations from the AR-1-1 zone and the Communication Antenna Regulations Section 141.0420. Staff supports the Rancho Penasquitos Community Planning group's decision to approve the existing Verizon lattice without any additional height or bulk provided that the microwave dishes are replaced from white to grey covers. The equipment as stated earlier in the report is set back visibly from the hillside and would only be visible when

you are at or near the premises. The project complies with all applicable zoning requirements with the exception of the requested height and equipment size deviation which would require a PDP. The WCF has been determined to be consistent with the General Plan and the Rancho Penasquitos Community Plan. Staff recommends that the Planning Commission approve Planned Development Permit No. 777428 and Neighborhood Use Permit No. 77429.

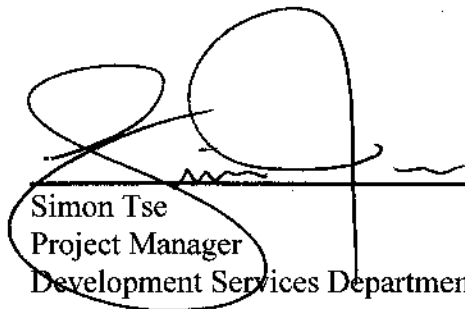
ALTERNATIVES

1. **Approve** Planned Development Permit No. 777428 and Neighborhood Use Permit No. 77429, **with modifications.**
2. **Deny** Planned Development Permit No. 777428 and Neighborhood Use Permit No. 77429, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Simon Tse
Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Project Site Plan(s)
9. Copy of Recorded (existing) Permit(s)

10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Chronology
13. Photosurvey
14. Aerial Survey
15. Photosimulation(s)
16. Coverage Map(s)
17. Copy of the Public Notice of Planning Commission Hearing
18. Radio Frequency Report

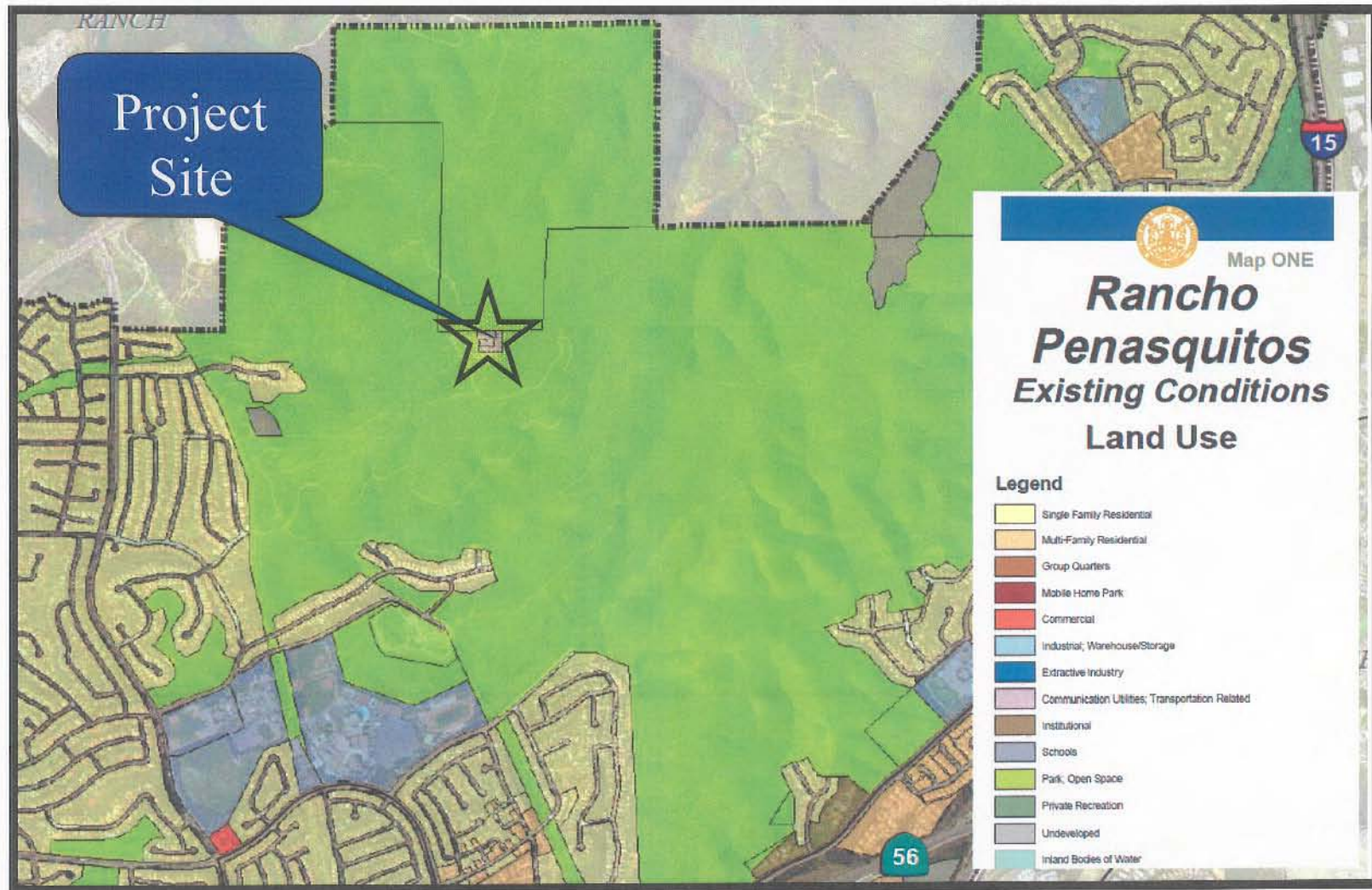
Rev 01-04-07/rh



Aerial Photo

Verizon Wireless Black Mountain - Project No. 190928
14002 Black Mountain Road, San Diego, CA 92129





Community Land Use Map (Rancho Penasquitos)

Verizon Wireless Black Mountain - Project No. 190928
 14002 Black Mountain Road, San Diego, CA 92129





Project Location Map

Verizon Wireless Black Mountain - Project No. 190928
14002 Black Mountain Road, San Diego, CA 92129



PROJECT DATA SHEET

PROJECT NAME:	Verizon Wireless Black Mountain	
PROJECT DESCRIPTION:	An existing Wireless Telecommunication Facility – Interconnect Site on an 80-ft high lattice tower at 140002 Black Mountain Road. The equipment associated with the project will be located adjacent to the lattice tower and will only be visible at or near the premises.	
COMMUNITY PLAN AREA:	Rancho Penasquitos	
DISCRETIONARY ACTIONS:	Planned Development Permit & Neighborhood Use Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Black Mountain Transmission Tower/Undeveloped	
<u>(AR-1-1 Zone) ZONING INFORMATION:</u>		
Height Limit: Front Setback: Side Setback: Rear Setback: LDC 141.0420(g)(3) Equipment Size:	Existing: 30 feet 25 feet 25 feet 25 feet 250 square-feet	Proposed: 80 feet 25 feet 25 feet 25 feet 512 square feet (Not including Generator)
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	AR-1-1	Undeveloped
SOUTH:	AR-1-1	Undeveloped
EAST:	AR-1-1	Undeveloped
WEST:	AR-1-1	Undeveloped
DEVIATIONS OR VARIANCES REQUESTED:	Verizon is requesting a height deviation to continue to operate their WCF (80-ft) above the 30-ft height limit allowed within the AR-1-1 zone. Additionally, an equipment size deviation is being requested to exceed the 250-sq ft (512-sq ft) as allowed per Land Development Code Section 141.0420(g)(3).	
COMMUNITY PLANNING GROUP RECOMMENDATION:	<p>On April 7, 2010, the Rancho Penasquitos Planning Board voted 8-0-0 to support the proposed Verizon Black Mountain project with the following condition:</p> <p>1) Microwave dish covers to be replaced from white to grey as shown in the photosimulation(s).</p>	

**PLANNING COMMISSION
RESOLUTION NO. PC-10-068
PLANNED DEVELOPMENT PERMIT NO. 777428
NEIGHBORHOOD USE PERMIT NO. 777429
VERIZON WIRELESS BLACK MOUNTAIN
PTS NO. 190928**

WHEREAS, **AMERICAN TOWERS INC.**, Owner, and **VERIZON WIRELESS**, Permittee, filed an application with the City of San Diego for a permit to an existing Wireless Communication Facility (WCF) switch station consisting of an 80-foot high four (4) legged lattice tower (total of thirty (30) microwave dishes, thirty (30) panel antennas, five (5) omni-antennas) and a 512-square foot equipment shelter (with an emergency generator) as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Planned Development Permit No. 777428 and Neighborhood Use Permit No. 777429;

WHEREAS, the project site is located at 14002 Black Mountain Road, San Diego, CA 92129, in the AR-1-1 zone of the Rancho Penasquitos Community Plan;

WHEREAS, the project site is legally described as a Portion of Lot 5 of Section 5, Township 14 South, Range West, San Bernardino Base and Meridian;

WHEREAS, on September 23, 2010, the Planning Commission of the City of San Diego considered Planned Development Permit No. 777428 and Neighborhood Use Permit No. 777429 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

WHEREAS, on September 17, 2009, 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 Guideline 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;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated September 23, 2010.

FINDINGS:

A. NEIGHBORHOOD USE PERMIT - Section 126.0205

1. **The proposed development will not adversely affect the applicable land use plan.** The Rancho Penasquitos Community Plan specifically identifies this area as the Black Mountain Transmission Tower site. The purpose of this location has been designated for communication use with the community plan recommendation to prevent any additional towers in the future. The community plan also recommends that these facilities be removed when technology becomes available that would render these structures obsolete. The Verizon facility operates as a switch station and is required to direct and relay signals that electronically connect the system together within the City of San Diego. The 80-foot high lattice tower is set back significantly from the hillside behind other communication facilities. The WCF as designed complies with the intended

use specifically identified within the Rancho Penasquitos Community Plan. Section A.15 of the Urban Design section of the City of San Diego's General Plan addresses Wireless Facilities. The intent is to minimize the visual impacts of wireless facilities stating that WCF should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The surrounding vegetation is very low profile. To install landscape screening to mask towers 80 to 131 feet in height would likely draw more attention to the facility. Additionally, the project involves no new construction or disturbance to the land that would require revegetation/erosion control measures. Therefore, the project as proposed will not adversely affect the City's General Plan, nor the Rancho Penasquitos community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. 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." The proposed project would be consistent with the FCC's regulations for wireless facilities. Verizon submitted an RF Report to staff recently demonstrating compliance with the required FCC regulations. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The project is requesting a height deviation to continue to operate above the 30 foot height requirement within the AR-1-1 zone. Additionally, Verizon is also requesting a deviation to maintain their equipment facility that exceeds the 250 square foot limit per Land Development Code (LDC) section 141.0420(g)(3). As a result of these deviations, the project requires a Planned Development Permit, consolidated Process 4, Planning Commission decision, appealable to City Council. While the Wireless Communication Regulations requires integration, the facility has been determined to be significantly set back from any visible corridors. Screening the lattice tower and or redesigning the project could draw more attention to the hillside. Besides the proposed deviations, the project will comply with the applicable regulations of the Land Development Code.

B. PLANNED DEVELOPMENT PERMIT – Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan. The Rancho Penasquitos Community Plan specifically identifies this area as the Black Mountain Transmission Tower site. The sole purpose of this location has been designated for communication use with the community plan recommendation to prevent any additional towers in the future. The community plan also recommends that these facilities be removed when technology becomes available that would render these structures obsolete. The Verizon facility operates as a switch station and is required to direct and relay signals that electronically connect the system together within the City of San Diego. The 80 foot high lattice tower is set back significantly from the hillside behind other communication facilities. The WCF as designed complies with the intended use specifically identified within the Rancho Penasquitos Community Plan. Section A.15 of the Urban Design section of the City of San Diego's General Plan addresses Wireless Facilities. The intent is to minimize the visual impacts of wireless facilities stating that WCF's should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The surrounding

vegetation is very low profile. To install landscape screening to mask towers 80 to 131 feet in height would likely draw more attention to the facility. Additionally, the project involves no new construction or disturbance to the land that would require revegetation/erosion control measures. Therefore, the project as proposed project will not adversely affect the City's General Plan, nor the Rancho Penasquitos community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. 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." The proposed project would be consistent with the FCC's regulations for wireless facilities. Verizon submitted an RF Report to staff demonstrating compliance with the required FCC regulations. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area.

3. The proposed development will comply with the regulations of the Land Development Code. The project is requesting a height deviation to continue to operate above the 30 foot height requirement within the AR-1-1 zone. Additionally, Verizon is also requesting a deviation to maintain their equipment facility that exceeds the 250 square foot limit per Land Development Code (LDC) section 141.0420(g)(3). As a result of these deviations, the project requires a Planned Development Permit, consolidated Process 4, Planning Commission decision, appealable to City Council. While the Wireless Communication Regulations requires integration, the facility has been determined to be significantly set back from any visible corridors. Screening the lattice tower and or redesigning the project could draw more attention to the hillside. Besides the proposed deviations, the project will comply with the applicable regulations of the Land Development Code.

4. The proposed development, when considered as a whole, will be beneficial to the community. This site is integral to the Verizon's Network. It was built approximately 23 years ago at the inception of wireless technology in San Diego and has been established by Verizon and its predecessors as a network switch station. It provides coverage to the surrounding communities as well as to commuters along the major transportation corridors. This location has been specifically identified for communication purposes within the Rancho Penasquitos Community Plan with the sole intent for this use. Reduction in height to this facility would not be beneficial from an aesthetics standpoint considering the lattice tower is currently screened by other communication facilities. The project is consistent with the Land Development Code and General Plan, and the development, when considered as a whole, would be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. Verizon's request to maintain a height deviation to continue to operate above the 30-foot height requirement identified within the AR-1-1 zone is appropriate given that the Rancho Penasquitos Community Plan designates this property as a telecommunication site. The Verizon tower existed prior to the current community plan as well as some other towers on the premises since the early 1980s. The tower is on the southerly slopes of Black Mountain surrounded by other towers and large microwave dishes. This deviation is appropriate due primarily to the height and remoteness of this

ATTACHMENT 5

site, with limited direct views of the Verizon tower compound and the fact that this tower is set back amongst other similar sized towers in an area designated for communication facilities. The existing 512 square foot equipment enclosure is the minimum size necessary for this tower to operate as a switch station. The equipment enclosure is also set back and is not generally visible to the surrounding areas unless you are within a relatively close proximity. No changes or modifications are being requested as part of this project (besides replacing the microwave dish covers). Therefore, this project is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 777428 and Neighborhood Use Permit No. 777429 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Planned Development Permit No. 777428 and Neighborhood Use Permit No. 777429 copy of which is attached hereto and made a part hereof.

Simon Tse - Associate Planner
Development Services

Adopted on: September 23, 2010

Internal Order No. 24000084

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000084

PLANNED DEVELOPMENT PERMIT NO. 777428
NEIGHBORHOOD USE PERMIT NO. 777429
VERIZON WIRELESS BLACK MOUNTAIN PTS NO. 190928
PLANNING COMMISSION

This Planned Development Permit No. 777428 and Neighborhood Use Permit No. 777429 is granted by the Hearing Officer of the City of San Diego to **AMERICAN TOWERS INC.**, Owner, and **VERIZON WIRELESS**, Permittee, pursuant to San Diego Municipal Code [SDMC] section Chapter 12, Article 6, Division 6 and Chapter 12, Article 6, Division 2 and Section 141.0420. The site is located at 14002 Black Mountain Road, San Diego, CA 92129, in the AR-1-1 zone of the Rancho Penasquitos Community Plan. The project site is legally described as a Portion of Lot 5 of Section 5, Township 14 South, Range West, San Bernardino Base and Meridian.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a wireless communication facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 23, 2010, on file in the Development Services Department.

The project shall include:

- a. An existing Wireless Communication Facility (WCF) switch station consisting of an 80-foot high four (4) legged lattice tower (total of thirty (30) microwave dishes, thirty (30) panel antennas, five (5) omni-antennas) and a 512-square foot equipment shelter (with an emergency generator) as illustrated in the approved 'Exhibit A' dated September 23, 2010.
- b. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s),

conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This Planned Development Permit [PDP] and Neighborhood Use Permit [NUP] corresponding use of the Premises shall **expire on September 23, 2020**. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from the Premises and the Premises 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.
2. No later than ninety (90) days prior to the expiration of this Permit, the Owner/Permittee may submit a new application to the City Manager 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 compliance, which may include penalties and fines.
3. Under no circumstances, does approval of this Permit authorize the Owner/Permittee or their tenants to utilize the Premises for wireless communication purposes beyond the permit expiration date. Implicit use of this Permit beyond the effective date of this Permit is prohibited.
4. 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.
5. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
6. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. Issuance of this Permit by the City of San Diego does not authorize the Owner/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.).

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/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 Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(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.

10. The Owner/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 Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/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, Owner/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 Owner/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 Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

PLANNING/DESIGN REQUIREMENTS:

11. The Permittee shall be required to place appropriate signs per CAL-OSHA requirements to the satisfaction of Development Services Department.

12. The microwave dish covers shall be replaced from white to grey to the satisfaction of the Development Services Department.

13. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) for this Permit establishes a

provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

14. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and exhibits (including, but not limited to, elevations, and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

15. Any future requested amendments to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

16. No mechanical equipment, tank, duct, elevator, cooling tower, mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.

17. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on September 23, 2010 and Resolution No.

Date of Approval: September 23, 2010
PTS No. 190928; Internal No. 24000084
Planned Development Permit No. 777428
Neighborhood Use Permit No. 777429

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Simon Tse, Associate Planner
City of San Diego

**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.**

[AMERICAN TOWER INC.]
Owner

By _____
PRINT NAME:
PRINT TITLE:

[VERIZON WIRELESS]
Permittee

By _____
PRINT NAME:
PRINT TITLE:

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

NOTICE OF EXEMPTION

ATTACHMENT 7

TO: ☒ RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 190928

PROJECT TITLE: **VERIZON BLACK MOUNTAIN**

PROJECT LOCATION-SPECIFIC: 14002 Black Mountain Road, San Diego, CA 92129

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF PROJECT: Conditional Use Permit (CUP) to replace expired CUP No. 967657 for an existing wireless communication facility within the Rancho Penasquitos Community Plan area. The existing equipment, proposed to remain, includes an 80-foot high, 4-leg lattice tower housing both microwave and antenna apparatus, including 30 dish antennas, 5 omni-directional antennas, and related electronic equipment located in an equipment shelter.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Verizon Wireless, 15505 San Canyon Avenue, Building "D" 1st Floor, Irvine, CA 92618; (949)286-7000.

EXEMPT STATUS: (CHECK ONE)

- ☐ MINISTERIAL (SEC. 15268)
☐ DECLARED EMERGENCY [SEC. 15269 (A)]
☐ EMERGENCY PROJECT [SEC. 15269 (B) AND (C)]
☒ CATEGORICAL EXEMPTION (STATE TYPE AND SECTION NUMBER): Existing Facilities, Section 15301
☐ OTHER (STATE TYPE AND SECTION NUMBER):

REASONS WHY PROJECT IS EXEMPT: The proposed project would not have the potential for causing a significant effect on the environment because the project site is built, and this CUP is an extension of an existing used and development.

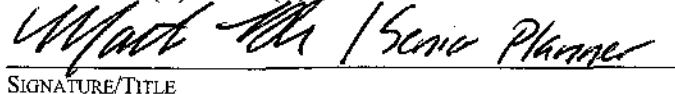
CONTACT PERSON: M. Blake

TELEPHONE: (619) 446-5375

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?

