The County of San Diego
Zoning Administrator Hearing Report

Date: November 21, 2019
Case/File No.: Crown Castle Felicita Park Wireless Telecommunication Facility Minor Use Permit Modification; PDS2019-ZAP-00-130W2, PDS2019-ER-00-08-040B

Place: County Conference Center
5520 Overland Avenue
San Diego, CA 92123
Project: Wireless Telecommunication Facility

Time: 8:30 a.m.
Location: Felicita Park, Clarence Lane

Agenda Item: #1
General Plan: Open Space - Recreation (OS-R)

Appeal Status: Appealable to the Planning Commission
Zoning: Open Space (S80)

Applicant/Owner: Tim Henion on behalf of Crown Castle
Community: North County Metropolitan Subregional Plan Area

Environmental: CEQA § 15164 Addendum
APN: 238-380-06-00

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Zoning Administrator to evaluate the proposed Minor Use Permit (ZAP) Modification for a wireless telecommunication facility, determine if the required findings can be made and, if so, take the following actions:

a. Find the ZAP Modification in conformance with the California Environmental Quality Act (CEQA) and adopt the Environmental Findings included in Attachment D, which includes a finding that the previously adopted Mitigated Negative Declaration (MND) is adequate with an Addendum.

b. Grant ZAP Modification PDS2019-ZAP-00-130W2, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment B).

2. Key Requirements for Requested Actions

a. Is the proposed project consistent with the vision, goals, and policies of the General Plan?
b. Does the project comply with the policies set forth under the North County Metropolitan Subregional Plan?

c. Is the proposed project consistent with the County's Zoning Ordinance?

d. Is the project consistent with the County's Wireless Ordinance?

e. Does the project comply with CEQA?

B. BACKGROUND

On June 4, 2002, the Zoning Administrator approved a Minor Use Permit (ZAP) for the construction, operation, and maintenance of a wireless telecommunication facility consisting of a 45-foot tall faux mono-pine located on a 320 square foot platform with an approximately 220 square foot and 12-foot tall equipment enclosure designed as a shed.

On July 13, 2005, a ZAP Modification was submitted for the facility which included mounting additional antennas to the facility. The ZAP Modification was withdrawn on July 6, 2006.

Since the original ZAP was approved, several Minor Deviations were processed resulting in the property containing the originally approved 45-foot tall mono-pine with antennas, the supporting equipment shelter designed as a rustic shed as well as a noise attenuation wall (Figure 1).

Additionally, the project site contains a second wireless telecommunication facility designed as a 50-foot tall faux tree with an associated equipment enclosure authorized by a Major Use Permit (MUP) (Record ID: MUP-06-032) that was approved by the Planning Commission on June 5, 2009.

C. DEVELOPMENT PROPOSAL

1. Project Description

The applicant requests a ZAP Modification for the removal and replacement of six antennas to an existing 45-foot tall faux mono-pine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park in the North County Metropolitan Subregional Plan Area (Figures 1 and 2). The ZAP Modification has been submitted in order to bring the existing wireless telecommunication facility into conformance with the County of San Diego Zoning Ordinance amortization requirements outlined in Sections 6985 and 6991. Supporting equipment for the site is located within a 12-foot tall equipment enclosure designed as a shed located adjacent to the existing 45-foot tall mono-pine. No trenching or grading is proposed or required for the project as all construction will occur within the same footprint of the existing lease area and equipment enclosure. Access to the wireless telecommunication facility is provided by Clarence Lane and Felicita Road which are County-Maintained Roads, that ultimately connect to the entrance road to Felicita Park which is maintained by the Department of Parks and Recreation.
Figure 1: Existing mono-pine (left) and proposed mono-pine with project (right).

Figure 2: 45-foot tall faux mono-pine with proposed changes looking west toward site.
2. Subject Property and Surrounding Land Uses

The project site is comprised of Felicita Park which is approximately 52 acres and is located west of I-15 (Figure 3). The existing wireless telecommunication facility is located approximately a half of a mile north of Via Rancho Parkway, a Scenic Highway identified in the General Plan. Lake Hodges is located approximately a mile and a half southwest of the project site. The limits of the City of Escondido are located directly adjacent to the project site along the northern property line. The surrounding land uses can primarily be categorized as residential uses.

Figure 3: Aerial photograph showing proposed project site and project vicinity
Table C-1: Surrounding Zoning and Land Uses

<table>
<thead>
<tr>
<th>Location</th>
<th>General Plan</th>
<th>Zoning</th>
<th>Adjacent Streets</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Village Residential (VR-2.9)</td>
<td>Rural Residential (RR)</td>
<td>Felicita Road,</td>
<td>Vacant Land, Residential</td>
</tr>
<tr>
<td>East</td>
<td>Village Residential (VR-2.9)</td>
<td>Rural Residential (RR)</td>
<td>Felicita Road, Clarence Lane</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>Semi-Rural Residential (SR-1)</td>
<td>Rural Residential (RR)</td>
<td>Felicita Road</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>Semi-Rural Residential (SR-1)</td>
<td>Limited Agriculture (A70)</td>
<td>Oak Lane, Vereda Callada</td>
<td>Residential</td>
</tr>
</tbody>
</table>
D. ANALYSIS AND DISCUSSION

The project has been reviewed to ensure it conforms to all the relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the North County Metropolitan Subregional Plan, the Zoning Ordinance, and CEQA Guidelines. The following items were reviewed throughout the processing of the project and are detailed below: Amortization, Site Planning Analysis, Scenic Highway/Community Compatibility/Visual Impacts, and Alternative Site Analysis (ASA).

1. Analysis

The project is located in a non-preferred location within a non-preferred zone. As set forth in Section 6985 of the County Zoning Ordinance, the proposed wireless telecommunication facility requires the approval of a ZAP Modification and amortization of the wireless facility for a 10-year period.