☐ YES ☐ NO

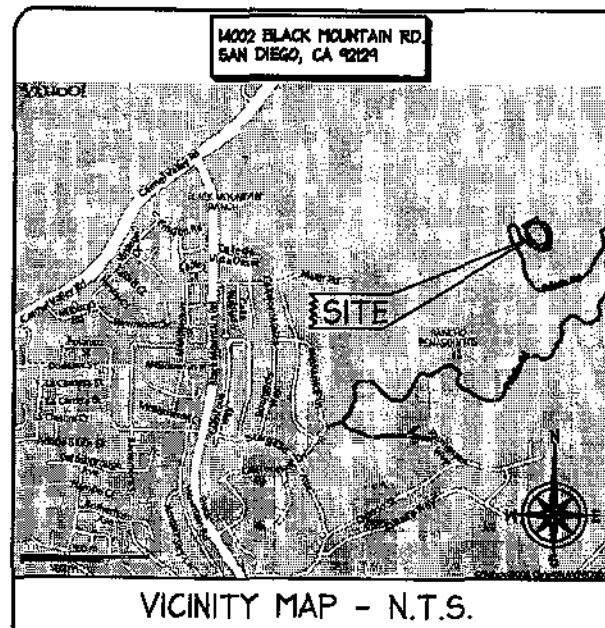

SIGNATURE/TITLE

DATE

CHECK ONE:

- ☒ SIGNED BY LEAD AGENCY
☐ SIGNED BY APPLICANT

DATE RECEIVED FOR FILING: _____



VICINITY MAP - N.T.S.



BLACK MOUNTAIN

DIRECTIONS TO SITE

START AT 15505 SAND CANYON AVE, IRVINE GOING TOWARD WATERWORKS WAY. MAKE A U-TURN AT WATERWORKS WAY ONTO SAND CANYON AVE. TURN RIGHT TO TAKE RAMP ONTO I-5 S. TAKE EXIT #3/CARMEL VALLEY RD., TURN LEFT ON CARMEL VALLEY RD., TAKE RAMP ONTO CA-54 E. TAKE EXIT #7/BLACK MOUNTAIN RD., TURN LEFT ON BLACK MOUNTAIN RD., TURN RIGHT ON STARGAZE AVE., TURN LEFT ON LURENTIAN DR., LURENTIAN DR. END ON PRIVATE ROAD, FOLLOW ON PRIVATE ROAD TO EXISTING VERIZON WIRELESS SITE.

DRIVING DIRECTIONS

NEW ANTENNA	LIGHT POLE	ELEVATION REF.	ELECT. CONDUIT	PLASTER (E) MASONRY
EXISTING ANTENNA	FOUNDATION	SECTION REF.	COAXIAL CABLE	CONCRETE
GROUND ROD	SPOT ELEV.	PROP./LEASE LINE	OVERHEAD SERV. CONDUCTORS	EARTH
GROUND BUS BAR	SET POINT	MATCH LINE	CHAIN LINK FENCE	GRAVEL
MECH. GRND. CONN.	REVISION	WORK POINT	CENTERLINE	PLYWOOD
CADWELD	GRID REF.	GRND. CONDUCTOR	WOOD CONT.	SAND
GROUND ACC. WELL	DETAIL REF.	TELE. CONDUIT	WOOD BLOCKING	STEEL
ELECTRIC BOX				
TELEPHONE BOX				

SYMBOLS, LINETYPES AND HATCH PATTERNS

PLAN VERIFICATION

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

GENERAL CONTRACTOR NOTES

VERIZON WIRELESS IS APPLYING IS TO REINSTATE LAND USE ENTITLEMENTS FOR AN EXISTING CELLULAR COMMUNICATIONS FACILITY CONSISTING OF A 80'-0" HIGH 4 LEG LATTICE TOWER HOUSING VARIOUS MICROWAVE AND ANTENNA APPARATUS, INCLUDING (30) DISH ANTENNAS, (30) PANEL ANTENNAS, FIVE (5) OMNI-DIRECTIONAL ANTENNAS, AND RELATED ELECTRONIC EQUIPMENT LOCATED IN EQUIPMENT SHELTER.

PROJECT DESCRIPTION

T-1	TITLE SHEET
A-1	SITE PLAN
A-2	DETAILED SITE PLAN
A-3	ARCHITECTURAL ELEVATIONS

SHEET INDEX

AC.	ASPHALT CONCRETE	GVL.	GRAVEL
ANT.	ANTENNA(S)	HC.	HANDICAPPED
SEL.	BELCH	HORIZ.	HORIZONTAL
B.G.	BELCH GRADE	HT.	HEIGHT
BLDG.	BUILDING	HVAC.	HTG./ VENT./ A/C
B.M.	BENCH MARK	INCL.	INCLUDE
BRK.	BRICK	LBS.	POUNDS
CAB.	CABINET	LFT.	LOW POINT
C.B.	CATCH BASIN	MAS.	MASONRY
CEM.	CEMENT	MAX.	MAXIMUM
CFT.	CUBIC FOOT	MET.	METAL
C.I.P.C.	CAST-IN-PLACE CONC.	MFR.	MANUFACTURER
C.L.L.	CONTRACT LIMIT LINE	MIN.	MINIMUM
CLS.	CLOSURE	(N)	NEW
C.H.U.	CONC. MASONRY UNIT	N	NORTH
CONC.	CONCRETE	N.I.C.	NOT IN CONTRACT
CON.	CONNECTION	N.T.S.	NOT TO SCALE
CONST.	CONSTRUCTION	P.P.	POWER POLE
CTR.	CENTER	P.L.	PROPERTY LINE
CYD.	CUBIC YARD	P.O.C.	POINT OF CONN.
DEL.	DOUBLE	PROP.	PROPERTY
DEM.	DEMOLITION	PT.	POINT
DIH.	DIMENSION	PVMT.	PAVEMENT
DRMG.	DRAWING	REGD.	REQUIRED
DTL.	DETAIL	RFG.	ROOF HATCH
(E)	EXISTING	RFG.	ROOFING
E	EAST	R.O.M.	RIGHT-OF-WAY
E.L.	ELEVATION	S	SOUTH
ELEC.	ELECTRIC (AL)	TEL.	TELEPHONE
ENCL.	ENCLOSURE	T.O.P.	TOP OF PARAPET
E.P.	ELECT. PANELBOARD	T.O.S.	TOP OF SLAB (SURFACE)
EQUIP.	EQUIPMENT	T.O.W.	TOP OF WALL
EX.	EXISTING	TYP.	TYPICAL
EXT.	EXTERIOR	UNF.	UNFINISHED
FS.	FINISH SURFACE	U.N.O.	UNLESS NOTED OTHERWISE
FT.	FOOT OR FEET	VERT.	VERTICAL
FUT.	FUTURE	W	WEST
G.C.	GENERAL CONTR.	W/	WITH
G.F.	GROUND FACE	WP.	WATERPROOF
GND.	GROUND	WT.	WEIGHT
GR.	GRADE OR GRADING		
GV.	GAS VENT		

ABBREVIATIONS

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ACCEPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

1. CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25)
2. 2007 CALIFORNIA BUILDING CODE
3. BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)
4. 2007 UNIFORM MECHANICAL CODE
5. ANSI/ISA-222-F LIFE SAFETY CODE NFPA-101
6. 2007 UNIFORM PLUMBING CODE
7. 2007 NATIONAL ELECTRIC CODE
8. LOCAL BUILDING CODE
9. CITY/COUNTY ORDINANCES

CODE COMPLIANCE

SITE PARCEL NO.:	312-010-11
JURISDICTION:	CITY OF SAN DIEGO
ZONE:	AR-1-1
OCCUPANCY:	UNMANNED TELECOMMUNICATIONS FACILITY
LATITUDE:	32° 58' 53.81" N
LONGITUDE:	117° 06' 56.20" W
ELEVATION:	561'
LEGAL DESCRIPTION:	A PORTION OF LOT 5 OF SECTION 5, TOWNSHIP 14 SOUTH RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

PROJECT DATA

SITE ADDRESS:	14002 BLACK MOUNTAIN RD. SAN DIEGO, CA 92129
OWNER:	AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801
CONTACT:	STEVE VONDRAN, SR. V.P. (781) 926-4500
APPLICANT:	VERIZON WIRELESS 15505 SAND CANYON AVE. BUILDING 'D' 1ST FLOOR IRVINE, CA 92618 PHONE: (949) 286-7000
CONTACTS:	THE PLANNING CONSORTIUM, INC. PROJECT MANAGER: JOHN BITTERLY 627 N. MAIN ST. ORANGE, CA 92668 (714) 764-2510
ARCHITECT:	ACO ARCHITECTS, INC. 26170 ENTERPRISE WAY #600 LAKE FOREST, CA 92630 PHONE: (949) 716-9940 FAX: (949) 297-4786
CONTACT:	ANTHONY ORTALA (949) 716-9940

PROJECT DIRECTORY

REV.	DATE/BY:	REVISION DESCRIPTION:
1	02/04/09 FN	ZONING DRAWINGS
2	07/16/09 MT	CLIENT REVISION
3	07/24/09 FN	CLIENT REVISION
4	12/21/09 FN	CLIENT REVISION
5	12/22/09 TH	CLIENT REVISION

CONSULTANT:

THE
PLANNING
CONSORTIUM
LAND PLANNING • ENVIRONMENTAL STUDIES
GOVERNMENT RELATIONS

627 N. MAIN STREET
ORANGE, CALIFORNIA 92668
TEL: (714) 764-2510 FAX: (714) 769-1969

SITE BUILDER:



15505 SAND CANYON AVE.
BUILDING 'D' 1st. FLOOR
IRVINE, CA 92618
PHONE: (949) 286-7000

A/E DEVELOPMENT:

ACO
ARCHITECTS - INC.

26170 ENTERPRISE WAY #600
LAKE FOREST, CA 92630
TEL: 949-716-9940
FAX: 949-297-4786

ENGINEER:

SITE INFO:

SITE NAME:	BLACK MOUNTAIN
SITE ADDRESS:	14002 BLACK MOUNTAIN RD. SAN DIEGO, CA 92129

SHEET TITLE:

TITLE SHEET

DRAWING INFO:

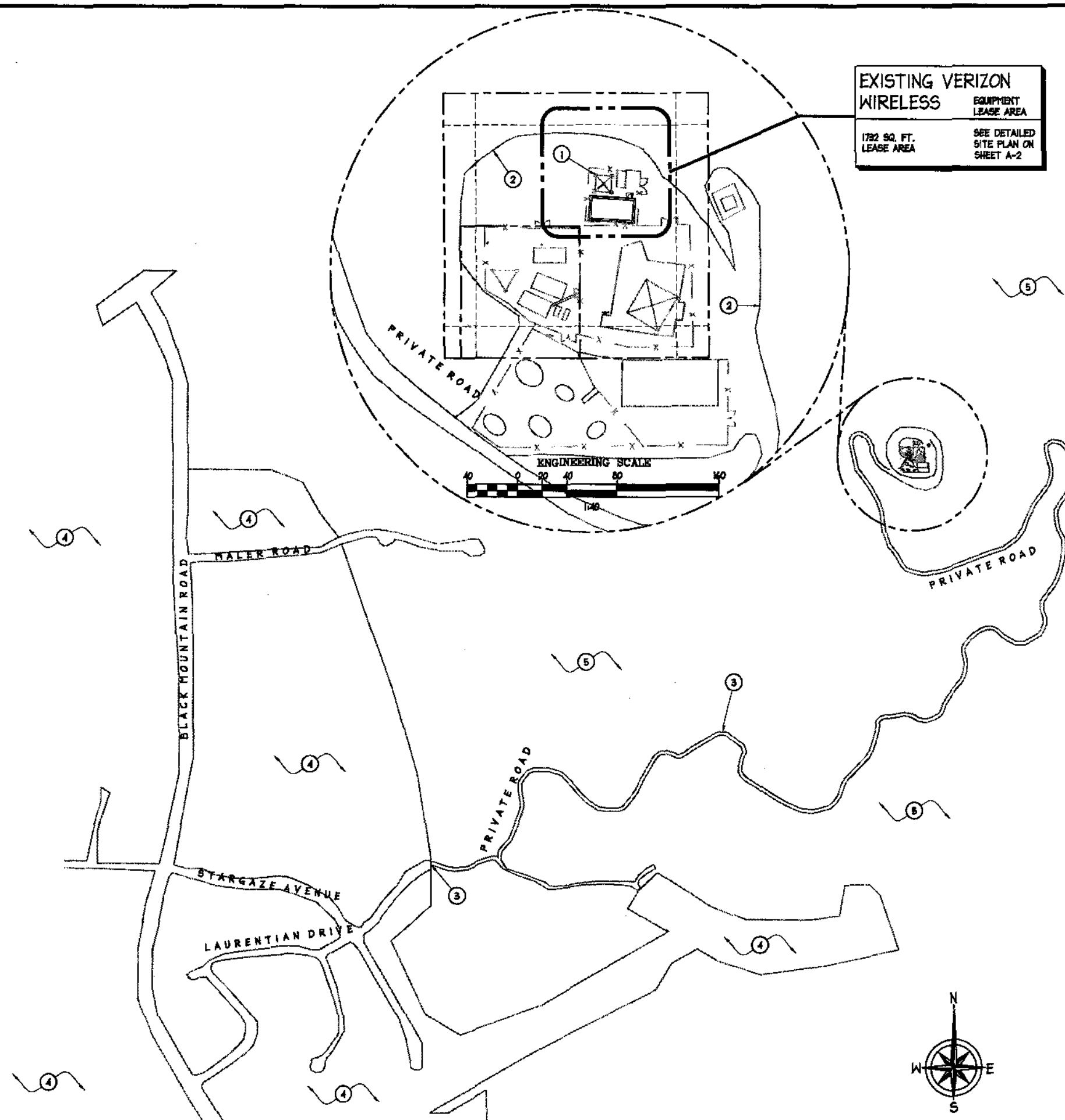
DWG. NAME:	DRAWN BY:	DATE:
TI	FN	02/04/09

SHEET NUMBER:

T-1

NOTES:

- ① EXISTING VERIZON WIRELESS 40'-4" X 42'-4" (1732 SQ. FT. LEASE AREA). REFER TO SHEET A-2 FOR DETAILED SITE PLAN.
- ② EXISTING EDGE OF CLEARED AREA.
- ③ EXISTING PRIVATE ROAD ACCESS DIRT ROAD FROM LAURENTIAN DRIVE TO EXISTING VERIZON WIRELESS SITE.
- ④ EXISTING RESIDENTIAL AREA.
- ⑤ EXISTING OPEN AREA.



EXISTING VERIZON WIRELESS	
1732 SQ. FT. LEASE AREA	EQUIPMENT LEASE AREA
SEE DETAILED SITE PLAN ON SHEET A-2	

REV.	DATE/BY:	REVISION DESCRIPTION:
1	02/04/09 FN	ZONING DRAWINGS
2	07/15/09 MY	CLIENT REVISION
3	07/24/09 FN	CLIENT REVISION
4	12/21/09 FN	CLIENT REVISION
5	12/22/09 TH	CLIENT REVISION

CONSULTANT:

THE PLANNING CONSORTIUM
LAND PLANNING • ENVIRONMENTAL STUDIES
GOVERNMENT RELATIONS

627 N. MAIN STREET
ORANGE, CALIFORNIA 92668
TEL: (714) 769-2510 FAX: (714) 769-1969

SITE BUILDER:



15505 SAND CANYON AVE.
BUILDING 'D' 1st. FLOOR
IRVINE, CA 92618
PHONE (949) 286-7000

A/E DEVELOPMENT:

ACO
ARCHITECTS - INC.

26170 ENTERPRISE WAY #600
LAKE FOREST, CA 92630
TEL: 949-716-9940
FAX: 949-297-4788

ENGINEER:

SITE INFO:

SITE NAME:
BLACK MOUNTAIN

SITE ADDRESS:
14002 BLACK MOUNTAIN RD.
SAN DIEGO, CA 92129

SHEET TITLE:

SITE PLAN

DRAWING INFO:

DWG. NAME: AI	DRAWN BY: FN	DATE: 02/04/09
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SHEET NUMBER:

A-1

SITE PLAN

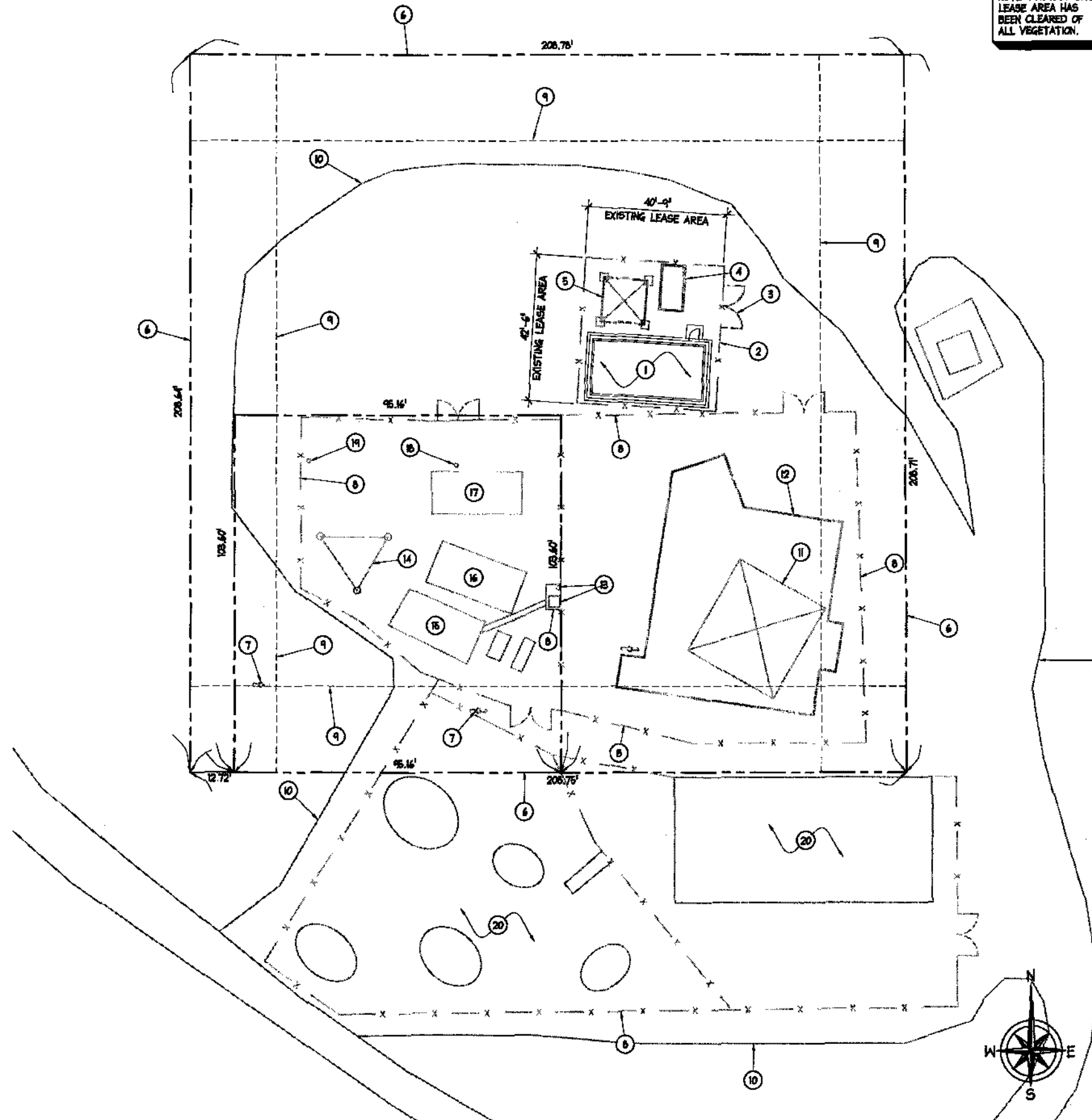
SCALE:
N.T.S.

1

NOTES:

- 1 EXISTING VERIZON WIRELESS EQUIPMENT SHELTER (APPROX. 10' X 32').
- 2 EXISTING VERIZON WIRELESS 10' HIGH CHAIN LINK FENCE ENCLOSURE.
- 3 EXISTING VERIZON WIRELESS 12' WIDE ACCESS CHAIN LINK GATE.
- 4 EXISTING VERIZON WIRELESS GENERATOR PAD WITH 5' HIGH CHAIN LINK FENCE ENCLOSURE.
- 5 EXISTING VERIZON WIRELESS 28' SQUARE TOWER FOUNDATION AND 80' HIGH TOWER STRUCTURE, AND LOCATION FOR EXISTING PANEL AND INTERCONNECT DISH ANTENNAS.
- 6 EXISTING PROPERTY LINE.
- 7 EXISTING UTILITY POLE (TYPICAL).
- 8 EXISTING 6' HIGH CHAIN LINK FENCE BY OTHERS.
- 9 EXISTING FRONT, REAR AND SIDE SETBACKS (25' IN AR-1-1 ZONE).
- 10 EXISTING LIMIT OF CLEARED AREA.
- 11 EXISTING 181' HIGH AMERICAN TOWER/AT&T LATTICE TOWER WITH ANTENNAS.
- 12 EXISTING AMERICAN TOWER/AT&T EQUIPMENT BUILDING WITH ROOFTOP ANTENNAS.
- 13 EXISTING CITY OF SAN DIEGO WHIP ANTENNA ON WOODEN POLE (68' HIGH) WITH OUTDOOR CABINET.
- 14 EXISTING 60' HIGH CIRCULAR LATTICE TOWER WITH DISH ANTENNAS.
- 15 EXISTING CIRCULAR EQUIPMENT ENCLOSURE.
- 16 EXISTING EQUIPMENT ENCLOSURE (CARRIER UNKNOWN).
- 17 EXISTING EQUIPMENT ENCLOSURE (CARRIER UNKNOWN).
- 18 EXISTING WOODEN POLE WITH WHIP ANTENNAS (CARRIER UNKNOWN).
- 19 EXISTING WOODEN POLE WITH PANEL ANTENNAS (CARRIER UNKNOWN).
- 20 EXISTING SOUTHWESTERN CABLE TV EQUIPMENT BUILDING AND SATELLITE ANTENNAS TO SOUTH.

NOTE: PROJECT SITE/LEASE AREA HAS BEEN CLEARED OF ALL VEGETATION.



TRANSMITTER FREQUENCY & POWER LEVELS:

TRANSMITTER FREQUENCIES:

TRANSMIT: 820 MHz TO 844 MHz
 RECEIVE: 825 MHz TO 848 MHz
 TRANSMIT: 1965 MHz TO 1970 MHz
 RECEIVE: 1955 MHz TO 1960 MHz
 TRANSMIT: 1985 MHz TO 1990 MHz
 RECEIVE: 1905 MHz TO 1910 MHz

POWER LEVELS:

OMDA: 2000 WATTS ERP TOTAL
 EVDO: 500 WATTS ERP TOTAL

DETAILED SITE PLAN

REV.	DATE/BY:	REVISION DESCRIPTION:
1	02/04/09 FN	ZONING DRAWINGS
2	07/15/09 MY	CLIENT REVISION
3	07/24/09 FN	CLIENT REVISION
4	12/21/09 FN	CLIENT REVISION
5	12/22/09 TH	CLIENT REVISION

CONSULTANT:

THE PLANNING CONSORTIUM
 LAND PLANNING • ENVIRONMENTAL STUDIES
 GOVERNMENT RELATIONS

621 N. MAIN STREET
 ORANGE, CALIFORNIA 92668
 TEL: (714) 769-2510 FAX: (714) 769-1969

SITE BUILDER:

verizonwireless

15505 SAND CANYON AVE.
 BUILDING 'D' 1st. FLOOR
 IRVINE, CA. 92618
 PHONE (949) 286-7000

A/E DEVELOPMENT:

ACO
 ARCHITECTS - INC.

26170 ENTERPRISE WAY #600
 LAKE FOREST, CA 92630
 TEL: 949-716-9940
 FAX: 949-297-4788

ENGINEER:

SITE INFO:

SITE NAME:

BLACK MOUNTAIN

SITE ADDRESS:

14002 BLACK MOUNTAIN RD.
 SAN DIEGO, CA 92129

SHEET TITLE:

**DETAILED
 SITE PLAN**

DRAWING INFO:

DWG. NAME:	DRAWN BY:	DATE:
A2	FN	02/04/09

SHEET NUMBER:

A-2

REV.	DATE/BY:	REVISION DESCRIPTION:
1	02/04/09 FN	ZONING DRAWINGS
2	07/15/09 MY	CLIENT REVISION
3	07/24/09 FN	CLIENT REVISION
4	12/21/09 FN	CLIENT REVISION
5	12/22/09 TN	CLIENT REVISION

CONSULTANT:

THE PLANNING CONSORTIUM
LAND PLANNING • ENVIRONMENTAL STUDIES
GOVERNMENT RELATIONS

617 N. MAIN STREET
ORANGE, CALIFORNIA 92668
TEL: (714) 769-3510 FAX: (714) 769-1969

SITE BUILDER:



15505 SAND CANYON AVE.
BUILDING 'D' 1st. FLOOR
IRVINE, CA 92618
PHONE (949) 286-7000

A/E DEVELOPMENT:

ACO
ARCHITECTS - INC.

26170 ENTERPRISE WAY #600
LAKE FOREST, CA 92630
TEL: 949-716-9940
FAX: 949-247-4788

ENGINEER:

SITE INFO:

SITE NAME:

BLACK MOUNTAIN

SITE ADDRESS:

14002 BLACK MOUNTAIN RD.
SAN DIEGO, CA 92129

SHEET TITLE:

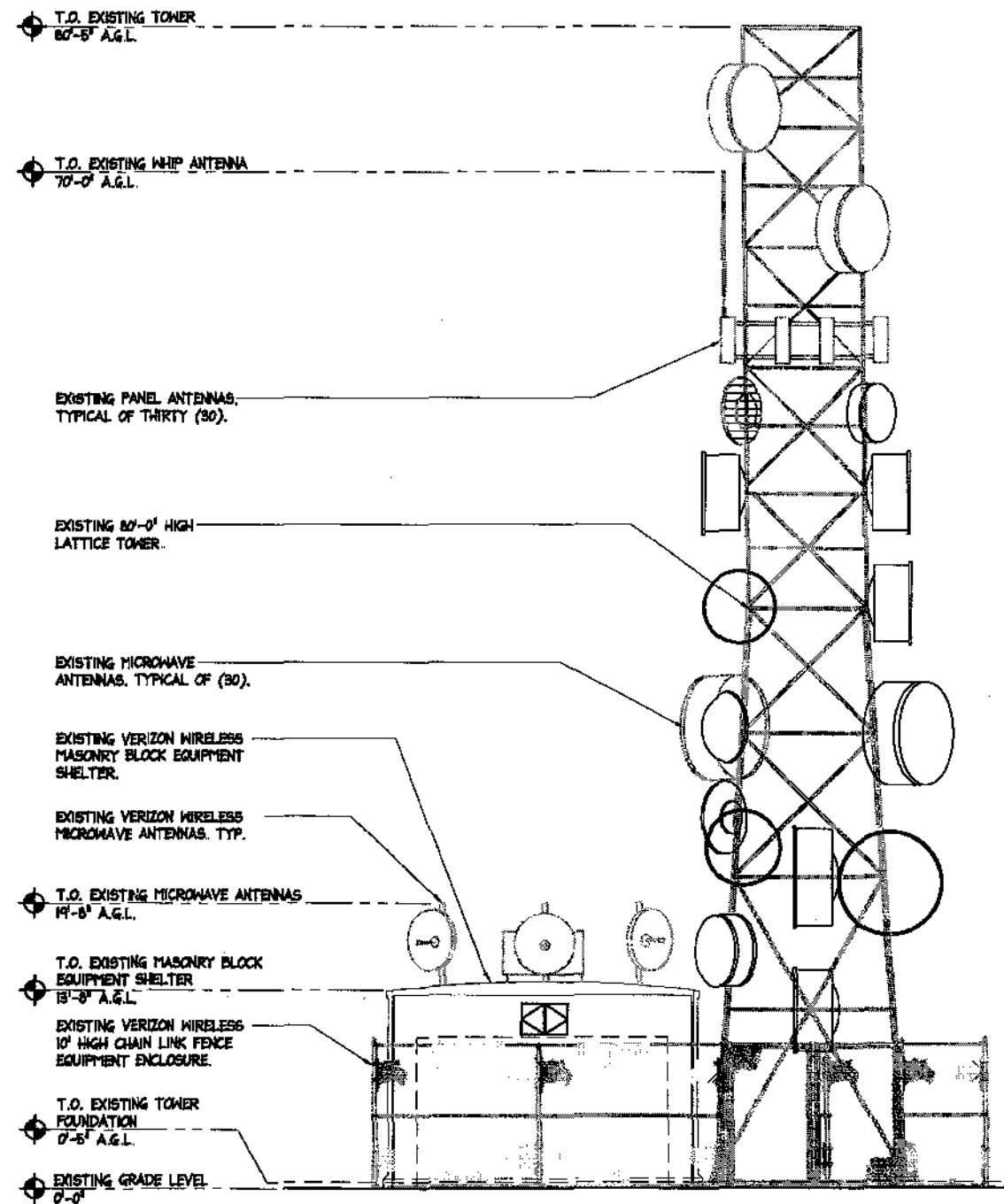
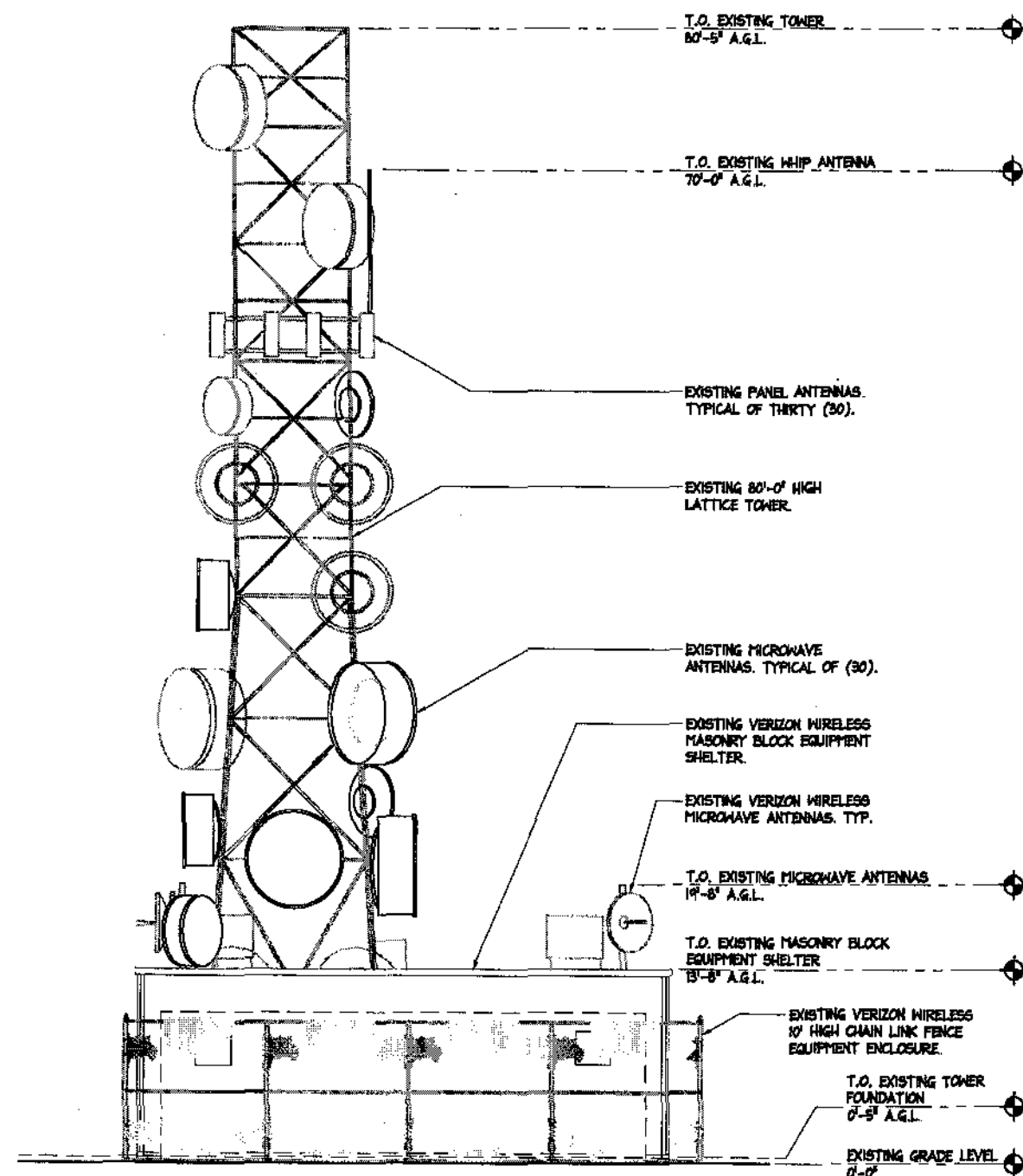
**ARCHITECTURAL
ELEVATIONS**

DRAWING INFO:

DWG. NAME:	DRAWN BY:	DATE:
A3	FN	02/04/09

SHEET NUMBER:

A-3



SOUTH ELEVATION



SCALE:
3/16" = 1'-0"

1

WEST ELEVATION



SCALE:
3/16" = 1'-0"

2

JUN 07, 2005 12:51 PM

(Total of 100 pages)
 RECORDING REQUESTED BY
 CITY OF SAN DIEGO
 DEVELOPMENT SERVICES
 PERMIT INTAKE, MAIL STATION 501

10085

OFFICIAL RECORDS
 SAN DIEGO COUNTY RECORDER'S OFFICE
 GREGORY J. SMITH, COUNTY RECORDER
 FEES: 22.00
 PAGES: 6

WHEN RECORDED MAIL TO

PERMIT INTAKE
 MAIL STATION 501

2005-0476714

Job Order No. 42-4373

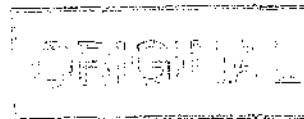
SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 967657
 VERIZON WIRELESS BLACK MOUNTAIN
 PLANNING COMMISSION

This Conditional Use Permit No. 967657 is granted by the Planning Commission of the City of San Diego to City of San Diego, Owner, and Verizon Wireless, A CORPORATION, Permittee; pursuant to Section 105.0510.3.1 of the Municipal Code of the City of San Diego. The 0.4 acre site is located at 14002 Black Mountain Road in the A-1-10 zone and Hillside Review Overlay the Rancho Penasquitos Community Plan area. The project site is legally described as a portion of Lot 5 of Section 5, Township 14 South, Range 2 West, San Bernardino Base and Meridian.

1. Subject to the terms and conditions set forth in this permit, permission is granted to Owner and Permittee to continue operation of the existing telecommunication facility described herein, and identified by size, dimension, quantity, type and location on the approved Exhibits "A", dated January 29, 1998 on file in the Office of Development Services. The facility shall include:

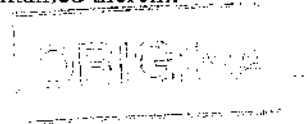
- a. An existing 80-foot tall telecommunication tower mounted with 30 directional antennas, 31 dish antennas, 5 omni-directional antennas and an 800 square-foot equipment unit; and
- b. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the Municipal Code in effect for this site.



2. 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:
(Total of 19 pages)

- a. The Permittee signs and returns the Permit to Development Services; and
 - b. The Permit is recorded in the office of the San Diego County Recorder.
3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.
4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.
6. Issuance of this permit by the City of San Diego does not authorize the applicant for said permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.)
7. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
8. All of the conditions contained in this permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this permit. It is the intent of the City that the Owner of property which is the subject of this permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this permit, but only if the Owner complies with all the conditions of the Permit.

In the event that any conditions of this permit, on a legal challenge by the Owner/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 Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(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 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.



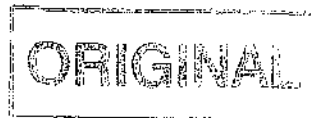
9. This Conditional Use Permit and corresponding use of this site shall expire on
 Attachment 29 2008 Existing Permits

(Total of 19 pages) Prior to the expiration date of this Condition Use Permit, the Permittee may submit a new Conditional Use Permit application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

PLANNING/DESIGN REQUIREMENTS:

11. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
12. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.
13. The 800 square-foot equipment unit shall be painted an earth toned color that blends with the natural colors of the mountainside.
14. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

APPROVED by the Planning Commission of the City of San Diego on January 29, 1998.



Planning Commission
 its RESOLUTION NO. 2593-PC
 Conditional Use Permit 96-7673
 VERIZON WIRELESS - MTSO

s)

WHEREAS, on August 13, 1997, City of San Diego, Owner; and Verizon Wireless, A CORPORATION, Permittee; filed an application with the City of San Diego for a permit to continue operation of an existing telecommunication facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 96-7653, on portion of a 0.4 acre site and;

WHEREAS, the project site is located at 14002 Black Mountain Road (atop Black Mountain) in the A-1-10 zone and Hillside Review Overlay of the Rancho Penasquitos Community Plan area and;

WHEREAS, the project site is legally described as a portion of Lot 5 of Section 5, Township 14 South, Range 2 West, San Bernardino Base and Meridian, and;

WHEREAS, on January 29, 1998, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 96-7657 pursuant to Sections 105.10.3.1 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

That the Planning Commission adopts the following written Findings, dated January 29, 1997.

FINDINGS:

- A. **THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE NEIGHBORHOOD, THE GENERAL PLAN, OR THE COMMUNITY PLAN, AND, IF CONDUCTED IN CONFORMITY WITH THE CONDITIONS PROVIDED BY THE PERMIT, WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA.**

The proposed use will not adversely affect the neighborhood, the Progress Guide and General Plan or the Rancho Penasquitos Community Plan. The site is designated Open Space and Park in the Rancho Penasquitos Community Plan and is zoned A-1-10 (agricultural) in the Hillside Review Overlay. The site is developed with the existing 80-foot tall tower, 800 square-foot equipment unit and associated antennas, and is surrounded by six other telecommunication/transmission facilities. Although the project will be visible from a large area of the City it does comply with the intent of the Rancho Penasquitos Community Plan recommendations regarding the Black Mountain transmission towers. Additionally, because the facility is existing, its continued operation would not further degrade the visual quality of Black Mountain.

The proposed use, if conducted in conformity with the conditions provided by this permit, will not be detrimental to the health, safety and general welfare of persons residing or

working in the area. Radio frequency emissions from the proposed facility are regulated at #9 by the Federal Communications Commission (FCC) which requires telecommunication facilities to comply with the safety standards established by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

B. THE PROPOSED USE WILL COMPLY WITH ALL THE RELEVANT REGULATIONS IN THE MUNICIPAL CODE.

The proposed telecommunications facility is permitted in any zone with a Conditional Use Permit. The facility complies with the City of San Diego Telecommunication Antenna Policy in that it has been designed to be minimally visible, to the extent possible. Visibility of the facility has been minimized to the extent possible by coloring the tower a non-reflective gray and painting the equipment unit an earth tone so that it blends into the mountainside when viewed from a distance.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit 96-7657 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 96-7657, a copy of which is attached hereto and made a part hereof.

Waren Lyach-Ashcraft For
 Dan Joyce
 Senior Planner

Adopted on: January 29, 1998

ORIGINAL

ALL-PURPOSE CERTIFICATE

ts

Approval Number of Document 967657Date of Approval January 29, 1998STATE OF CALIFORNIA
COUNTY OF SAN DIEGOAmanda Nations

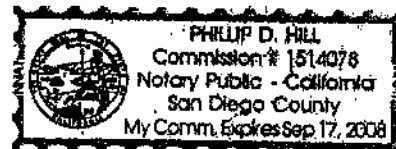
Amanda Nations, Development Project Manager

On MAY 20, 2005 before me, PHILLIP D. HILL, (Notary Public), personally appeared Amanda Nations, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

Phillip D. Hill



ALL-PURPOSE CERTIFICATE

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER(S)/PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER(S)/PERMITTEE(S) THEREUNDER.

Signed

Leslie Vartanian

Signed

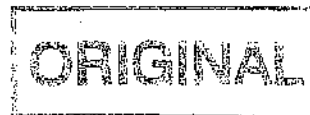
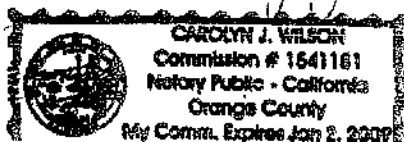
Leslie Vartanian

STATE OF CaliforniaCOUNTY OF -San Diego- ORANGE

On MAY 27, 2005 before me, CAROLYN J. WILSON (Name of Notary Public) personally appeared Leslie VARTANIAN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

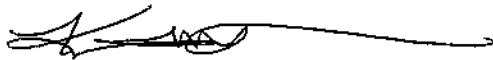
Carolyn J. Wilson

Attachment 9
Black Mountain Modification Letter
(Total 19 pages)
Dated February 1, 1995


DEP. Building Permits must be obtained within six months from the date of this approval or this authorization shall be null and void. This determination is exempt from CEQA review.