Amortization

The existing wireless telecommunication facility is located in a residential zone and is defined as "high visibility" according to Sections 6985 and 6991 of the Zoning Ordinance. The proposed project will bring the wireless telecommunication facility into conformance with the amortization requirements in the Zoning Ordinance through ZAP findings that have been made to support the continued operation of the facility and for the 45-foot tall faux mono-pine tree design.

Site Planning Analysis

The proposed 45-foot tall, faux mono-pine tree will continue to be compatible with the surrounding land uses and the topography in the vicinity of the project because the faux mono-pine will appear as a mature tree which matches the existing mature trees and vegetation on the project site and within the project vicinity. The faux mono-pine tree is located on the northwestern portion of the subject property and is positioned away from high density residences located adjacent to the eastern portion of the project site. The supporting equipment will continue to be screened from public views by existing vegetation and mature trees on the Felicita Park property. In addition, the facility will be of comparable height to existing trees and vertical elements on the subject property such as matures trees and a second wireless facility designed as a faux tree.

Scenic Highway/Community Compatibility/Visual Impacts

General Plan Policy COS 11.1 requires protection of scenic highways, corridors, regionally significant vistas and natural features. The proposed wireless telecommunication facility is located approximately a half of a mile north of Via Rancho Parkway, a Scenic Highway identified in the County of San Diego General Plan. However, the existing facility is not visible from Via Rancho Parkway as mature trees and vegetation between the road and the facility completely screen the wireless facility from views along the Scenic Highway. The associated equipment enclosure for the wireless facility was designed as a rustic equipment shed and appears as an accessory structure for the Felicita Park. Additionally, on-site vegetation screens the equipment enclosure from public views. The applicant has submitted photo-simulations that demonstrate that the new antennas for the facility will not impact the faux tree design and will not introduce a negative visual impact (Figure 1). The facility will continue to appear as a mature tree which is an expected visual element within the project vicinity to motorists traveling along public roads in the area as the surrounding visual landscape consists of vegetation and trees. For these reasons, the wireless telecommunication facility will blend
with the visual setting in the vicinity, be compatible with the existing community character, and will not result in impacts to the natural environment.

**Alternative Site Analysis (ASA)**

The proposed wireless telecommunication facility is designed to provide continued cellular service coverage to residences and roadway near Felicita Park within the North County Metropolitan Subregional Plan Area and within the City of Escondido. The site is zoned S80 (Open Space), which is a non-preferred zone, and therefore requires an ASA. The applicant reviewed other potential sites within the area as part of the submitted ASA in order to demonstrate that the coverage objective could not be met in a preferred zone.

All preferred locations and preferred zones located within the project vicinity were reviewed during the processing of the ZAP Modification application. Additional co-location opportunities on existing wireless telecommunication facilities were analyzed. However, all other wireless telecommunication facilities are located at lower elevations approximately 2 miles away and would not meet coverage objectives or are located on the subject property. Co-locating on the adjacent wireless telecommunication facility on the project site would result in the placement of the antennas below the tree canopy and existing mature vegetation reducing coverage provided by the facility.

Due to limited co-location opportunities, coverage objectives, and aesthetics, all other preferred locations and preferred zones were eliminated from consideration. Further information detailing the ASA analysis can be found in Attachment F.

The Geographic Service Area (GSA) maps illustrate coverage in the area and depict the coverage provided by the wireless telecommunication facility with and without the subject facility. The GSA maps demonstrate that the proposed location is necessary for the carrier to maintain coverage in the surrounding area and provide adequate service to motorists and residences in the area (Figure 5). GSA maps can also be found in Attachment F.

![Figure 5: Coverage without facility (left) and with the facility (right).](image-url)
2. General Plan Consistency

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

Table D-1: General Plan Conformance

<table>
<thead>
<tr>
<th>General Plan Policy</th>
<th>Explanation of Project Conformance</th>
</tr>
</thead>
<tbody>
<tr>
<td>GOAL S-1 – Public Safety. Enhanced public safety and the protection of public and private property.</td>
<td>The proposed changes to the wireless telecommunication facility will allow for continued coverage throughout the area, which is essential in the event of an emergency.</td>
</tr>
<tr>
<td>GOAL S-2 – Emergency Response. Effective emergency response to disasters that minimizes the loss of life and damage to property, while also reducing disruption in the delivery of vital public and private services during and following a disaster.</td>
<td>The wireless telecommunication facility will minimize telecommunication interruptions by continuing coverage in the area and increase the volume and data coverage of phone calls that will allow the facility to provide service to the surrounding area.</td>
</tr>
<tr>
<td>POLICY COS 11.1 – Protection of Scenic Resources. Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.</td>
<td>The proposed wireless telecommunication facility is located approximately a half of a mile north of Via Rancho Parkway, a Scenic Highway identified in the County of San Diego General Plan. However, the existing facility is not visible from Via Rancho Parkway as mature trees and vegetation between the road and the facility completely screen the wireless facility from views along the Scenic Highway. The associated equipment enclosure for the wireless facility was designed as a rustic equipment shed and appears as an accessory structure for the Felicita Park. Additionally, on-site vegetation screens the equipment enclosure from public views. The applicant has submitted photo-simulations that demonstrate that the new antennas for the facility will not impact the faux tree design and will not introduce a negative visual impact. The facility will continue to appear as a mature tree which is an expected visual element within the project vicinity to motorists traveling along public roads in the area as the surrounding visual landscape consists of vegetation and trees. For these reasons, the faux mono-pine tree wireless telecommunication facility with existing supporting equipment will blend with the visual setting in the vicinity, will be sited and designed to be compatible with the existing community character, and will not result in impacts to the natural environment or a scenic resource.</td>
</tr>
<tr>
<td>POLICY COS 11.3 – Development Siting and Design. Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas.</td>
<td></td>
</tr>
<tr>
<td>POLICY LU 15.1 – Telecommunication Facilities Compatibility with Setting. Require that wireless telecommunication facilities be sited and designed to minimize visual impacts, adverse impacts to the natural environment, and are compatible with existing development and community character.</td>
<td></td>
</tr>
</tbody>
</table>
3. Community Plan Consistency

The proposed project is consistent with the following relevant North County Metropolitan Subregional Plan goals, policies, and actions as described in Table D-2.

Table D-2: Subregional Plan Conformance

<table>
<thead>
<tr>
<th>Subregional Plan Policy</th>
<th>Explanation of Project Conformance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal #4 – Protect natural and economic resources by designating appropriate lands as rural, semi-rural, and environmentally constrained areas.</td>
<td>The wireless telecommunication facility will continue to ensure the provision of services and infrastructure that is necessary to maintain lands that are designated as rural, semi-rural, and environmentally constrained.</td>
</tr>
</tbody>
</table>

4. Zoning Ordinance Consistency

a. Development Regulations

The proposed project complies with all applicable zoning requirements of the Open Space (S80) zone with the incorporation of conditions of approval (See Table D-3).

Table D-3: Zoning Ordinance Development Regulations

<table>
<thead>
<tr>
<th>CURRENT ZONING REGULATIONS</th>
<th>CONSISTENT?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use Regulation: S80</td>
<td>Yes, upon approval of a ZAP Modification and Site Plan permit Findings.</td>
</tr>
<tr>
<td>Animal Regulation: U</td>
<td>N/A</td>
</tr>
<tr>
<td>Density: .125</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot Size: 8AC</td>
<td>N/A</td>
</tr>
<tr>
<td>Building Type: C</td>
<td>N/A</td>
</tr>
<tr>
<td>Height: G</td>
<td>Yes, upon approval of a ZAP Modification.</td>
</tr>
<tr>
<td>Lot Coverage: -</td>
<td>N/A</td>
</tr>
<tr>
<td>Setback: C</td>
<td>Yes</td>
</tr>
<tr>
<td>Open Space: -</td>
<td>N/A</td>
</tr>
<tr>
<td>Special Area Regulations:</td>
<td>N/A</td>
</tr>
<tr>
<td>Development Standard</td>
<td>Proposed/Provided</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Section 4600 of the Zoning Ordinance sets the maximum height requirements. This parcel has a designated height of “G” which requires structures to be no more than 35 feet in height.</td>
<td>The original ZAP authorized a height exception for the installation of a 45-foot tall faux mono-pine and the subject ZAP Modification will be in conformance with the previously authorized height exception.</td>
</tr>
<tr>
<td>Section 4800 of the Zoning Ordinance requires that the project meet the “C” setback requirements of a 60-foot front yard setback, 15-foot interior side yard setback, 35-foot exterior side yard setback, and a 25-foot rear yard setback.</td>
<td>The existing mono-pine tree and supporting equipment will continue to be located out of all required setbacks including front, rear, and side yard setbacks.</td>
</tr>
</tbody>
</table>

b. Wireless Ordinance Consistency

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

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

Table D-4: Wireless Ordinance Consistency

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Proposed/Provided</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 6985.C.2 of the Wireless Telecommunication Ordinance requires that the equipment accessory to a facility not exceed 10 feet in height unless a greater height is necessary to maximize architectural integration and the facility is screened by landscaping.</td>
<td>The supporting equipment for the facility is located on an existing pad with a rustic shed equipment shelter that reaches a maximum height of 12-feet. Views of the supporting equipment are screened by on-site mature vegetation and trees located adjacent to the site and throughout the park.</td>
<td>Yes ☒ No ☐</td>
</tr>
<tr>
<td>Development Standard</td>
<td>Proposed/Provided</td>
<td>Complies?</td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Section 6985.C.4 of the Wireless Telecommunication Ordinance requires that a minimum 50-foot setback for a telecommunication tower when it is placed adjacent to a residential use.</td>
<td>The faux mono-pine tree and supporting equipment are located over 100 feet away from the nearest property line and will continue to be located out of all required setbacks.</td>
<td>Yes ☑ No ☐</td>
</tr>
<tr>
<td>Section 6985.C.5 of the Wireless Telecommunication Ordinance prohibits the placement of a telecommunication tower or equipment in the front, rear, or side yard setback.</td>
<td>The faux mono-pine tree and supporting equipment will continue to be located out of all required setbacks including front, rear, and side yard setbacks.</td>
<td>Yes ☑ No ☐</td>
</tr>
<tr>
<td>Section 6985.C.6 of the Wireless Telecommunication Ordinance states that noise from any equipment supporting the facility shall meet the requirements of the County’s Noise Ordinance on an average hourly basis.</td>
<td>The project site is zoned S80 and is subject to the most restrictive one-hour average sound level limit of 45 dBA at the property lines according to Section 36.404 of the County Noise Ordinance. The current project does not propose additional noise generating equipment. Existing noise generating equipment consist of supporting equipment within and equipment enclosure that do not produce noise levels which exceed the 45 dBA requirement at the property line. Therefore, the project will comply with the County Noise Ordinance.</td>
<td>Yes ☑ No ☐</td>
</tr>
<tr>
<td>Section 6985.C.11 of the Wireless Telecommunication Ordinance limits the term of a “high visibility” facility, depending on the valuation of the wireless facility.</td>
<td>The proposed project is considered a “high visibility” facility because the facility is a faux mono-pine tree within a residential zone. Since the wireless telecommunication facility authorized by the ZAP has a valuation more than $10,000 but less than $500,000, the ZAP Modification has been conditioned to have a maximum term of 10 years.</td>
<td>Yes ☑ No ☐</td>
</tr>
<tr>
<td>Development Standard</td>
<td>Proposed/Provided</td>
<td>Complies?</td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Section 6987.D of the Wireless Telecommunication Ordinance states that sites visible from a Scenic Highway, as identified in the General Plan, shall be designed in such a manner as to avoid adverse visual impacts and does not permit the use of monopoles, lattice towers, or guyed towers.</td>
<td>The proposed project consists of minor equipment alterations to an existing 45-foot tall faux mono-pine that is designed to minimize visual impacts. The facility is not visible from Via Rancho Parkway which is approximately half of a mile away from the project site and is the nearest Scenic Highway as defined in the General Plan.</td>
<td>Yes ☒ No ☐</td>
</tr>
</tbody>
</table>

5. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed in compliance with the CEQA. An Addendum dated November 21, 2019 to the previously adopted MND (Log No. 00-08-040) was prepared and is on file with Planning & Development Services. It has been determined that the project, as designed, would not cause any significant impacts on the environment which require mitigation measures that were not previously analyzed in the adopted MND.