Please indicate your concurrence with the statements made within this letter and as being consistent with the DEP determination regarding the "**Black Mountain**" cellular facility modification proposal by signing in the space provided below. If you have any questions or wish to modify this letter, please call me at 625-7656.

Sincerely,



Kevin McGee
Government Relations Manager


Terri Bumgardner

2/2/95
Date



AirTouch Cellular
5355 Mira Sorrento Place, Suite 500
San Diego, CA 92121

Telephone: 619.625.7878

The new room for Panel

June 9, 1994

Ms. Karen Lynch-Ashcraft
Planning Department
City of San Diego
1222 First Avenue
San Diego, CA 92101

SUBJECT: THE MODIFICATION OF AN APPROVED CELLULAR COMMUNICATIONS FACILITY, LOCATED ON TOP OF BLACK MOUNTAIN.

Dear Ms. Lynch-Ashcraft,

Subsequent to my visit to the Planning Department and my discussion with Mr. Korch, last Thursday, June 2, it is AirTouch Cellular's understanding the proposed modification of the approved cellular communication facility located at 14002 Black Mountain Road and on top of Black Mountain has been determined to be in substantial conformance with the previously approved project.

Conditional Use Permit No. 87-0063 approved July 28, 1987 and an administrative approval, 91-0302-10, on February 3, 1992 have approved the existing facility. Planning Department approvals have allowed a facility including a sixty-foot steel lattice tower; a 690 square-foot building with six, roof mounted, digital dish antennas; a propane tank and generator; a total of fifteen digital dish antennas, ranging in diameter from two to eight feet located on the tower structure; fifteen directional antennas (panel); and one omni-directional antenna (whip) maximum ten feet in height.

The current request for modification includes the addition of four omni-directional antennas and fifteen panel antennas located on top of the existing sixty-foot tower structure.

Please confirm AirTouch Cellular's understanding of this modification as being in substantial conformance with the originally approved project by signing the space provided below. Should you have any questions or need any additional information, please call me 625-7656.

Sincerely,

Kevin McGee
Government Relations Manager

Agreed and Understood:

Date: 6-16-94
Karen Lynch-Ashcraft, Senior Planner



AirTouch Cellular
5355 Mira Sorrento Place, Suite 500
San Diego, CA 92121
Telephone: 619.625.7878

February 1, 1995

Terri Bumgardner
Associate Planner
City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

**SUBJECT: "BLACK MOUNTAIN " CELLULAR FACILITY; CONDITIONAL
USE PERMIT NO. 87-0063 AND ADMINISTRATIVE APPROVAL
NO. 91-0302-10**

Dear Ms. Bumgardner,

On December 15, 1994, I submitted an application to modify the existing AirTouch Cellular communications facility located at 14002 Black Mountain Road.

The proposal includes adding 20 feet in height to the existing 60 foot high, four-legged, antenna support tower for an overall height of 80 feet. In addition, the modification includes the addition of 10 digital dish antennas to the previous approvals.

This would equal a total of 30 directional cellular antennas (panels), 5 omni directional cellular antennas (whips) and 31 digital dish antennas (dish) ranging in diameter from 2 to 10 feet, all mounted on an 80-foot four-legged tower (6 of the 31 digital dish antennas have been approved to be located on the roof of the existing 690 square-foot equipment building). In addition, previous approvals have also included an emergency back-up generator.

It is my understanding that you have reviewed the submitted application and plans and have determined that the proposal as restated above has been **APPROVED** as being in substantial conformance with the previous approvals.

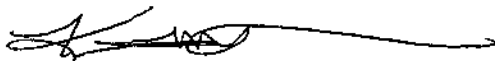
It is understood that all work authorized by your approval shall be in conformance with the description of work contained herein and as indicated on the plans submitted to the Building Division of the Development Services Department and stamped with the Development and Environmental Planning (DEP) Division approval. All modifications to the structure or site not directly approved by this permit, shall require further review by

Attachment ... s
Black Mountain Modification Letter
(To be signed by 1, 1995)

DEP. Building Permits must be obtained within six months from the date of this approval or this authorization shall be null and void. This determination is exempt from CEQA review.

Please indicate your concurrence with the statements made within this letter and as being consistent with the DEP determination regarding the "**Black Mountain**" cellular facility modification proposal by signing in the space provided below. If you have any questions or wish to modify this letter, please call me at 625-7656.

Sincerely,



Kevin McGee
Government Relations Manager


Terri Bumgardner

2/2/95
Date

* DO NOT REMOVE FROM FILE *

ig Permits
CONDITIONAL USE PERMIT NO. CUP-87-0063
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of the City of San Diego to PacTel Mobile Access, a California corporation, "Lessee/Permittee," under the conditions in Section 101.0510 of the Municipal Code of the City of San Diego.

1. Permission is granted to Lessee/Permittee to construct and operate a 60-foot microwave transmission tower and associated one-story equipment building of 415 square feet with a generator enclosure and a propane tank located on Black Mountain between Interstate 15 and Black Mountain Road, described as a Portion of Lot 5, Section 5, T14S, R2W, SBM, in the A-1-10 (HR) Zone.

2. The facility shall consist of the following:

- a. A 60-foot microwave transmission tower with 12 dish antennae;
- b. A 415-square-foot equipment building;
- c. A generator enclosure and a propane tank;
- d. Off-street parking; and
- e. Accessory uses as may be determined incidental and approved by the Planning Director.

No fewer than two off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated July 28, 1987, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.

4. No permit for construction or operation of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The Conditional Use Permit is recorded in the office of the County Recorder.

5. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated July 28, 1987, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

RECEIVED
 CITY CLERK'S OFFICE
 1987 SEP 24 AM 11:46
 SAN DIEGO, CALIF.

6. A complete landscape plan shall be required to screen the base area of the facility from the adjoining Black Mountain Park and Open Space if determined necessary by the Parks Department due to the location of hiking and equestrian trails. Complete plans shall be submitted to the Planning Director for review and approval.

7. Any outdoor security lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

8. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0506 and 101.0507 of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.

9. All antennae will be painted with a non-reflective, low contrast color.

10. A standard navigational light shall be placed on top of the tower.

11. The Permittee shall report to the Transportation and Land Use Committee at the conclusion of three (3) years after the issuance of the permit as to the state of technology at that time to determine whether it is feasible to make changes in this facility. If it is not feasible to make changes, the committee can make periodic updates and monitor the advancement of this technology. The transmission tower shall be removed when technology becomes available that would render it obsolete, as determined by the City Council.

10. This Conditional Use Permit shall expire ten years from the date of approval by the City Council. If an extension of time is requested, the transmission facility's operation, surrounding conditions, and current technology shall be reviewed and public hearings conducted by the Planning Commission and City Council prior to making a determination on the request.

11. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

12. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Director; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

13. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

14. This Conditional Use Permit is a covenant running with the land and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject

AUTHENTICATED BY:
Attachment #9 - Existing

Maureen O'Connor
(Signature)

MAUREEN O'CONNOR, Mayor
The City of San Diego

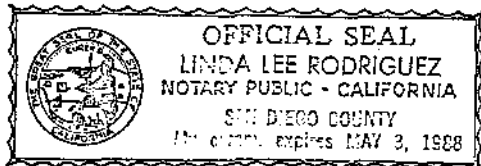
Charles G. Abdelnour
(Signature)

CHARLES G. ABDELNOUR, City Clerk
The City of San Diego

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this 16 day of Sept, 1988, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.



Linda Lee Rodriguez
(Signature)
Notary Public in and for the County
of San Diego, State of California

San Diego Trust & Savings Bank 

NOTARY ACKNOWLEDGEMENT
CORPORATION

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On this 15th day of October, in the year 1987, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Scott E. Hoganson * * * * *

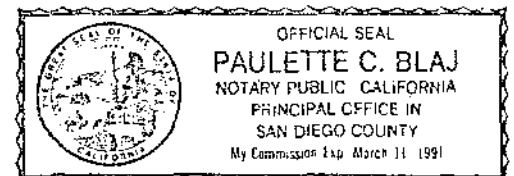
personally known to me or proved to me on the basis of satisfactory evidence) to be the VICE
President, and * * * * *

personally known to me (or proved to me on the basis of satisfactory evidence) to be the
Secretary of the corporation

executed this instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed this instrument pursuant to its by-laws or a resolution of its board of directors.

Witness my hand and official seal:

Paulette C. Blaj
(Signature)



ts

Passed and adopted by the Council of The City of San Diego on

JUL 28 1987

by the following vote:

YEAS: Wolfsheimer, Cleator, McColl, Struiksma, Ballesteros.

NAYS: None.

NOT PRESENT: Jones, Gotch, McCarty, O'Connor.

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Deigo, California

By

JUNE A. BLACKNELL

Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true
and correct copy of RESOLUTION NO. R- 268975 passed and
adopted by the Council of The City of San Deigo, California, on

JUL 28 1987

CHARLES G. ABDELNOUR

City Clerk of The City of San Deigo, California

(SEAL)

By

June A. Blacknell
Deputy

AUTHENTICATED BY:
Attachment #9 - Existing Permit

(Total of 19 pages)
MAUREEN O'CONNOR, Mayor
The City of San Diego

CHARLES G. ABDELNOUR, City Clerk
The City of San Diego

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 198____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County
of San Diego, State of California

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

PACTEL MOBILE ACCESS,
a California corporation

(Permittee)

By _____

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
Form=p.ack

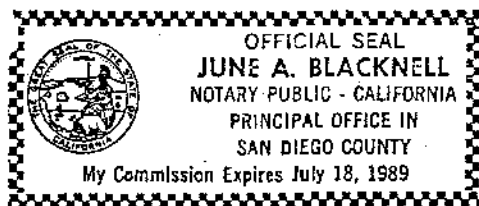
STATE OF CALIFORNIA)

ss.

COUNTY OF SAN DIEGO)

On this 29th day of September 1987, before me, the undersigned, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to be the person whose name is subscribed to the within instrument, as a witness thereto, who, being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.



June A. Blacknell
 Notary Public in and for the County
 of San Diego, State of California

(R-88-284)

RESOLUTION NUMBER R-268975

ADOPTED ON JULY 28, 1987

WHEREAS, the Planning Commission approved Conditional Use Permit No. CUP-87-0063 submitted by PACTEL MOBILE ACCESS, a California corporation, Lessee/Permittee, for construction and operation of a 60-foot steel lattice microwave transmission tower and associated one-story equipment/generator building, on a portion of Lot 5, Section 5, Township 14 South, Range 2 West, SBBM, located on Black Mountain Road, between Interstate 15 and Black Mountain Road, in the Penasquitos East Community Plan area, in the A-1-10 Zone; and

WHEREAS, the matter was set for public hearing on July 28, 1987, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Conditional Use Permit No. CUP-87-0063:

1. The proposed project will fulfill a need and will not adversely affect the General Plan or the community plan. The proposed 60-foot microwave transmission facility will provide for an upgrade of the PacTel cellular microwave system. The proposed use will be in conformance with the adopted Penasquitos East Community Plan.

Attachment #2 - LAISING 100000
 2. The proposed project, because of the conditions that
 (Total of 19 pages)
 have been applied to it, will not be detrimental to the health,
 safety and general welfare of persons residing or working in the
 area and will not adversely affect other property in the
 vicinity. No detrimental effect on the surrounding area is
 anticipated from the construction of the proposed 60-foot
 microwave transmission facility due to the site's location
 adjoining existing facilities of a similar nature and due to the
 relatively isolated location. The permit will provide for
 specific conditions of approval including compliance with all
 regulations of The City of San Diego and any other governmental
 agencies.

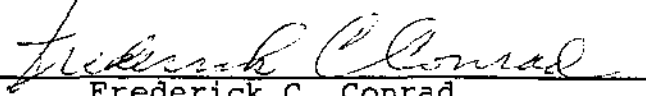
3. The proposed use will comply with all relevant
 regulations in the Municipal Code. The proposed 60-foot
 microwave transmission facility use will comply with all relevant
 regulations of the Municipal Code. Section 101.0510.4.g. grants
 the Council authority to approve stationary facilities for the
 transmission of electromagnetic signals including microwave relay
 stations and cellular mobile telephone transmitting facilities.

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

BE IT FURTHER RESOLVED, the decision of the Planning
 Commission is sustained, and Conditional Use Permit No.
 CUP-87-0063 is hereby granted to PACTEL MOBILE ACCESS, under the
 terms and conditions set forth in the permit attached hereto and
 made a part hereof.

APPROVED: JOHN W. WITT, City Attorney
(Total of 19 pages)

By



Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
08/07/87
Or.Dept:Clerk
R-88-284
Form=r.permit



Rancho Peñasquitos Planning Board Meeting Minutes
Wednesday, April 7, 2010
 El Dorado Room, Doubletree Golf Resort

Members in attendance: Chair Charles Sellers, Vice Chair Jon Becker, Bill Diehl, Dennis Spurr, Keith Rhodes, James LaGrone and Bill Dumka. John Keating appeared during the presentation by Council District One.

Members absent: Tuesdee Halperin, Morri Chowaiki, John Spelta, Scot Sandstrom, Mike Shoecraft, Daniel Barker, Jeanine Politte, Lynn Murphy and Joost Bende.

The meeting was called to order by Chairman Charles Sellers at 7:41 pm without a quorum present.

Chairman Sellers announced that the Cresta Bella Monument Signs action item had been postponed at applicant's request. They will be on the May agenda if the agenda opens up, but for sure in June.

Approval of minutes was deferred until a quorum is present.

There were no Public Safety Agencies present.

Public Forum:

- Kara Palmer, a consultant for CALTRANS announced an upcoming extended closure of the express lane access from eastbound Highway 56. The six week [hopefully only three weeks] closure will begin in early to mid May. Express lane access from Highway 56 will be shifted via the Sabre Springs transit center. Ms. Palmer indicated that obvious signage will be posted.
 Also during this period the bridge over Highway 15 at Pomerado Road will be intermittently closed in the evenings to complete the south span project. This will involve shifting traffic to the north span, demolishing and then construction of the south span. Estimated completion is in early 2011.
 South of the Carroll Canyon bridge traffic will be shifted to the outside lanes in order to complete express lane upgrades.
 Sellers and Spurr questioned contractor responsibilities and demolition schedule. Diehl questioned connections to reclaimed water piping. Ms. Palmer did not know the water answer, but she will get back to the Chair and the Secretary with answers.
- Rod Simmon of the RP city advisory committee questioned "legal" access routes to Westview High School from Park Village. He passed out a proposed Darkwood canyon trail proposal which was emailed to board members. He was concerned about illegal trespassing shortcuts through private property including the vernal pool areas.
 Rhodes commented about the history of his project and proposed trails within that purview.

Public Officials:

Council member Sherri Lightner announced that:

- a. Fire Station 40 is still manned despite media reports. Response time to the recent fire was faster than pre-brownout averages by 2 minutes. Average response times in PQ and University City are worse than city averages and the Fire Marshall has published his concerns. There will be no HAZMAT relocations to 4S Ranch stations - that responsibility will remain within station 40.
- b. There will be a sex offender information meeting within District One April 15th at the Torrey Hills Oceanaire Recreation Center. Please no children should attend. Future meetings will be promulgated by her office.
- c. All business enterprise zones have expired, but most are south of Interstate 8. There are some proposed zones within District One, but PQ should not be a player as industrial land is required.
- d. Prescription drug return will happen April 17th at the Poway Sheriff's office from 9am to 1pm.

~ Sellers - - pressure on CPG's to go on record re: medical marijuana establishments.

~ Rhodes - no valid enforcement by zones.

~ Lightner - District One will make recommendations in accordance with attorney general specifics.

~ Penasquitos task force will meet next Thursday [15th]. Task force wants Planning Board to attend.

~ In response to Mr. Simmon, the Poway School District is responsible for traffic in and around schools.

~ The mayor will present his budget to council on the 13th.

~ Sellers worried about city budget committee inputs prior to budget release - time is short.

~ Problem with balloon chase vehicles infringing upon private property, not being respectful to the property and especially vernal pool areas. The mayor will enforce privacy with citations if reported.

~ Keating thanked Councilmember Lightner for all the hard and quality work by Stephen Heverly.

~ Rhodes announced legislation that will allow the city to release his project instead of being held hostage by the Department of Fish and Wildlife. More to come on that.

Business:

With the arrival of John Keating a quorum was established.

LaGrone/Becker motioned that the minutes for the March meeting be approved as written.

Motion passed 7-0-1 Spurr abstained.

Verizon Black Mountain presented by John Bitterly

This project is to renew the existing Black Mountain Antenna Tower for a period of ten years.

The only modification suggested by the Telecom Committee was to change the color of the antenna covers to reduce visibility. There will be no changes to the power box or any hardware additions/deletions.

A motion [Spurr/Diehl] supported the 10 year renewal with the proviso that the antenna cover color be grey as delineated in photo simulations 1 of the project plans. The motion passed 8-0-0.

Clearwire Mesa Verde Middle School presented by Becky Siskowski.

The project is to upgrade antennae and covers as depicted in the project plans. The Telecomm Committee has forwarded the project without recommendation other than making any approval contingent upon having vertical symmetry with regard to all facade elements. A motion [Rhodes/Becker] to approve the project with the vertical symmetry requirements passed 7-1-0 [Sellers opposed].

Clearwire Canyonside Park - Becky Siskowski

The proposed project is to replace the light pole nearest the park entrance and to enlarge one of the current kiosks to house electrical equipment. The other existing kiosk would be moved closer to the gymnasium. An additional requirement would be to preclude parking just west of the "T" intersection of ballpark/gymnasium roads. There is a property line problem with city/county property that might preclude fencing.

~ Becker: Who will maintain the complex – Clearwire.

~ Keating: Why is the building there in the first place - concerns about sight line obstructions with approaching and departing traffic. Building will house the cellular equipment.

~ Siskowski - there is an alternate location at the pump station across the road.

~ Keating: Can we twist the building 45 degrees to improve visibility?

Motion [Sellers/Spurr] to approve the project as submitted with the proviso to [a] rotate the building 45 degrees and [b] the applicant will install parking prevention subject to recreation council approval or [c] make a \$1000 donation to the recreation council. Motion passed 8-0-0.

Elections:

A motion to certify the election results promulgated at the last meeting [LaGrone/Becker] passed 8-0-0.

Dist 2 - Dennis Spurr

Dist. 4 - Lynn Murphy

Dist. 8 - Joost Bende

Dist. 10 - John Keating

BMR2- John Spelta

TH2 - Scot Sandstrom

A motion to confirm the appointments of James LaGrone from the Recreation Council and Mike Shoecraft from the Town Council [Becker/Dumka] passed 6-0-2 Diehl and LaGrone abstained.

A motion to confirm the appointments of Bill Dumka to Commercial 2 and Thom Clark to District 3 [Becker/LaGrone] passes 6-0-2 [Sellers and Dumka abstained].

These actions leave the District 6, District 7 and Renter at Large positions vacant.

Nominations:

A motion to continue Charles Sellers as Chairman [Becker/Rhodes] passed 8-0-1 Sellers abstained.

A motion to continue Jon Becker as Vice Chair [Sellers/Rhodes] passed 8-0-1 Becker abstained.

A motion to continue Jeanine Politte as Secretary [Sellers/Becker] passed 9-0-0.

Reports:

Chairman:

- a. This will be my last year as Chairman - Jon Becker will move up and Joost Bende will take over Land Use.
- b. Proposal to move the July meeting to June 30th and the September meeting to September 8th will be discussed next month.

Vice Chair:

- a. Thanks again to Stephen Heverly from the District One staff!
- b. Has received grants for trees for planting October 23rd.
- c. Stephen Heverly will coordinate TRANSNET funds to fix drainage across Black Mountain Road from Canyonside Park.
- d. Muslim Community Center - there are concerns for screening the church and grounds from Santa Monica street and Camina de la Luna. A group petition for the screening is in progress.