E. COMMUNITY SPONSOR GROUP AND/OR DESIGN REVIEW BOARD

The project is located within an area of the North County Metropolitan Subregional Plan Area that is not represented by a community planning or sponsor group.

F. PUBLIC INPUT

No comments were received as a result of the public notices sent at the time of the ZAP Modification application submittal or during processing of the permit. At the time of application submittal and in accordance with Board Policy I-49, public notices were sent to property owners within a minimum radius of 300 feet of the project site until at least 20 different property owners were noticed.
G. **RECOMMENDATIONS**

Staff recommends that the Zoning Administrator take the following actions:

1. Find the project in conformance with CEQA and adopt the Environmental Findings included in Attachment D which include a finding that the previously adopted MND is adequate with an Addendum.

2. Grant ZAP Modification PDS2019-ZAP-00-130W2, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment B.

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**Report Prepared By:**
Sean Oberbauer, Project Manager
858-495-5747
sean.oberbauer@sdcounty.ca.gov

**Report Approved By:**
Mark Wardlaw, Director
858-694-2962
mark.wardlaw@sdcounty.ca.gov

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**AUTHORIZED REPRESENTATIVE:**

DARIN NEUFELD, CHIEF

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**ATTACHMENTS:**
Attachment A – Planning Documentation
Attachment B – Form of Decision Approving PDS2019-ZAP-00-130W2
Attachment C – Environmental Documentation
Attachment D – Environmental Findings
Attachment E – Photo-Simulations, Geographic Service Area Maps, and Alternative Site Analysis
Attachment F – Ownership Disclosure
Attachment A – Planning Documentation
General Plan
North County Metro Community Plan Area

(7) Village Residential (VR-2.9)
(9) Semi-Rural Residential (SR-1)
(32) Public/Semi-Public Facilities
(36) Open Space (Recreation)
Zoning
North County Metro
Community Plan Area

A70 - Limited Agricultural
RR - Rural Residential
S80 - Open Space
S94 - Transportation/Utility Corridor

Legend:
- Roads
- Site
- Parcels
- Zoning

Date: 4/22/2019
Path: P:\reg2019-ZAP-00-130W2_042219\zoning.mxd
Attachment B – Form of Decision Approving PDS2019-ZAP-00-130W2
November 21, 2019

PERMITTEE: CROWN CASTLE (ATTN: TIM HENION)
MINOR USE PERMIT: PDS2019-ZAP-00-130W2
E.R. NUMBER: PDS2019-ER-00-08-040B
PROPERTY: 742 CLARENCE LANE IN THE NORTH COUNTY METROPOLITAN
            SUBREGIONAL PLANNING AREA WITHIN UNINCORPORATED SAN DIEGO
            COUNTY
APN: 238-080-06-00

DECISION OF THE ZONING ADMINISTRATOR

ORIGINAL MINOR USE PERMIT DECISION (3400-00-130):
GRANT, in substantial conformance with the approved replacement plot plan as amended in red
and elevations dated December 20, 2001 consisting of 8 sheets, a Minor Use Permit to authorize
the location and use of a wireless communication facility consisting of nine (9) panel antennas,
located on a faux monopine, equipment enclosure building and associated communications
equipment all within an enclosed fenced lease area, pursuant to Sections 1355, 2801, 2804(b),
and 7350 et seq. of The Zoning Ordinance.

ALSO GRANT, in substantial conformance with the approved replacement plot plan, and
elevations dated December 20, 2001 consisting of 8 sheets, a Minor Use Permit to authorize a
height increase of a faux monopine from 35 feet to 45 feet in height, pursuant to Sections
4622(b), and 7350 et seq. of The Zoning Ordinance.

ALSO GRANT, in substantial conformance with the approved replacement plot plan and
elevations dated December 20, 2001 consisting of 8 sheets, a Site Plan for a faux monopine,
enclosure building and associated equipment pursuant to Sections 2801.c and 7150 et seq. of
The Zoning Ordinance.

Compliance with other applicable San Diego County codes, ordinances, and requirements is
required unless otherwise noted.

MINOR USE PERMIT MODIFICATION DECISION (ZAP-00-130W2):
This Minor Use Permit Modification, ZAP-00-130W2 for a wireless telecommunication facility,
which consists of nine sheets including plot plan, equipment layout and elevations, dated August
1, 2019. This permit modification authorizes modifications to the existing wireless
telecommunication facility which consists of the removal and replacement of six antennas as
well as the removal and replacement of ancillary equipment within an existing equipment
enclosure that supports the wireless telecommunication facility
This wireless telecommunication facility is considered a “high visibility” facility, therefore, pursuant to Section 6985(c)(11) of the Zoning Ordinance, this Minor Use Permit shall have a maximum term of 10 years (ending November 21, 2029, at 4:00 p.m.). This may be extended for an additional period of time through modification of this permit if it is found that no smaller or less visible technology is available or feasible to replace the facility at that time.

MINOR USE PERMIT EXPIRATION: This Minor Use Permit shall expire on November 21, 2021 at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Minor Use Permit has commenced prior to said expiration date.

CONDITIONS FOR ORIGINAL MINOR USE PERMIT (3400-00-130):
The following conditions are imposed with the granting of the Minor Use Permit.

Building permit plans must conform in detail to this approved design. Failure to conform can cause delay to or denial of building permits and require formal amendment of this approved design. No waiver of the Uniform Building Code standards or any other code or ordinance is intended or implied.

A. Prior to obtaining any building permit pursuant to this Minor Use Permit, and prior to commencement of construction, or use of the property in reliance on this Minor Use Permit, the applicant shall:

1. Pay off all existing deficit accounts associated with the processing this application to the satisfaction of the Department of Planning and Land Use.

2. Provide for the approval of the Director of Planning and Land Use evidence that 0.18 acres of Coast Live Oak Woodland habitat credit has been secured in a County approved mitigation bank located within the area of the project. Evidence of purchase shall include the following information to be provided by the mitigation bank:

   a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

3. Prior to issuance of a grading permit, the applicant shall provide written verification to the Planning Director that a County certified archaeologist has been retained to implement the Grading Monitoring and Data Recovery Program. This verification shall be presented in a letter from the Project Archaeologist to the Director of Planning and Land Use. All persons involved in the monitoring program shall be approved by the Planning Director prior to any pre-construction meeting.

4. The County certified archaeologist/historian shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.

5. Certify that there physically is five hundred fifty feet (550’) of unobstructed sight distance along Felicita Road from the park entrance driveway in both directions per Section 6.1.E of the County Public Road Standards (approved July 14, 1999) to the satisfaction of the Director of Public Works.

6. Provide evidence showing that the project is in compliance with the March 21, 2000 Policy FP 2 County of San Diego Cellular Facilities Standards for Fire Protection.

7. Ensure that arrangements satisfactory to each serving utility company have been made to serve the property.

8. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 5 acres require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

9. Provide a flood-free building site for the proposed facility to the satisfaction of the Director of Public Works.

B. Prior to any occupancy of this property in reliance on this Minor Use Permit, the applicant shall:

1. Conformance to all applicable requirements of the Escondido Fire Department.

2. Provide evidence in the form of photographs, to the satisfaction of the Director of Planning and Land Use that the color and shape of the monopine is consistent with
the monopine depicted as part of the submitted photo simulation included in the December 20, 2001 Visual Analysis.

3. Provide evidence in the form of photographs to the satisfaction of the Director of Planning and Land Use that perimeter-screening landscaping has been planted consistent with the approved plot plan and that an irrigation system has been installed.

4. Provide evidence in the form of photographs to the satisfaction of the Director of Planning and Land Use that the equipment enclosure building has been constructed of materials that are earth-tone in color.

5. Panel antennas shall be painted green to blend in with the monopine's foliage.

6. Submit for the approval of the Director of Planning and Land Use a Grading Monitoring and Data Recovery Program to mitigate potential impacts to undiscovered buried archaeological resources on CA-SDI-570 Locus C. This program shall include, but shall not be limited to, the following actions:

   a. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) shall be onsite full-time to perform periodic inspections of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.

   b. Isolates and clearly non-significant deposits will be minimally documented in the field and the monitored grading can proceed.

   c. In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The significance of the discovered resources shall be determined by the archaeologist, in consultation with County Archaeologist. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods. If any human bones are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.

   d. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional
archaeological methods. The archaeological monitor(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

e. All cultural material collected during the grading monitoring program shall be processed and curated according to current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

f. A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.

7. Complete street lighting requirements as follows:

a. Allow transfer of the property subject to this Minor Use Permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer.

8. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public Works, stating Conditions A.5 through A.9 and B.7 have been completed to that department’s satisfaction.

C. The following conditions shall apply during the term of the Minor Use Permit.

1. Facilities shall be removed when no longer in use.

2. No lighting shall be located on the proposed monopine structure.

3. The applicant as a result of the construction or maintenance of this facility shall repair any damage done to surrounding roads.

4. DEFENSE OF LAWSUITS AND INDEMNITY: The applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action or proceeding against the County, its agents, officers and employees to attack, set aside, void or annul this approval or any of the proceedings, acts or determinations taken, done or made prior to this approval; and (2) reimburse the County, its agents, officers or employees for any court costs and attorney’s fees which the County, its agents, officers or employees may be required by a court to pay as a result of such approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense.
D. The Minor Use Permit expires on June 4, 2004, unless construction and/or use in reliance has started, or unless an extension has been granted previously by the Zoning Administrator.

E. The following shall be the Mitigation Monitoring or Reporting Program for Minor Use Permit ZAP 00-130 Felicita Park:

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must include adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

1. Subsequent Project Permits

   Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

   Conditions A.2 through A.4.

2. Annual Inspections

   Compliance with the following conditions is assured because the annual inspections will evaluate the status of compliance and, if necessary, pursue the remedies specified in the project permits or available under local or state law:

   N/A

3. Enforcement

   Compliance with the following conditions is assured because complaints of non-compliance may be provided by the public to the County which may then investigate the status of compliance and pursue enforcement:

   Condition C.3

4. Ongoing Mitigation
Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary, pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement:

N/A

SPECIFIC CONDITIONS FOR MINOR USE PERMIT MODIFICATION ZAP-00-130W2:
Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Minor Use Permit. Please note that all applicable ongoing conditions associated with the original Minor Use Permit approval shall apply. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

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

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

2. GEN#2—RECORDATION OF DECISION: [PDS], [GP, CP, BP, UO] INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. DESCRIPTION OF REQUIREMENT: The applicant shall sign, notarize with an 'all-purpose acknowledgement' and return the original Recordation Form to PDS. DOCUMENTATION: Signed and notarized original Recordation Form. TIMING: Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. MONITORING: The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.
3. **ROADS#1--SIGHT DISTANCE**

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the County of San Diego Public Road Standards, an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is 317 feet of unobstructed sight distance in the southerly direction (North Bound (NB) traffic) from the easement road maintained by Department of Parks and Recreation (DPR), Clarence Lane, along **Felicita Road** pursuant to the approved design exception for corner sight distance dated August 27, 2019. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."

b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is 400 feet of unobstructed intersectional sight distance in the northerly direction (South Bound (SB) traffic) from the easement road maintained by Department of Parks and Recreation (DPR), Clarence Lane, along **Felicita Road** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. This sight distance exceeds the required intersectional Sight Distance requirements of 400 feet as described in Table 5 based on a speed of 40 MPH, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."

c. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

**DOCUMENTATION:** The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.
OCCUPANCY: (Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).