Secretary: No report

Land Use: Cresta Bella scheduled in May or June

Telecom Committee:

- a. Two projects - a. Evergreen Nursery pineapple awaiting revision and b. a project for Park Village Drive and Ragweed is awaiting inputs.

Ad Hoc Committees:

Rhodes reported a possible conflict with these meetings and the Brown Act. He proposed closing non-active committees and possibly re-establishing them upon need.

Fire Protection and Transportation committees were reassigned to Liaison and Organization categories.

Liaison and Organization Reports:

Black Mountain Open Space

- a. Two rattlesnakes seen in the open in the last two weeks - beware.
- b. The trails master plan is in work and it will eliminate personal trails.
- c. The glider port hydrospray is growing with the recent rains.

MCAS Miramar

- a. Tours are being organized for the vernal pool areas
- b. New airfield hours were discussed

Recreation Council:

- a. Excellent Egg Hunt April 2 - very well attended
- b. Eight benches for the dog park have arrived
- c. Treasurer has been appointed to the city economic improvement committee

Town Council: No representative

Park Village LMAD

- a. Park and open space improvements underway

Penasquitos East LMAD

- a. Tree stump removed along Black Mountain Road
- b. Diehl has been reappointed to the city Park and Recreation Board

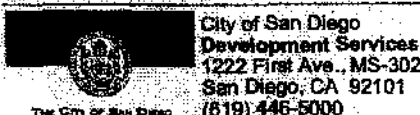
Torrey Highlands LMAD:

- a. Authorized RFP for landscape monument signs
- b. Expect to choose architect May 5
- c. Three new trash cans installed at Westview, It's a Grind and bike path at Camino del Sur

Meeting adjourned at 10:10pm.

Prepared by Jim LaGrone in the Secretary's absence.

Approved 5/5/2010; 9 in favor – 0 against – 0 recusals – 4 abstentions (Murphy, Barker, Politte, Shoecraft).



Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☐ Other

Project Title

Project No. For City Use Only

Verizon Wireless "Black Mountain" Interconnect Antenna Hub Facility

196928

Project Address:

14002 Black Mountain Road, San Diego 92129

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Project Title: <u>Version Wireless "Black Mountain" Interconnect Antenna Hub Facility</u>	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporation or partnership	
Legal Status (please check): <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability -or- <input type="checkbox"/> General What State? <u>DE</u> Corporate Identification No. <u>650598206</u> <input type="checkbox"/> Partnership	
<p>By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
Corporate/Partnership Name (type or print): <u>AMERICAN TOWER*</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>10 Presidential Way</u> City/State/Zip: <u>Woburn MA 01801</u> Phone No: <u>781-926-4500</u> Fax No: <u>781-926-4535</u> Name of Corporate Officer/Partner (type or print): <u>STEVE VANDRAN</u> Title (type or print): <u>TR.V.P. LEASING OPERATIONS, AMERICAN TOWER*</u> Signature: <u>[Signature]</u> Date: <u>7/10/09</u>	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:
Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:	Corporate/Partnership Name (type or print): <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature: Date:

* AMERICAN Tower As Used Herein Is Defined As AMERICAN TOWERS INC. & Any of its Affiliates or Subsidiaries.

Verizon Wireless Black Mountain
PROJECT CHRONOLOGY
PTS #190928 INT #24000084

Date	Action	Description	City Review	Applicant Response
7.30.2009	First Submittal	Project Deemed Complete		
9.24.2009	First Assessment Letter		56 days	
12.23.2009	Second Submittal			90 days
8.2.2010	All issues resolved by applicant			222 days
9.16.2010	Planning Commission Report		45 days	
9.23.2010	Scheduled for Planning Commission		7 days	
Total Staff Time:		Including City Holidays and Furlough	108 days	
Total Applicant Time:		Including City Holidays and Furlough		312 days
Total Project Running Time:		From Deemed Complete to PC Hearing	420 days	

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

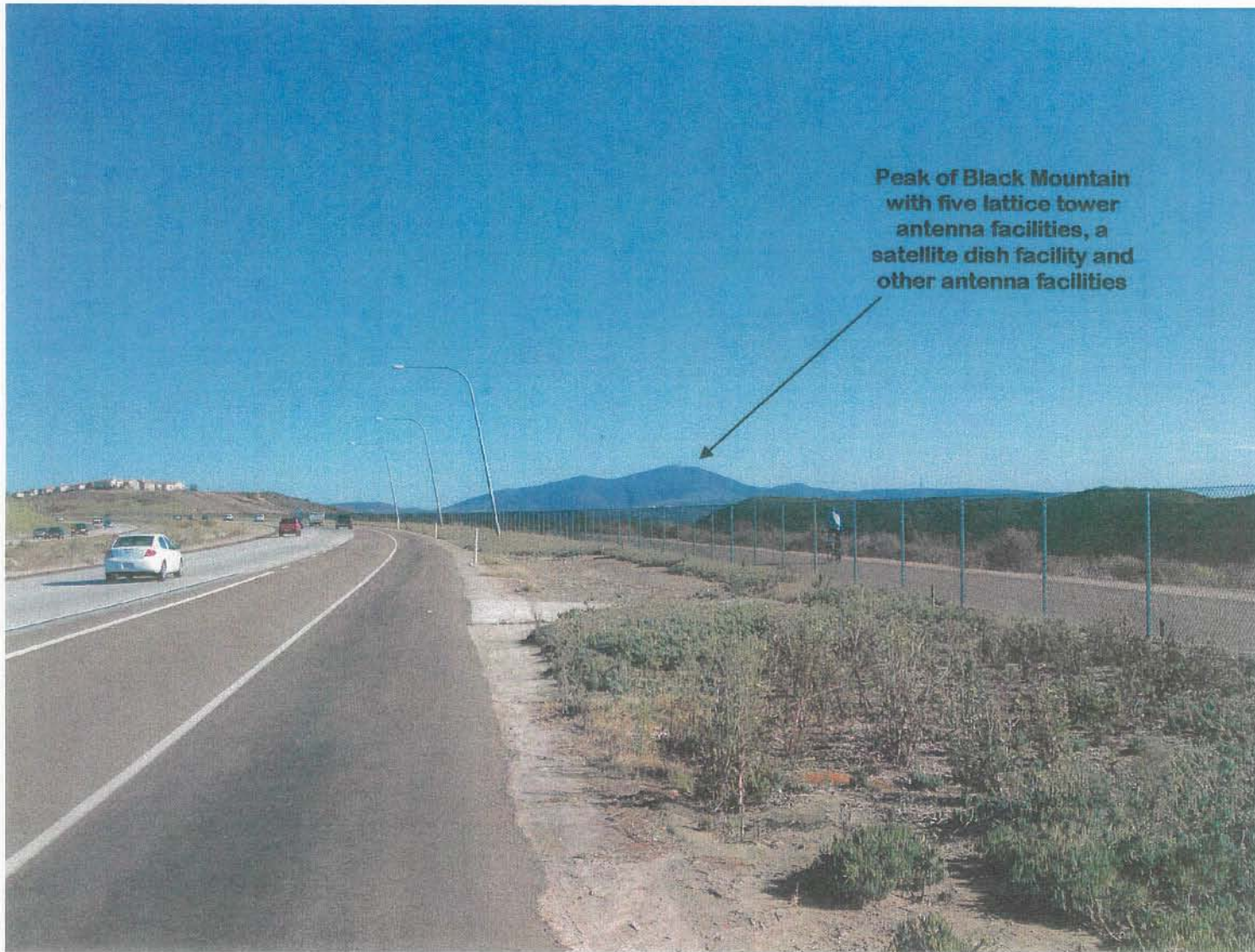


Photo Survey View 1: A distant view of the existing antenna facilities on the peak of Black Mountain showing the peak at the first point it can be viewed traveling east from the 56 Freeway near Carmel Country Road (approximately 5.5 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, including the ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

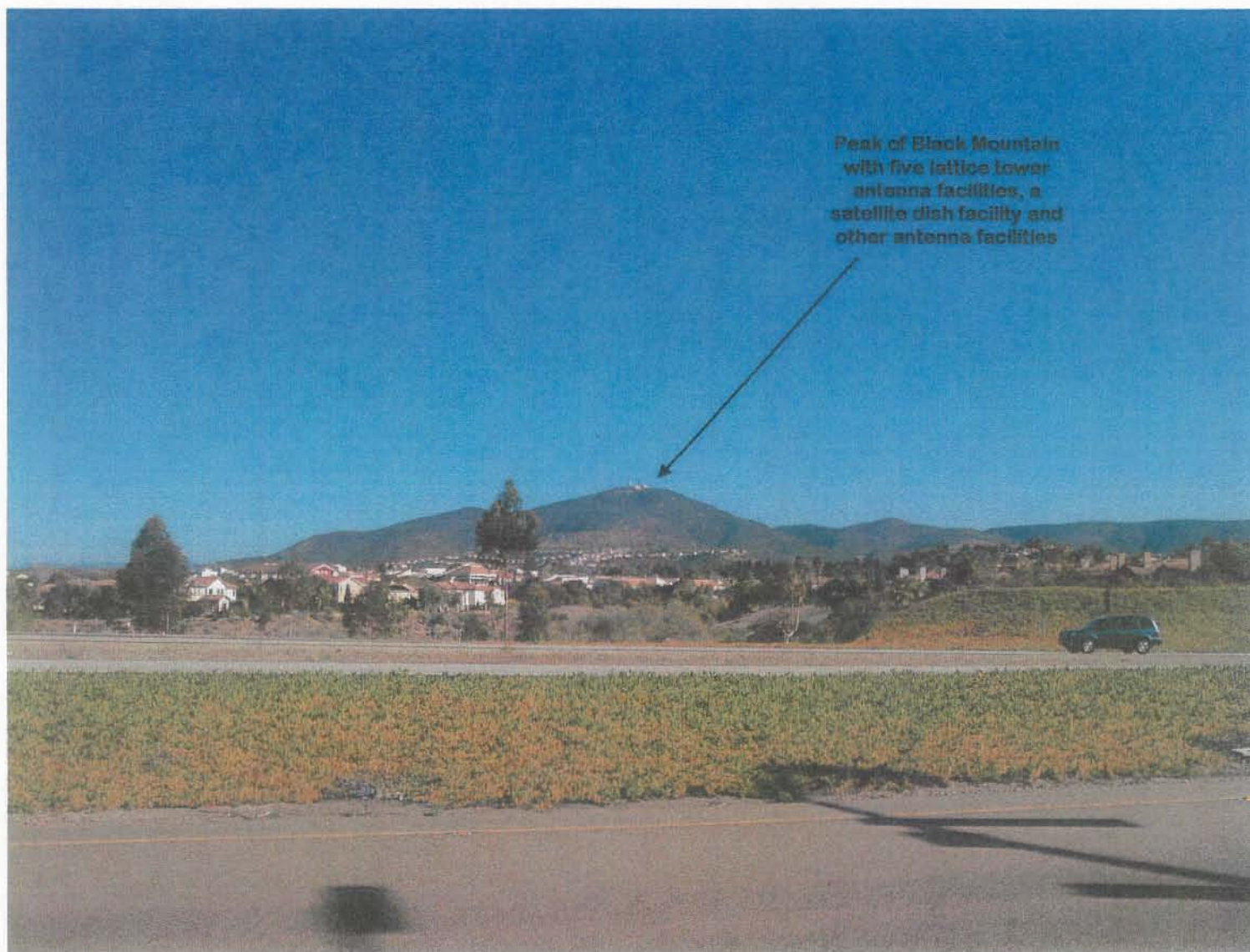


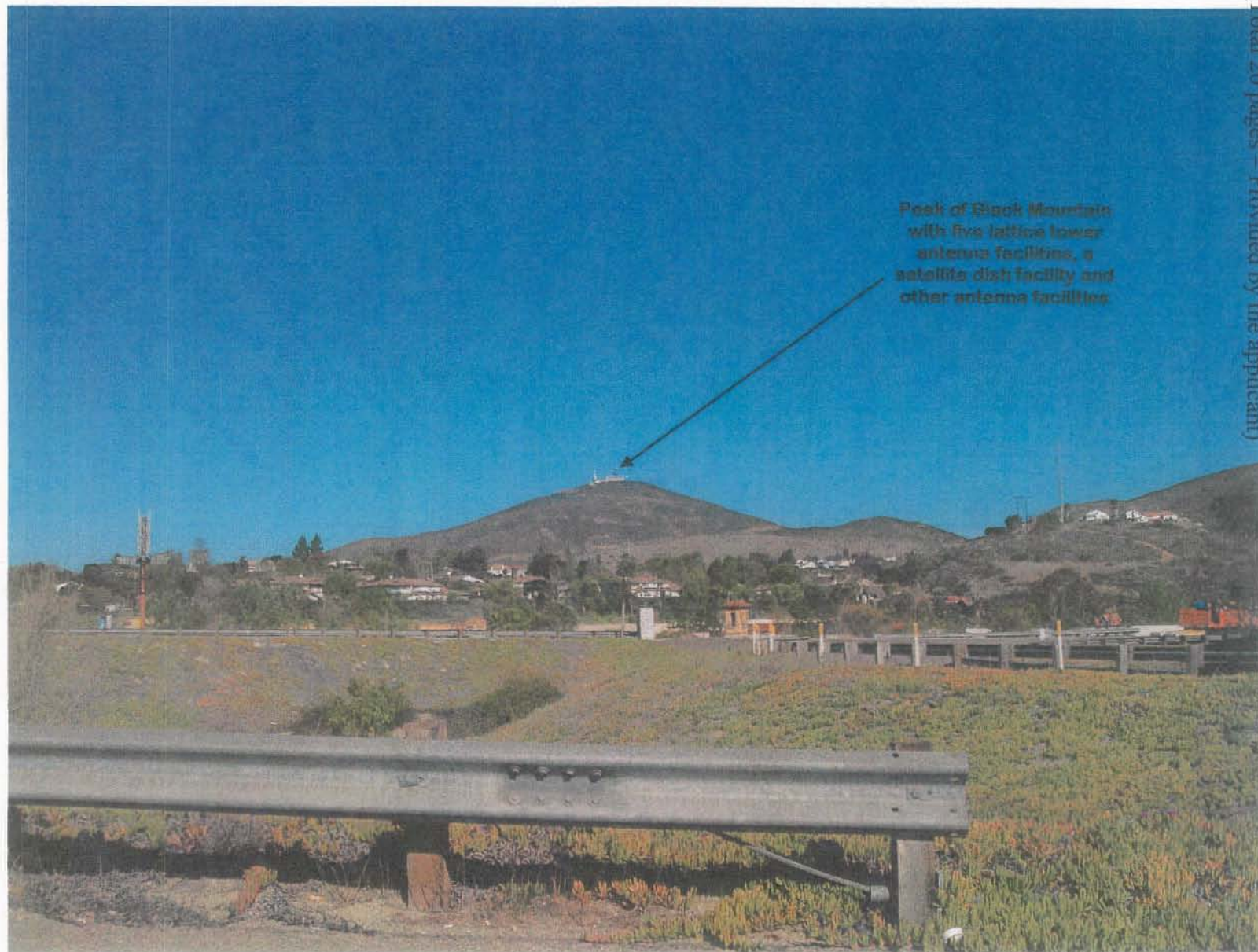
Photo Survey View 2: A distant view of the existing antenna facilities on the peak of Black Mountain looking northeast from the 56 Freeway at Camino Del Sol (approximately 2.75 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, including the ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



Photo Survey View 3: A distant view of the existing antenna facilities on the peak of Black Mountain looking north from Black Mountain Road at the 56 Freeway (approximately 2.0 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, including the ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



(Total 20 pages - Provided by the applicant)

Photo Survey View 4: A distant view of the existing antenna facilities on the peak of Black Mountain showing the peak looking north from the 56 Freeway at Rancho Penasquitos Boulevard (approximately 1.5 miles distant). Views of the Verizon Wireless antenna facility are blocked from this perspective by other towers on the peak.

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

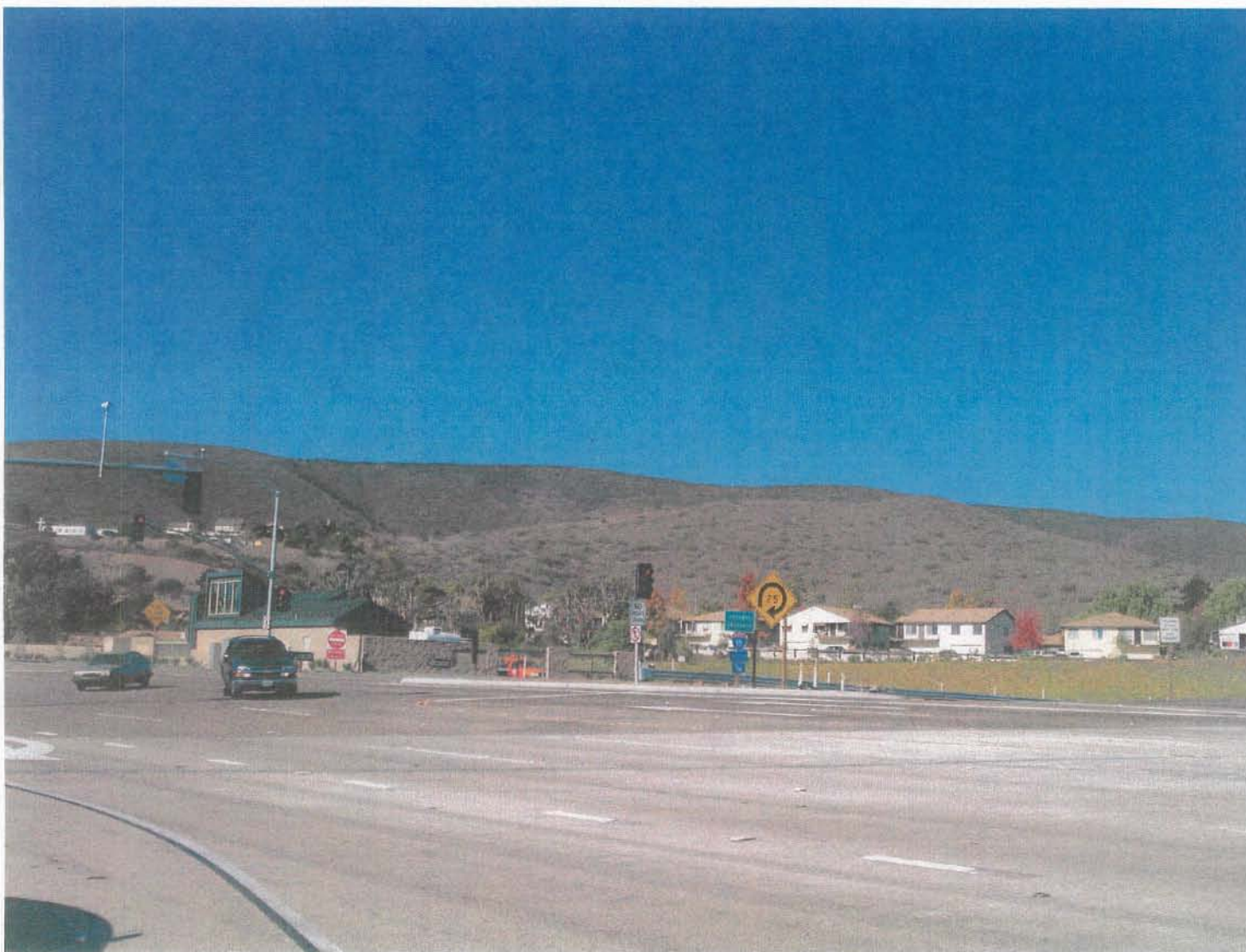


Photo Survey View 5: A distant view demonstrating that the peak of Black Mountain cannot be seen from this perspective looking northwest from the intersection of the 56 Freeway and Interstate 15 Freeway (approximately 1.75 miles distant). Views of the Verizon Wireless antenna facility are completely blocked from this perspective by topography, as views of the facility are blocked by topography in many areas along the Interstate 15 Freeway.

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



Photo Survey View 6: A distant view demonstrating that the peak of Black Mountain cannot be seen from this perspective looking west from Interstate 15 Freeway at Carmel Mountain Road (approximately 1.5 miles distant). Views of the Verizon Wireless antenna facility are completely blocked from this perspective by topography, as views of the facility are blocked by topography in many areas along the Interstate 15 Freeway.