4. **GEN#3–INSPECTION FEE**  
**INTENT:** In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

5. **PLN#1–PHOTO SIMULATION (WIRELESS): [PDS, PCC] [UO, FG] [PDS, FEE]**  
**INTENT:** In order to verify that the site complies with the County Zoning Ordinance Section 6980 through 6991 (Wireless Telecommunications Section), the site shall substantially comply with the approved plot plans and photo-simulations. **DESCRIPTION OF REQUIREMENT:** The site shall be built to substantially comply with the approved photo-simulations and photo surveys dated received 8/6/2019 to ensure that the site was built to be screened from public view. **DOCUMENTATION:** The applicant shall build the site to comply with the approved plans and the photo-simulations. Upon completion, the applicant shall provide the photographic evidence to the [PDS, PCC] for review. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall be built to match the approval. **MONITORING:** The [PDS, PCC] and DPR [TC, PP] shall review the provided photos for compliance with this condition and compliance with the photo-simulations.

6. **PLN#2–SITE CONFORMANCE (WIRELESS)**  
**INTENT:** In order to verify that the site complies with the County Zoning Ordinance Section 6980 through 6991 (Wireless Telecommunications Section), the site shall substantially comply with the approved plot plans. **DESCRIPTION OF REQUIREMENT:** The site shall be built to substantially comply with the approved plot plans. **DOCUMENTATION:** The applicant shall build the site to comply with the approved plans. Upon completion, the applicant shall provide the photographic evidence to the [PDS, PCC] for review. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall be built to match the approval. **MONITORING:** The [PDS, PCC] and DPR [TC, PP] shall review the provided photos for compliance with this condition and compliance with the approved plot plans.

7. **PLN#3–SITE PLAN IMPLEMENTATION: [PDS, BI] [UO] [DPR, TC, PP]**  
**INTENT:** In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved plot plan and the building plans. This includes, but is not limited to: installing all
required design features, painting all structures with the approved colors, and all
temporary construction facilities have been removed from the site. **DOCUMENTATION:**
The applicant shall ensure that the site conforms to the approved plot plan and building
plans. Any interior changes to approved telecommunications equipment that are located
entirely within an approved enclosed equipment shelter, with equipment that cannot be
seen by an adjacent residence, parcel or roadway, shall not require Modification or
Deviation of the permit, to the satisfaction of the Director of Planning and Development
Services (expansion of the existing approved equipment shelter and/or addition of noise
generating equipment would require either Modification or Deviation of the permit).
**TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance
of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS,
Building Inspector] and DPR [TC, PP] shall inspect the site for compliance with the
approved Building Plans.

8. **HAZ#1—HEALTH AND SAFETY PLAN**
**INTENT:** In order to protect workers from hazardous chemicals and to notify the public
of potential hazardous chemicals and substances and to comply with the California Health
and Safety Code, Chapter 6.95, the applicant shall receive approval from the Department
of Environmental Health. **DESCRIPTION OF REQUIREMENT:** The applicant of the
facility shall obtain all necessary permits for the storage, handling, and disposal of the
hazardous materials as required by the Department of Environmental Health-Hazardous
Materials Division. The plan shall be approved by [DEH, HMD]. The Hazardous Materials
Division, Plan Check section contact is Joan Swanson, (858) 505-6880 or by email at
joan.swanson@sdcounty.ca.gov. **TIMING:** Prior to occupancy of the first structure built
in association with this permit, the Health and Safety Plan, and Hazardous Materials
Business Plan shall be prepared, approved and implemented. **MONITORING:** [DEH,
HMD] shall verify and approve all compliance with this condition.
ONGOING: (The following conditions shall apply during the term of this permit).

9. PLN#4–SITE CONFORMANCE: [PDS, PCO] [OG] [DPR, TC, PP].
   INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. DESCRIPTION OF REQUIREMENT: The project shall conform to the approved building plans, and plot plan(s). This includes, but is not limited to maintaining the following: painting all necessary aesthetics design features, and all lighting wall/fencing. Failure to conform to the approved plot plan(s) is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. DOCUMENTATION: The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. Any interior changes to approved telecommunications equipment that are located entirely within an approved enclosed equipment shelter, with equipment that cannot be seen by an adjacent residence, parcel or roadway, shall not require Modification or Deviation of the permit, to the satisfaction of the Director of Planning and Development Services (expansion of the existing approved equipment shelter and/or addition of noise generating equipment would require either Modification or Deviation of the permit). TIMING: Upon establishment of the use, this condition shall apply for the duration of the term of this permit. MONITORING: The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

10. PLN#5–SITE CONFORMANCE (WIRELESS): [PDS, PCO] [OG].
    INTENT: In order to comply with the County Zoning Ordinance Section 6980 through 6991 (Wireless Telecommunications Section), the site shall substantially comply with the requirements of this condition. DESCRIPTION OF REQUIREMENT: The project shall conform to the following requirements. This includes, but is not limited to maintaining the following:

a. Maintain the appearance of the facility, landscaping, and associated equipment shelter, as depicted in the approved photo simulations and photo surveys dated 8/6/2019. Any interior changes to approved telecommunications equipment that are located entirely within an approved enclosed equipment shelter, with equipment that cannot be seen by an adjacent residence, parcel or roadway, shall not require Modification or Deviation of the permit, to the satisfaction of the Director of Planning and Development Services (expansion of the existing approved equipment shelter and/or addition of noise generating equipment would require either Modification or Deviation of the permit).

b. All graffiti on any components of the facility shall be removed promptly in accordance with County regulations. Graffiti on any facility in the public right-of-way must be removed within 48 hours of notification.

c. All wireless telecommunications sites including antennae and cabinets shall be kept clean and free of litter, display a legible operator’s contact number for
reporting maintenance problems, and be secured to prohibit unauthorized access.

d. Wireless telecommunications facilities with use discontinued shall be considered abandoned 90 days following the final day of use. All abandoned facilities shall be physically removed by the facility owner no more than 90 days following the final day of use or determination that the facility has been abandoned, whichever occurs first. All wireless carriers who intend to abandon or discontinue the use of any wireless telecommunications facility shall notify the County of such intention no less than 60 days before the final day of use. The County reserves the right to remove any facilities that are abandoned for more than 90 days at the expense of the facility owner. Any abandoned site shall be restored to its natural or former condition. Grading and landscaping in good condition may remain. This period can be extended based on provided documentation to the satisfaction of the Director of DPR and the Director of PDS.

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

11. **NOISE#1−ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]**

**INTENT:** In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 (County of San Diego Noise Ordinance), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the following requirements: Minor Use Permit associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. This includes (but not limited to) generator and air conditioner units. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person’s right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.
12. ROAD#2–ROAD MAINTENANCE

INTENT: In order to ensure that the on and offsite roads are maintained and not damaged during construction and during the term of the permit, the applicant shall assume responsibility. DESCRIPTION OF REQUIREMENT: The applicant is responsible for the repair of any damage caused by this Project during construction and the term of this permit to on-site and offsite roads that serve the Project. Furthermore, the applicant is responsible for maintenance on a proportional basis (number of trips) during the term of this permit to on-site and offsite roads that serve the Project. DOCUMENTATION: The applicant shall assume responsibility pursuant to this condition. TIMING: Upon establishment of use, this condition shall apply during the term of this permit. MONITORING: The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

13. ROAD#3–SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the County of San Diego Public Road Standards, an unobstructed sight distance shall be maintained for the life of this permit. DESCRIPTION OF REQUIREMENT: There shall be a minimum unobstructed sight distance of 317 feet of unobstructed sight distance in the southerly direction (North Bound (NB) traffic) and 400 feet of unobstructed intersectional sight distance in the northerly direction (South Bound (SB) traffic) from the easement road maintained by Department of Parks and Recreation (DPR), Clarence Lane, along Felicita Road for the life of this permit. DOCUMENTATION: A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. TIMING: Upon establishment of the use, this condition shall apply for the duration of the term of this permit. MONITORING: The [PDS, Code Compliance Division] is responsible for compliance of this permit.

MINOR USE PERMIT MODIFICATION FINDINGS FOR PDS2018-ZAP-03-011W3:

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

(a) The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to

1. Harmony in scale, bulk, coverage, and density

Harmony:

The proposed project consists of minor alterations to an existing 45-foot tall faux monopine wireless telecommunications facility. The original Minor Use Permit required a height exception to authorize the construction of the existing monopine
up to a maximum height of 45 feet. The equipment necessary for the facility is currently located within a rustic shelter that is screened from views by existing onsite vegetation. All alterations to the antennas of the facility will not impact the camouflaged design of the facility as a faux monopine. The faux monopine was found to be in conformance with the visual landscape of the area and has been found to be in good condition. The visual landscape of the Felicita Park property consists of mature vegetation and trees and the faux monopine will continue to be in harmony with the visual character of the area.

**Scale and Bulk:**

The project site is developed with a County Park as well as multiple wireless telecommunication facilities. Mature trees and vegetation poles are also located on the project site and within the project vicinity. Photo-simulations on file for the subject Minor Use Permit Modification demonstrate that the new antennas for the facility will not impact the faux tree design and will not introduce a negative visual impact. The wireless telecommunication facility is located approximately a half of a mile north of Via Rancho Parkway, a Scenic Highway identified in the County of San Diego General Plan. However, the existing facility is not visible from Via Rancho Parkway as mature trees and vegetation between the road and the facility completely screen the wireless facility from views along the Scenic Highway. The associated equipment enclosure for the wireless facility was designed as a rustic equipment shed and appears as an accessory structure for the Felicita Park. Additionally, on-site vegetation screens the equipment enclosure from public views. The facility will continue to appear as a mature tree which is an expected visual element within the project vicinity to motorists traveling along public roads in the area as the surrounding visual landscape consists of vegetation and trees. The facility will continue to be of comparable height to existing trees and vertical elements on the subject property. For these reasons, the faux monopine tree wireless telecommunication facility with existing supporting equipment will continue to blend with the visual setting in the vicinity and is compatible in terms of scale and bulk.

**Coverage:**

The cellular facility is located within an existing 52 acre County park site. The total facility area will cover approximately 402 square feet. The park contains several on-site structures including a ranger's residence, restroom building and playground equipment. The addition of the facility will add minimally to the overall coverage characteristics of the park site. Land uses surrounding the park site consist of residential lots, half-acre and above with 1,000 square foot residences and larger. Considering the size of the subject lots the size of the existing structures on the property, and the coverage characteristics of surrounding properties, the addition of the communication facility will be consistent in terms of coverage and compatible with adjacent uses.
Density:

The project is a Minor Use Permit Modification to authorize alterations to an existing telecommunication facility and does not have a residential component subject to density.

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

The project is located within the jurisdiction of the Rincon Del Diablo Municipal Water District. The project has been reviewed and found to be FP-2 compliant as the existing equipment associated with the facility is enclosed within an equipment enclosure and the scope of the project involves minor alterations to an existing wireless telecommunication facility. The project would not require water or sewer services. Electrical and telephone services are available on-site. The proposed project involves construction to an existing wireless telecommunication facility with existing access to adequate utilities. All required utilities are therefore available for the project.