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

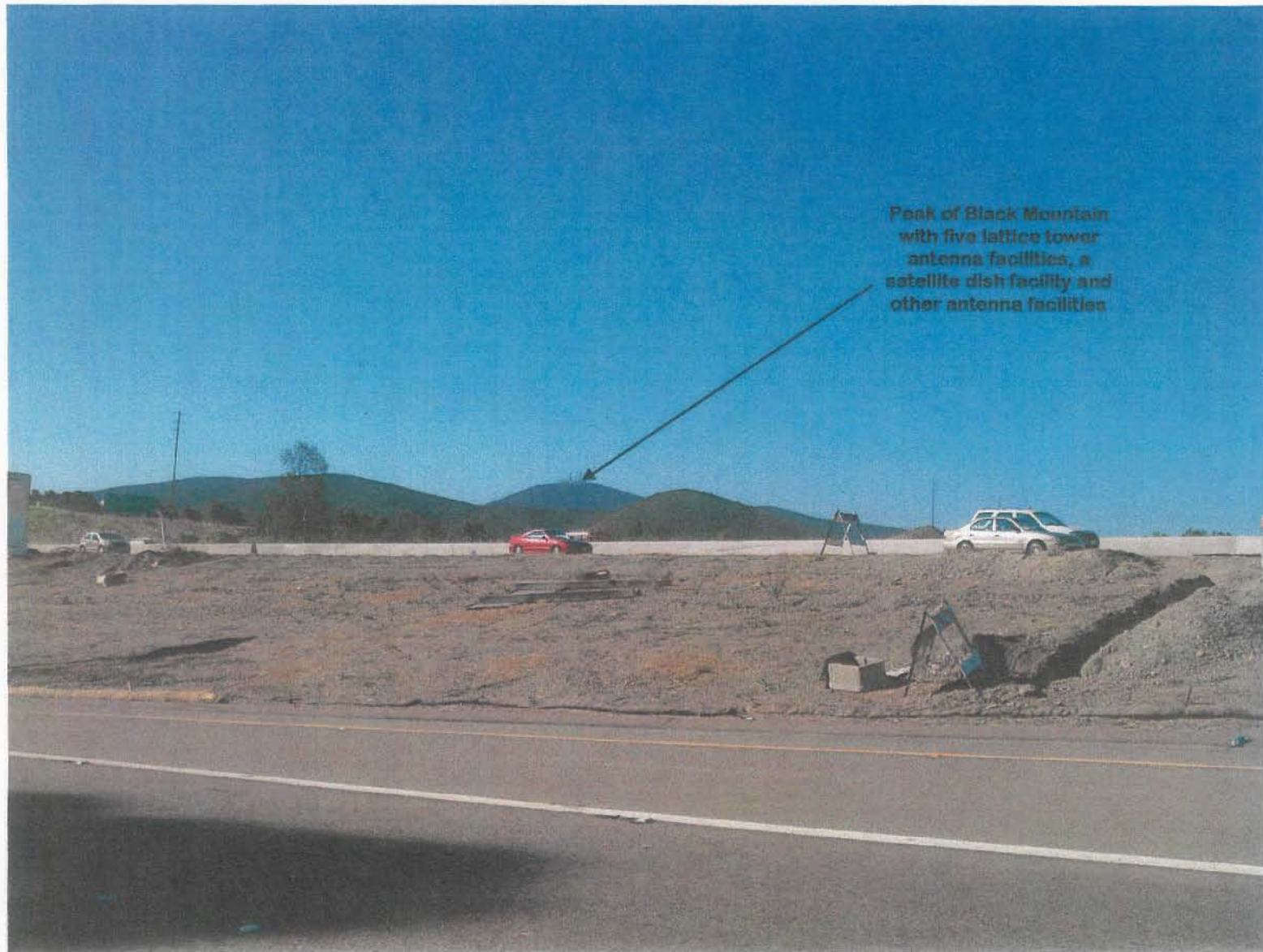


Photo Survey View 7: A distant view of the existing antenna facilities on the peak of Black Mountain looking southwest from the Interstate 15 Freeway at Camino del Norte (approximately 2.25 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable in any manner.

Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129



Photo Survey View 8: A distant view of the existing antenna facilities on the peak of Black Mountain looking southwest from the Interstate 15 Freeway at Rancho Bernardo Road (approximately 3.75 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable in any manner.

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



Photo Survey View 9: A distant view of the existing antenna facilities on the peak of Black Mountain looking south from the intersection of Dove Canyon Road and Camino Del Norte (approximately 2.5 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, particularly the ground level improvements (equipment shelter, emergency generator and chain link fencing).

Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129



Photo Survey View 10: A distant view of the existing antenna facilities on the peak of Black Mountain showing the peak looking south from the intersection of Dove Canyon Road and Camino San Bernardo Road (approximately 2.0 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, particularly the ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

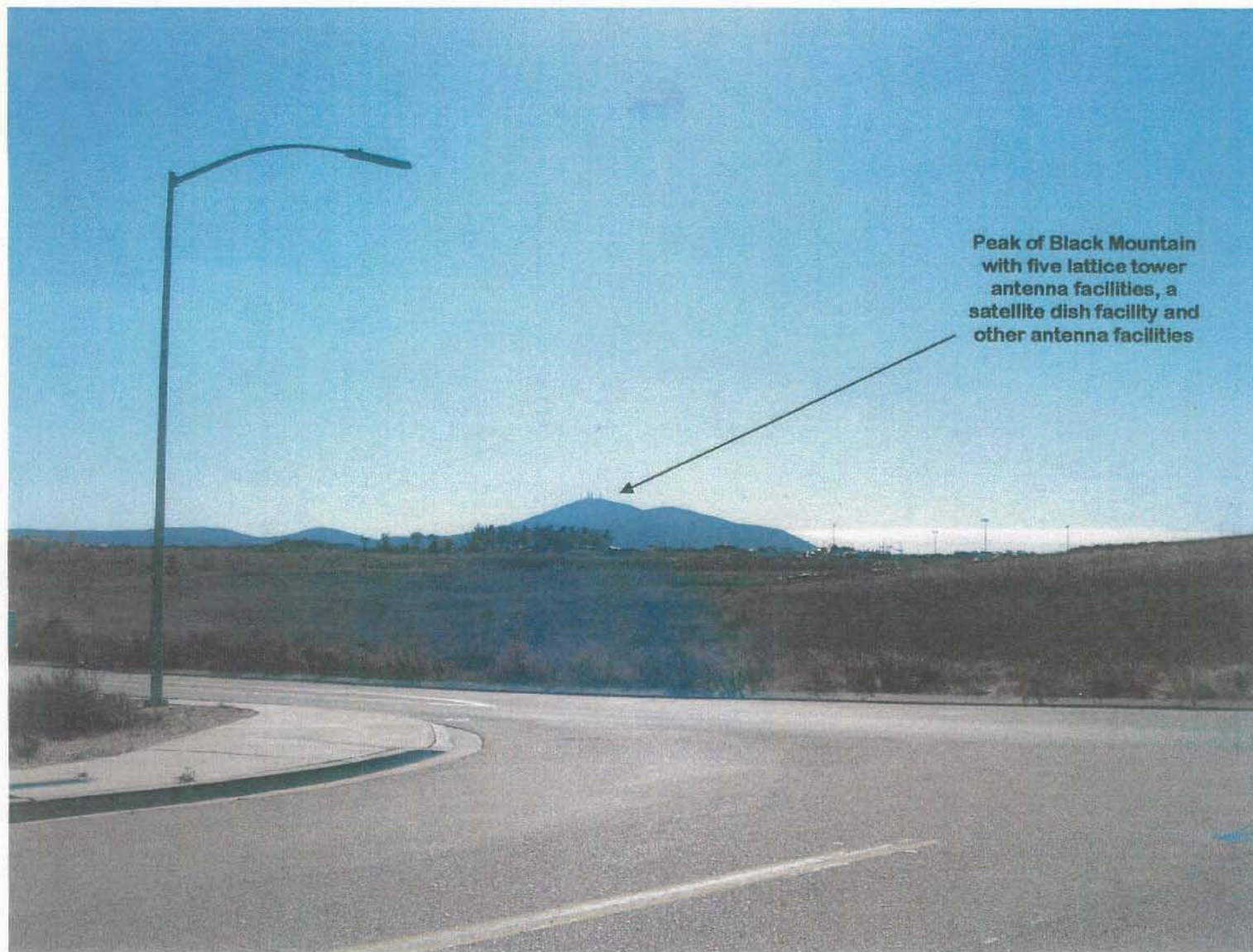


Photo Survey View 11: A distant view of the existing antenna facilities on the peak of Black Mountain looking south from Camino del Norte west of Rancho Bernardo Road (approximately 3.0 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, particularly the ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



Photo Survey View 12: A distant view of the existing antenna facilities on the peak of Black Mountain the peak looking southeast from the intersection of Camino del Sur and Artesian Road (approximately 3.0 miles distant). At this long Distance, the details of the existing Verizon Wireless antenna facility are not discernable, particularly the ground level improvements, including the equipment shelter, emergency generator and chain link fencing.

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

(Total 20 pages – Provided by the applicant)

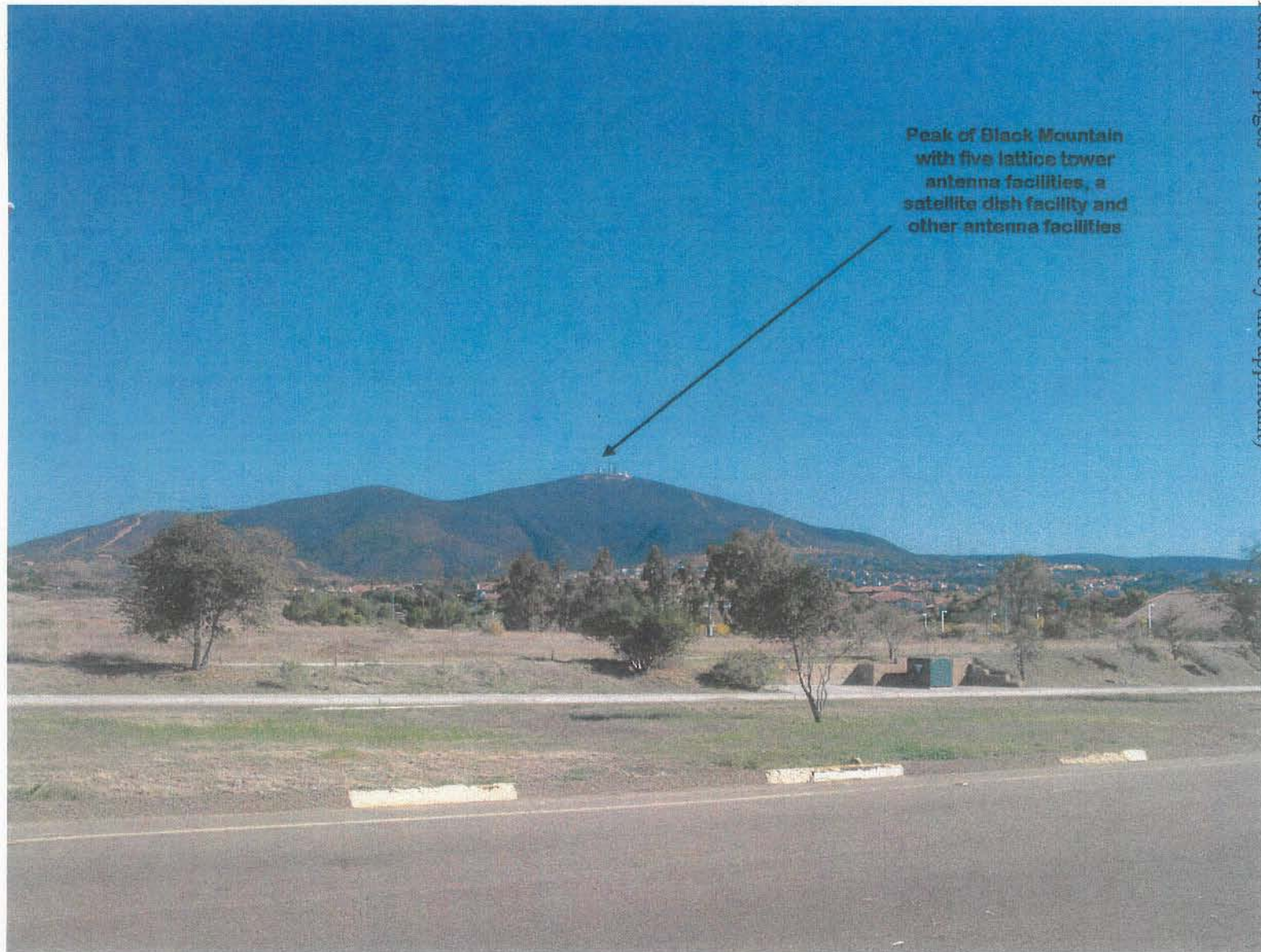


Photo Survey View 13: A distant view of the existing antenna facilities on the peak of Black Mountain looking east from the intersection of Camino del Sur and Carmel Valley Road (approximately 2.0 miles distant). At this long distance, the details of the existing Verizon Wireless antenna facility are not discernable, particularly the ground level improvements, including the equipment shelter, emergency generator and chain link fencing.

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

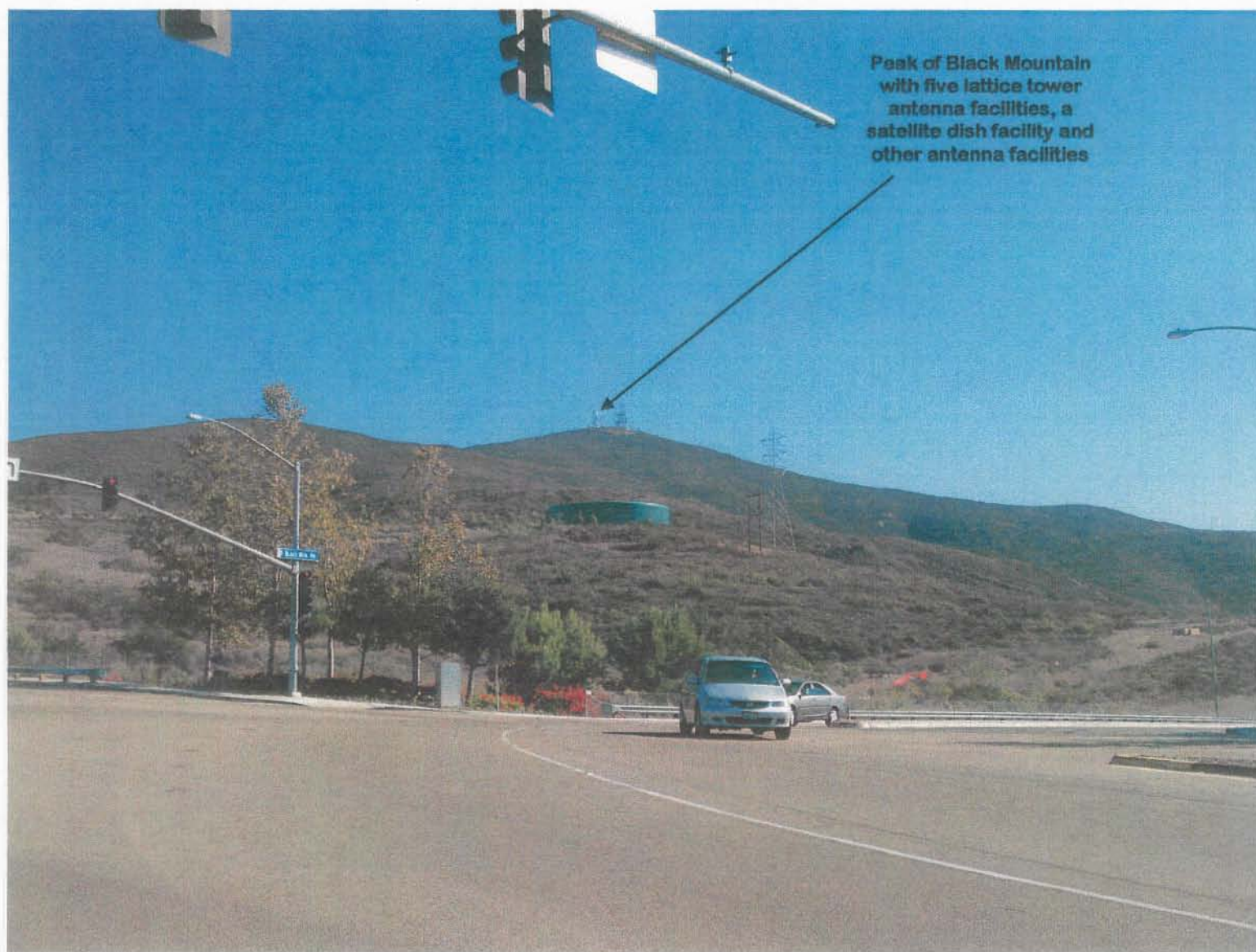


Photo Survey View 14: A view of the existing antenna facilities on the peak of Black Mountain looking southeast from the intersection of Carmel Valley Road and Black Mountain Road (approximately 0.75 miles distant). At this distance, the details of the existing Verizon Wireless antenna facility are either not discernable or are blocked by topography, including ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

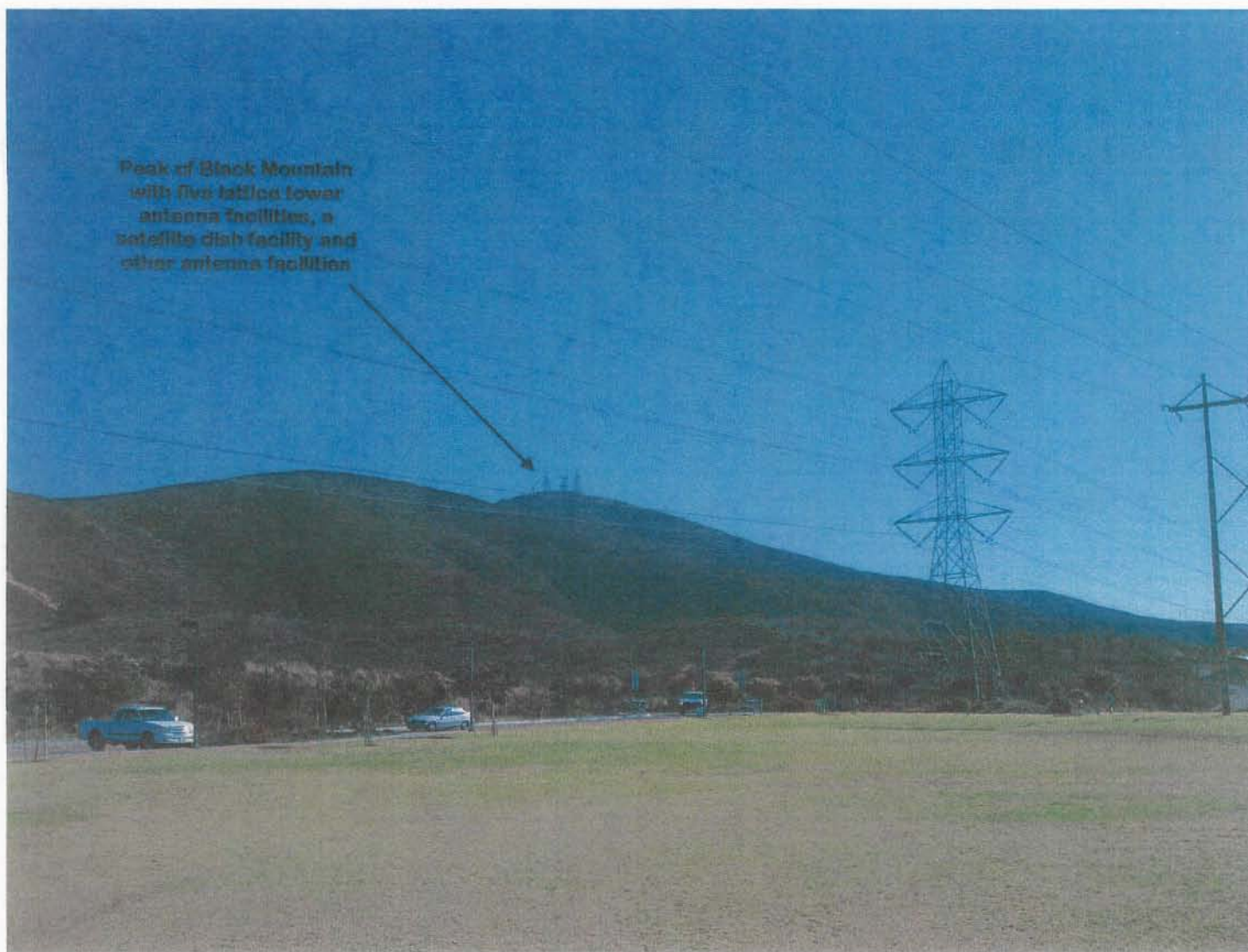


Photo Survey View 15: A view of the existing antenna facilities on the peak of Black Mountain looking south from the playing fields of the Black Mountain Sports Park above the intersection of Carmel Valley Road and Black Mountain Park Road (approximately 0.75 miles distant). At this distance, the details of the existing Verizon Wireless antenna facility (arrow) are either not discernable or are blocked by topography, including ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

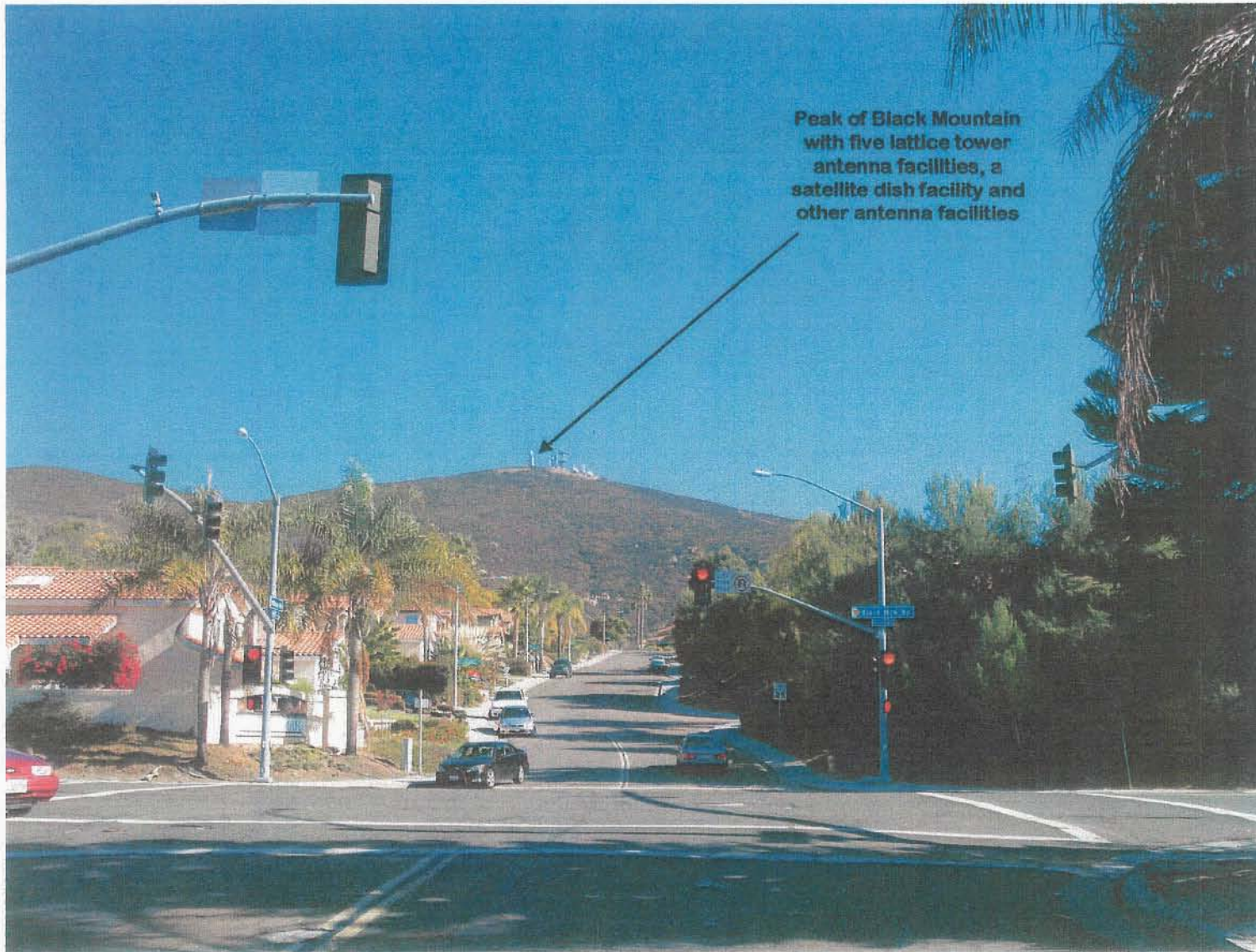


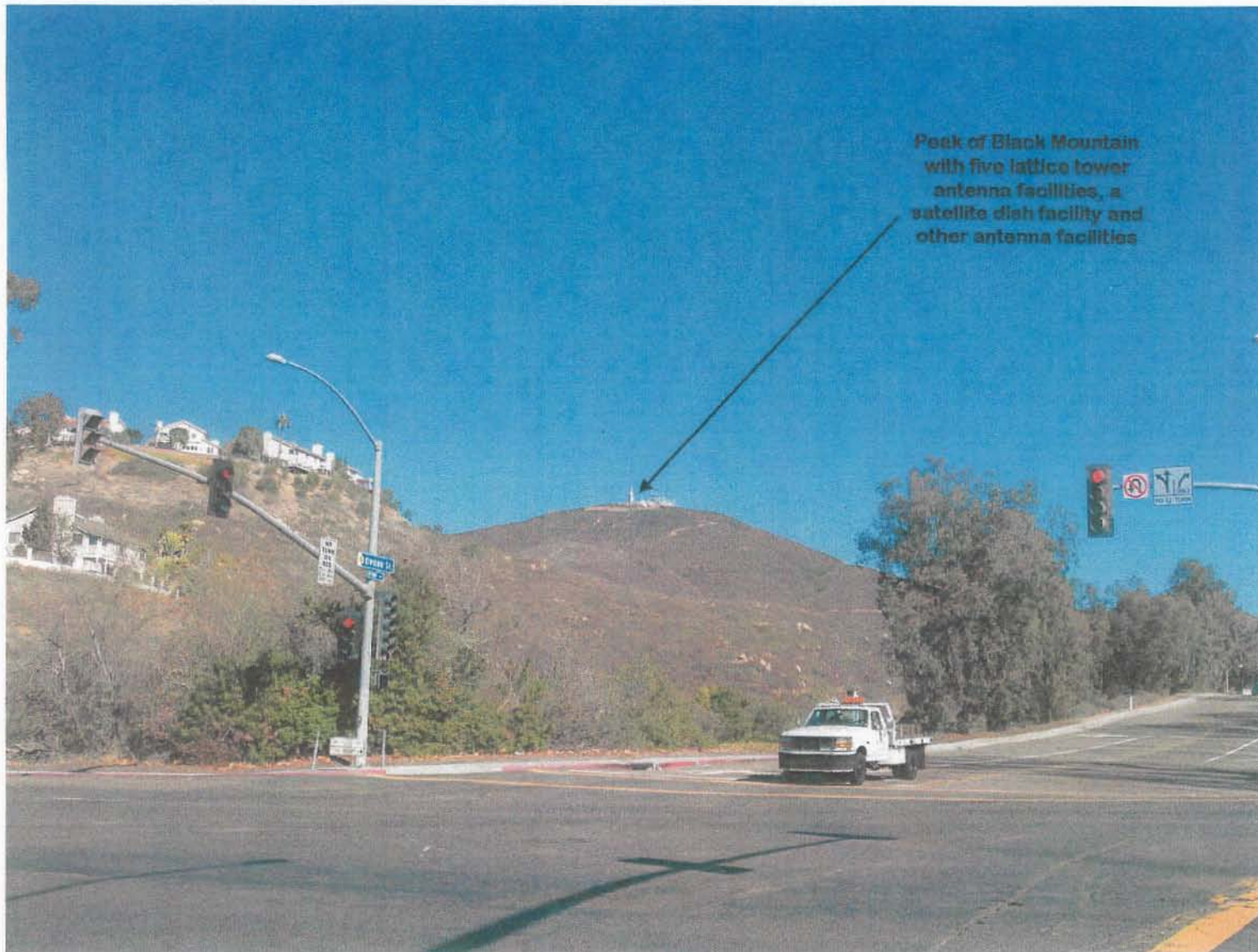
Photo Survey View 16: A view of the existing antenna facilities on the peak of Black Mountain showing the peak looking east from the intersection of Black Mountain Road and Malen Road (approximately 0.75 miles distant). At this distance, the details of the existing Verizon Wireless antenna facility (arrow) are either not discernable or are blocked by topography, including ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



Photo Survey View 17: A view of the existing antenna facilities on the peak of Black Mountain showing the peak looking east from the intersection of Black Mountain Road and Stargaze Avenue (approximately 1.0 mile distant). At this distance, the details of the existing Verizon Wireless antenna facility (arrow) are either not discernable or are blocked by topography, including ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**



Peak of Black Mountain
with five lattice tower
antenna facilities, a
satellite dish facility and
other antenna facilities

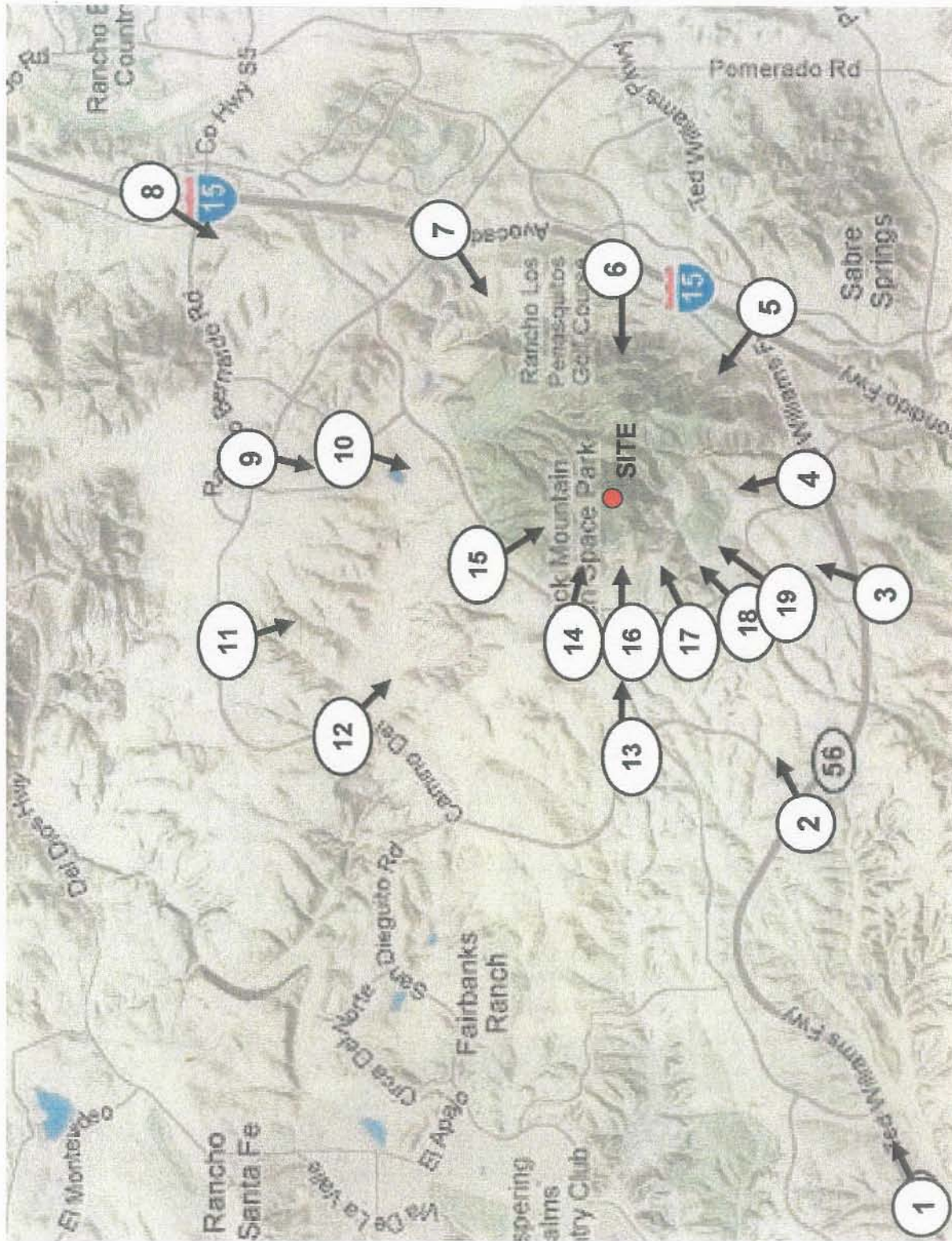
Photo Survey View 18: A view of the existing antenna facilities on the peak of Black Mountain showing the peak looking northeast from the intersection of Black Mountain Road and Oviedo Street (approximately 1.25 miles distant). At this distance, the details of the existing Verizon Wireless antenna facility (arrow) are either not discernable or are blocked by topography, including ground level improvements (equipment shelter, emergency generator and chain link fencing).

**Verizon Wireless Black Mountain Interconnect Hub Facility
Request for Extension of Land Use Entitlements at 14002 Black Mountain Road, CA 92129**

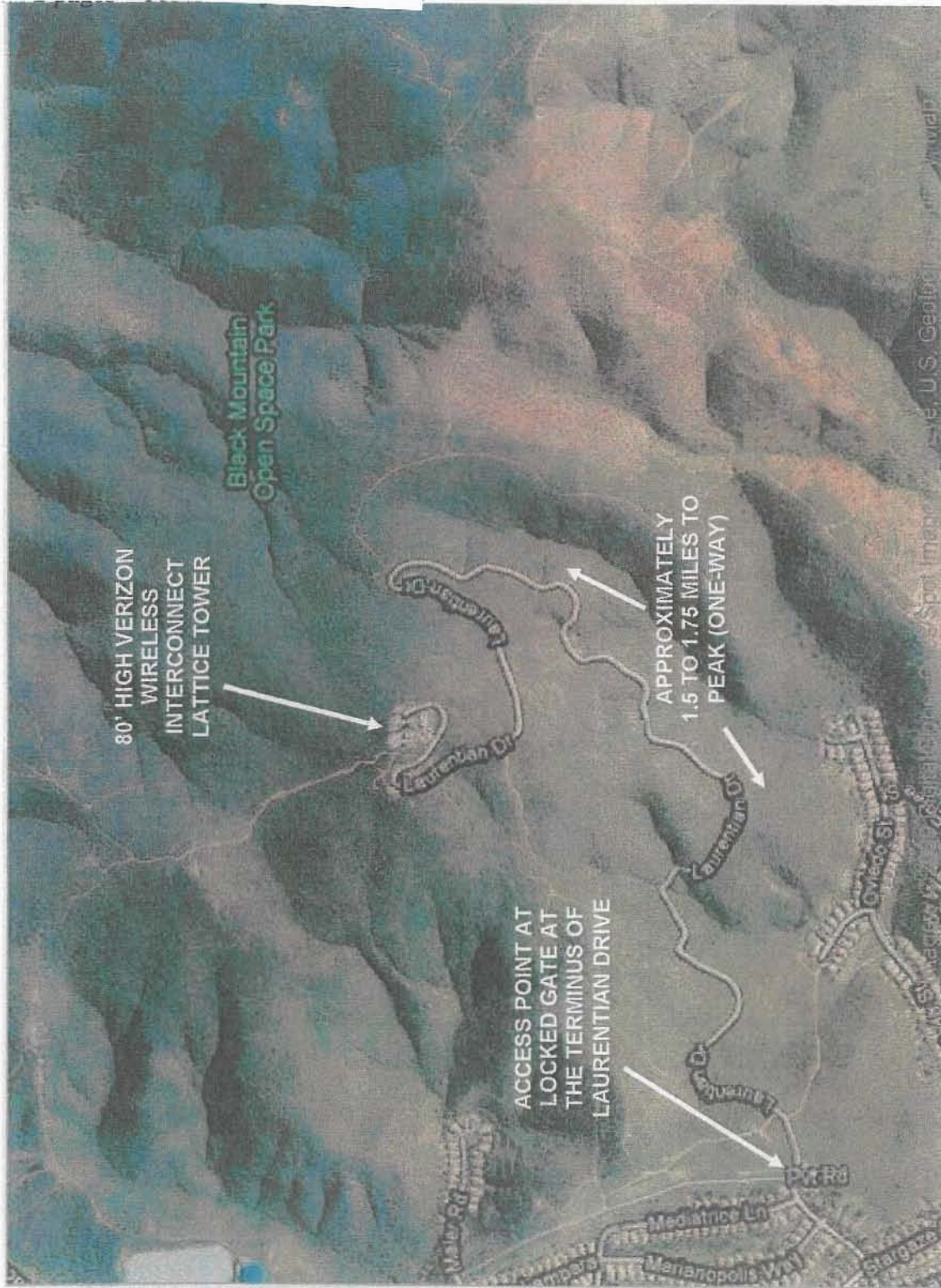


(Total 20 pages — Provided by the applicant)

Photo Survey View 19: A view towards the existing antenna facilities on the peak of Black Mountain showing that the peak cannot be seen looking northeast from the intersection of Black Mountain Road and Carmel Mountain Road (approximately 1.5 miles distant). The existing Verizon Wireless interconnect antenna facility cannot be seen from this perspective.



KEY MAP FOR PHOTO SURVEY



DETAIL VIEW OF EXISTING ACCESS ROADWAY TO BLACK MOUNTAIN PEAK



DETAIL VIEW OF EXISTING ANTENNA FACILITIES ON BLACK MOUNTAIN PEAK

BLACK MOUNTAIN INTERCONNECT ANTENNA FACILITY

Total 2 pages – Provided by the applicant)



EXISTING VIEW



PROPOSED VIEW WITH GREY ANTENNA COVERS

PHOTO SIMULATION VIEW 2

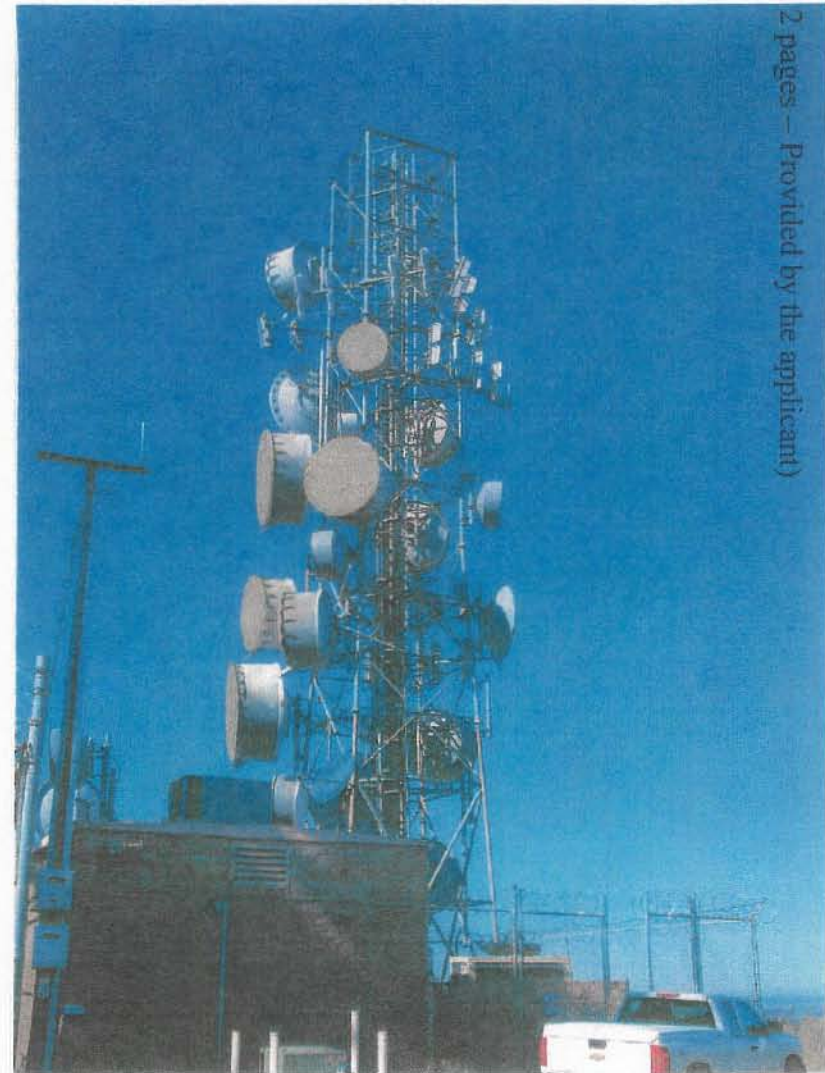
On-site near view showing the existing facility and the facility with grey antenna covers

BLACK MOUNTAIN INTERCONNECT ANTENNA FACILITY

Total 2 pages - Provided by the applicant



EXISTING VIEW



PROPOSED VIEW WITH GREY ANTENNA COVERS

PHOTO SIMULATION VIEW 1

On-site near view showing the existing facility and the facility with grey antenna covers



THE CITY OF SAN DIEGO

DATE OF NOTICE: September 8, 2010

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING:	September 23, 2010
TIME OF HEARING:	9:00 A.M.
LOCATION OF HEARING:	Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE:	PLANNED DEVELOPMENT PERMIT AND NEIGHBORHOOD USE PERMIT PROCESS LEVEL 4
PROJECT NUMBER:	190928
PROJECT NAME:	<u>VERIZON WIRELESS BLACK MOUNTAIN</u>
APPLICANT:	John Bitterly
COMMUNITY PLAN AREA:	Rancho Penasquitos
COUNCIL DISTRICT:	District 1
CITY PROJECT MANAGER:	SIMON TSE, Development Project Manager
PHONE NUMBER:	(619) 687-5984

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for an existing Wireless Communication Facility (WCF) consisting of an 80-foot high four (4) legged lattice tower (total of thirty (30) microwave dishes, thirty (30) panel antennas, five (5) omni-antennas) and a 512-square foot equipment shelter (with an emergency generator) on top of Black Mountain. The project is located at 14002 Black Mountain Road in the AR-1-1 Zone within the Rancho Penasquitos Community Plan.

The decision of the Planning Commission is final unless the project is appealed to the City Council. In order to appeal the decision of the Planning Commission you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Planning Commission before the close of the public hearing. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the office of the City Clerk, 202 "C" Street, Second Floor. The appeal must be made within 10 working days of the Planning

you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing.

This project was determined to be categorically exempt from the California Environmental Quality Act on September 17, 2009 and the opportunity to appeal that determination ended October 1, 2009.

If you have any questions after reviewing this information, you can contact the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order No. 24000084

Revised 12/5/08 RH

3400 Tupper Drive
Greenville, North Carolina 27834
252-757-0279 800-522-4464
252-752-9155 FAX
Email: lbasso@lbagroup.com

Lawrence Behr Associates, Inc.

Verizon Wireless

Site: BLACK MOUNTAIN

14002 Black Mountain Road

San Diego, CA 92129

*Verizon Wireless
Irvine, California*

Dec 21, 2009

NOTICE

This work is based upon our best interpretation of available information. However, these data and their interpretation are constantly changing. Therefore, we do not warrant that any undertaking based on this report will be successful, or that others will not require further research or actions in support of this proposal or future undertaking. In the event of errors, our liability is strictly limited to replacement of this document with a corrected one. Liability for consequential damages is specifically disclaimed. Any use of this document constitutes an agreement to hold Lawrence Behr Associates, Inc. and its employees harmless and indemnify it for any and all liability, claims, demands, litigation expenses and attorneys fees arising out of such use.

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LAWRENCE BEHR ASSOCIATES, INC.
GREENVILLE, NORTH CAROLINA

...

EME Audit Report

Site: BLACK MOUNTAIN
14002 Black Mountain Road
San Diego, CA 92129

*Verizon Wireless
Irvine, California*

Introduction

Lawrence Behr Associates, Inc. (LBA) has been retained by Verizon Wireless of Irvine, California to audit compliance with Federal Communications Commission (FCC) guidelines for human exposure to radio frequency (RF) energy at this site. This audit provides theoretical assessment of the maximum permissible exposure (MPE) limits for uncontrolled exposures around the Verizon Wireless antennas and includes photographs and annotated architectural drawings, where required. Our assessment included, where possible, an evaluation of non-Verizon Wireless transmitters that could contribute to the Verizon Wireless MPE limits in accessible areas. Site mitigation options have been assessed and recommendations made where the MPE could be exceeded in accessible areas.

Methodology

From Verizon Wireless information, LBA developed a database of Verizon Wireless antenna facilities and operating parameters. We evaluated those for electromagnetic environmental (EME) impact potential. This EME assessment was conducted in accordance with FCC guidelines as outlined in OET Bulletin-65¹ using an industry standard computer model².

An MPE limit of 0.53 milliwatts per square centimeter (mW/cm^2) was used for the Verizon Wireless 800 MHz cellular facilities. An MPE limit of 0.46 milliwatts per square centimeter (mW/cm^2) was used for the Verizon Wireless 700 MHz cellular facilities and 1.0 milliwatts per square centimeter (mW/cm^2) was used for the Verizon Wireless 1965 MHz PCS facilities, and other MPEs for nearby positions were as prescribed in FCC OET Bulletin-65.

Areas requiring mitigation were documented. The FCC guidelines define two separate tiers of exposure limits; these tiers are General Public and Occupational.

¹Federal Communications Commission, Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*, OET Bulletin-65, Edition 97-01, August 1997.

²RoofView™ Version 4.12, Richard Tell Associates, Inc.©1997,1998, 1999, 2000.

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As defined by FCC:

General population/uncontrolled exposure. For FCC purposes, applies to human exposure to RF fields when the general public is exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public always fall under this category when exposure is not employment-related.

Occupational/controlled exposure. For FCC purposes, applies to human exposure to RF fields when persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

Areas requiring mitigation were documented.

Assessment of site BLACK MOUNTAIN – 14002 Black Mountain Road, San Diego, CA 92129

- This Verizon Wireless site is an existing 80ft self support lattice tower. Verizon wireless has three sectors installed on this tower. There are numerous existing emitters on the lattice tower, the status of which are unknown.
- For the study, we considered the ground area to be general population/uncontrolled and the tower service level to be occupational/controlled as defined by the FCC.
- The FCC MPE (general population/uncontrolled) limits from the transmit antennas of the Verizon Wireless array do not exceeded 5% at ground level, as shown in Annex 1.1, MPE Ground Level Analysis Map.
- The FCC MPE (occupational/controlled) limits from the transmit antennas of the Verizon Wireless array may be exceeded directly in front of the antennas at service level, as shown in red, Annex 1.2, MPE Service Level Analysis Map, directly in front of the antennas. Service persons should maintain a 10ft stand back distance from the front of the antennas when working at antenna service level.
- Verizon Wireless will not contribute 5% or greater to any other carrier's MPE levels where MPE limits may be exceeded in generally accessible areas.

Recommendations for SIGNAL PEAK – 7248 Ridge Park Road, Irvine, CA 92657

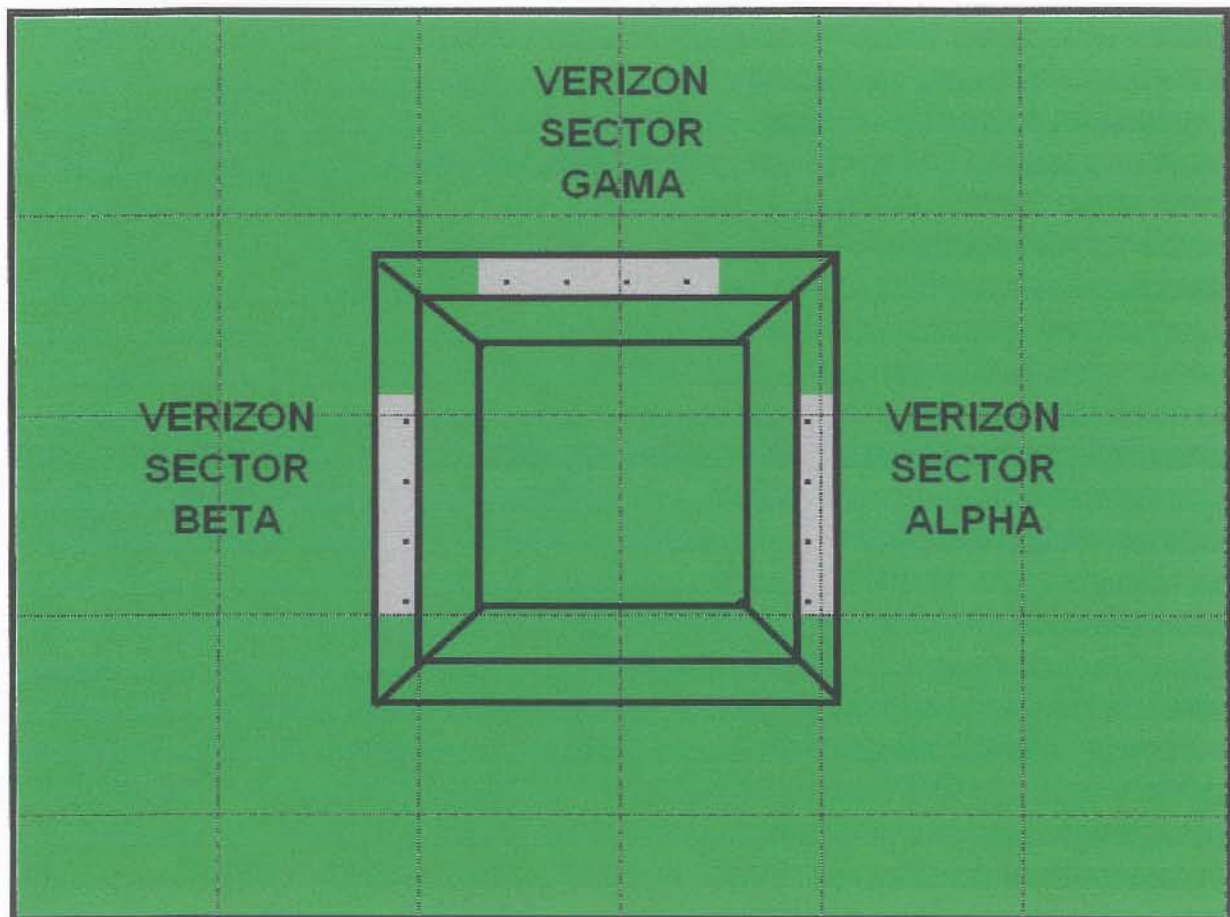
- As the emissions from the Verizon Wireless array do not exceed 5% in generally accessible areas, (the ground), Verizon Wireless is not responsible for mitigation even if these areas exceed limits. This Verizon Wireless site is in compliance with the current FCC RF human exposure regulations.
- Tower climbers should maintain 10ft stand back distance from the front of the antennas when working at antenna level.
- LBA recommends any worker attempting to service the antennas have RF awareness training and wear a personal RF monitor.
- LBA recommends placement of RF signage in accordance with Verizon Wireless RF signage policy.
- FCC OET Bulletin-65 should be followed for performance of work within the posted distances.

Annex 1.1

MPE Analysis Map (Ground Level)

Site: BLACK MOUNTAIN

Verizon Wireless
Irvine, California



Based Upon FCC General Population/Uncontrolled MPE Limits

Green \leq 5%, Blue \leq 50%, Yellow \leq 100%, Red above 100%

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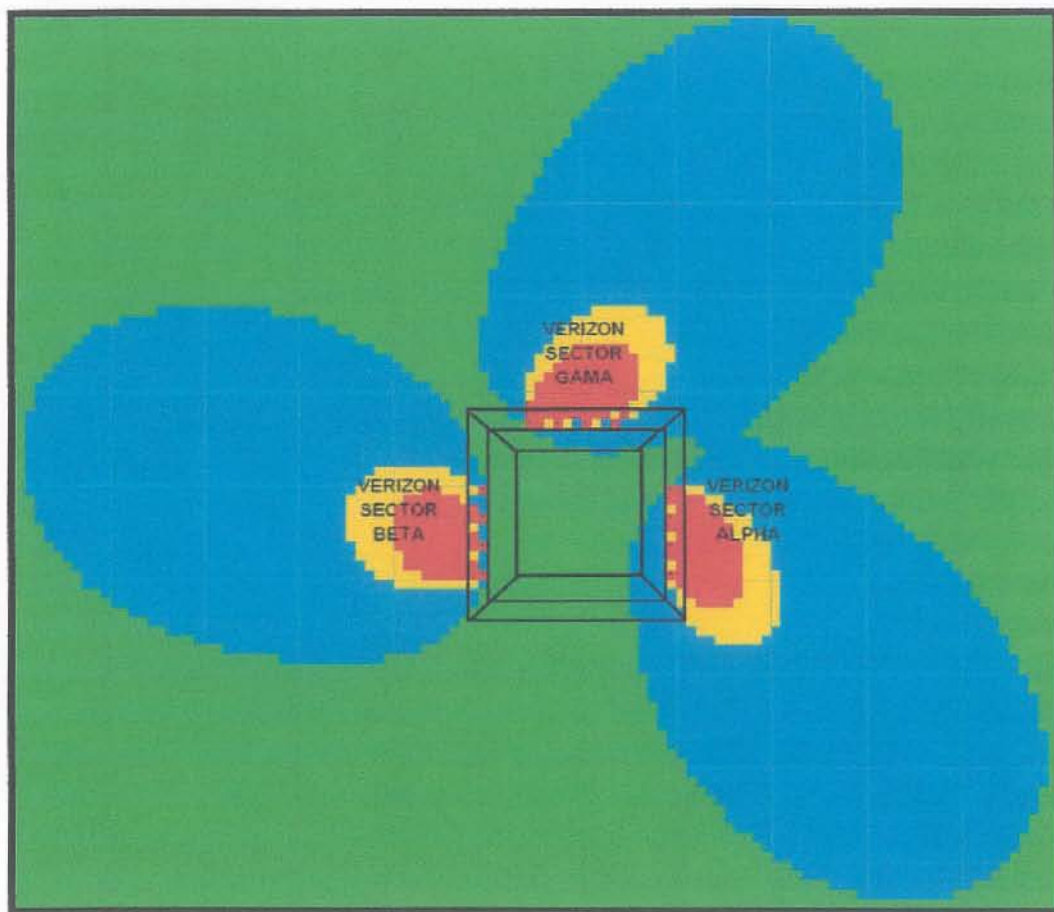
Annex 1.2

MPE Analysis Map (Service Level)

Directly in front of antennas from man lift

Site: BLACK MOUNTAIN

*Verizon Wireless
Irvine, California*



Based Upon FCC Occupational/Controlled MPE Limits

Green \leq 5%, Blue \leq 50%, Yellow \leq 100%, Red above 100%

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Annex 2.1

Parameters

Ground Level

Site: BLACK MOUNTAIN

Verizon Wireless
Irvine, California

Art Num	ID	Name	(MHz) Freq	Trans Power	Trans Count	Calc Power	Mfg	Model	(ft) X	(ft) Y	(ft) Z	Type	(ft) Aper	dBd Gain	Bandwidth MHz
1	VERIZON SEC ALPHA		880.02000	18.7	7	130.9	ALLGON	ALP-8013	100.0	100.0	60.0	Panel	4.0	12.5	80,136
2	VERIZON SEC ALPHA		700.00000	40.0	2	80.0	ANTEL	BXA-700634CF_4	100.0	97.0	60.0	Panel	4.0	13	63,136
3	VERIZON SEC ALPHA		1965.00000	18.0	6	108.0	ANTEL	BXA-1850634CF_6	100.0	94.0	60.0	Panel	4.0	16	63,136
4	VERIZON SEC ALPHA		880.02000	18.7	1	18.7	ANTEL	BXA-800634CF_5	100.0	91.0	60.0	Panel	4.0	13	63,136
5	VERIZON SEC BETA		880.02000	18.7	7	130.9	ALLGON	ALP-8013	80.0	91.0	60.0	Panel	4.0	12.5	80,285
6	VERIZON SEC BETA		700.00000	40.0	2	80.0	ANTEL	BXA-700634CF_4	80.0	94.0	60.0	Panel	4.0	13	63,285
7	VERIZON SEC BETA		1965.00000	18.0	6	108.0	ANTEL	BXA-1850634CF_6	80.0	97.0	60.0	Panel	4.0	16	63,285
8	VERIZON SEC BETA		880.02000	18.7	1	18.7	ANTEL	BXA-800634CF_5	80.0	100.0	60.0	Panel	4.0	13	63,285
9	VERIZON SEC GAMMA		880.02000	18.7	7	130.9	ALLGON	ALP-8013	85.0	107.0	60.0	Panel	4.0	12.5	80,036
10	VERIZON SEC GAMMA		700.00000	40.0	2	80.0	ANTEL	BXA-700634CF_4	88.0	107.0	60.0	Panel	4.0	13	63,036
11	VERIZON SEC GAMMA		1965.00000	18.0	6	108.0	ANTEL	BXA-1850634CF_6	91.0	107.0	60.0	Panel	4.0	16	63,036
12	VERIZON SEC GAMMA		880.02000	18.7	1	18.7	ANTEL	BXA-800634CF_5	94.0	107.0	60.0	Panel	4.0	13	63,036

Note: "Z" height is vertical distance from ground elevation to the base of antenna

Site Operational Parameters

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Annex 2.2

Parameters

Service Level

Directly in front of antennas from man lift

Site: BLACK MOUNTAIN

Verizon Wireless

Irvine, California

Ant Num	ID	Name	(MHz) Freq	Trans Power	Trans Count	Calc Power	Mfg	Model	(ft) X	(ft) Y	(ft) Z	Type	(ft) Aper	dBd Gain	EWdth PI Dir
1	VERIZON SEC ALPHA		880.02000	18.7	7	130.9	ALLGON	ALP-8013	100.0	100.0	0.0	Panel	4.0	12.5	80;136
2	VERIZON SEC ALPHA		700.00000	40.0	2	80.0	ANTEL	BXA-70063/MCF_4	100.0	97.0	0.0	Panel	4.0	13	63;136
3	VERIZON SEC ALPHA		1965.00000	18.0	6	108.0	ANTEL	BXA-185063/MCF_6	100.0	94.0	0.0	Panel	4.0	16	63;136
4	VERIZON SEC ALPHA		880.02000	18.7	1	18.7	ANTEL	BXA-80063/MCF_5	100.0	91.0	0.0	Panel	4.0	13	63;136
5	VERIZON SEC BETA		880.02000	18.7	7	130.9	ALLGON	ALP-8013	80.0	91.0	0.0	Panel	4.0	12.5	80;285
6	VERIZON SEC BETA		700.00000	40.0	2	80.0	ANTEL	BXA-70063/MCF_4	80.0	94.0	0.0	Panel	4.0	13	63;285
7	VERIZON SEC BETA		1965.00000	18.0	6	108.0	ANTEL	BXA-185063/MCF_6	80.0	97.0	0.0	Panel	4.0	16	63;285
8	VERIZON SEC BETA		880.02000	18.7	1	18.7	ANTEL	BXA-80063/MCF_5	80.0	100.0	0.0	Panel	4.0	13	63;285
9	VERIZON SEC GAMMA		880.02000	18.7	7	130.9	ALLGON	ALP-8013	85.0	107.0	0.0	Panel	4.0	12.5	80;036
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11	VERIZON SEC GAMMA		1965.00000	18.0	6	108.0	ANTEL	BXA-185063/MCF_6	91.0	107.0	0.0	Panel	4.0	16	63;036
12	VERIZON SEC GAMMA		880.02000	18.7	1	18.7	ANTEL	BXA-80063/MCF_5	94.0	107.0	0.0	Panel	4.0	13	63;036

Note: "Z" height is the vertical distance from the base of antenna to man lift platform level

Site Operational Parameters

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