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

The project is a Minor Use Permit Modification for the authorization of Modifications to an existing wireless telecommunication facility. The Minor Use Permit modification has been submitted in order to bring the existing wireless telecommunication facility into conformance with the County of San Diego Zoning Ordinance pursuant to the amortization requirements outlined in sections 6985 and 6991. The project consists of minor alterations to an existing faux monopine wireless telecommunication facility. No trenching or grading is proposed or required for the project as all construction will occur within the same footprint of the existing lease area and equipment enclosure.

The faux mono-pine was designed to blend in with the surrounding natural environment and is located away from residential views and areas. The project has been reviewed for noise impacts and determined to be consistent with the County Noise Ordinance. The current proposed project does not contain additional noise generating equipment. Primary noise generating equipment associated with the existing facility is located within an existing equipment shelter. The project, as designed, would not cause any substantial, demonstrable negative aesthetic effect to views from the surrounding area and roadways. Therefore, the project would not have a harmful effect on the neighborhood character.

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

The traffic generated from the project is expected to result in approximately one trip per month and access to the site will be provided by Clarence Lane which is a County-Maintained road by the Department of Parks and Recreation. The use associated with this Minor Use Permit is compatible with the existing nature of the
area because the number of maintenance trips will not substantially alter the expected traffic or physical character of the surrounding streets and will be compatible with adjacent uses. Therefore, the number of maintenance trips will not substantially increase or alter the physical character of surrounding streets.

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

The applicant proposes a Minor Use Permit Modification for the authorization of alterations to an existing unmanned wireless telecommunication facility. The subject property is approximately 52 acres in size and has access and utility services adequate to serve the proposed use. The alterations to the existing monopine will be within the same development footprint of an existing wireless telecommunication facility and would not result in significant alterations to the land form or grading. The project, as designed, would be camouflaged, would not change the characteristics of the area and is suitable for this site and the type and intensity of uses and development. For reasons stated above, the proposed project would be compatible with adjacent land uses.

6. Any other relevant impact of the proposed use:

None identified.

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

The project is within the Open Space Recreation General Plan Land Use Designation, and it is within the North County Metropolitan Subregional Planning Area. The project complies with the General Plan because civic uses are allowed if they support the local population. In addition, the project is consistent with Goal S-1 (Public Safety) and S-2 (Emergency Response) of the Public Safety Element of the County General Plan, because it encourages enhanced public safety and effective emergency response to natural or human-induced disasters, while also reducing disruptions in the delivery of vital public and private services during and following a disaster. Furthermore, the project would be consistent with the General Plan Land Use Element Goal 15.1 because the proposed project is compatible with the existing community character, and the project would not result in impacts to the natural environment. The project would be consistent with the General Plan Land Use Element Goal 15.2 because it is designed for co-location. Therefore, the proposed use and project are consistent with the San Diego County General Plan.

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

The project has been reviewed in compliance with the CEQA. An Addendum to the previously adopted MND (Log No. 00-08-040) was prepared and is on file with Planning & Development Services. It has been determined that the project, as designed, would not
cause any significant impacts on the environment which require mitigation measures that were not previously analyzed in the adopted MND.

SITE PLAN FINDINGS PURSUANT TO SECTION 2801 OF THE ZONING ORDINANCE
Standards and Criteria: The placement and siting of the proposed structures and buildings shall continue preserve the open space value of the development site, avoid degradation of the significant physical features located on the development site, and avoid hazards. The project proposes minor alterations to an existing faux monopine wireless telecommunications facility. The facility will continue to be located within Felicita Park. The park site is heavily vegetated and includes mature trees and shrubs. The monopine is located in an area where other mature trees and vegetation exist. Based on site photos, the existing monopine has been found to be in good condition since the original construction of the facility and will continue to blend in with the mature vegetation within the project vicinity. An existing equipment enclosure is located at the base of the monopine and is designed to resemble a rustic, shed-like building. The wireless cellular communications facility was designed to be incorporated with the open natural character of the park. The scope of the project does not require construction outside of the development footprint of the existing facility. No hazards are located in the area of the facility. As a result, the proposed project is in conformance with the standards and criteria of required under the S80 Open Space Use Regulations.

WIRELESS TELECOMMUNICATION FINDINGS
The project is in a preferred location in a non-preferred zone. Pursuant to Section 6986.B of the Wireless Telecommunication Facilities Ordinance, the applicant provided an alternate site analysis and discussed preferred locations in the area and why they were not technologically or legally feasible. Pursuant to Section 6986.C of the Ordinance, Pursuant to Section 6986.C of the Ordinance, the facility has been designed as a faux monopine. Due to the camouflaging of the facility and lack of preferred zones in the surrounding area, the proposed project has been determined to be preferable due to its aesthetic and community character compatibility.

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

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.
NOISE ORDINANCE COMPLIANCE: In order to comply with the County Noise Ordinance 36.401 et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plans, specific permit conditions and approved building plans associated with this permit. No noise generating equipment and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

COMPLIANCE INSPECTION: In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Minor Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Minor Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all terms and conditions of the Use Permit. This requirement shall apply during the term of this permit.

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 10410 and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013. Project design shall be in compliance with the new Municipal Permit regulations. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below. http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

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

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

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact PDS Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate County requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

ENCROACHMENT PERMIT REQUIRED: An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

EXCAVATION PERMIT REQUIRED: An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

TRANSPORTATION IMPACT FEE: The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.223. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [PDS, LD Counter] and provide a copy of the receipt to the [PDS, BD] at time of permit issuance.
## EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS

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

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

By:
Eric Lardy, Zoning Administrator
Planning & Development Services

email cc:
Ashley Smith, Planning Manager, Planning & Development Services
Ed Sinsay, Land Development, Team Leader, Planning & Development Services
Alishia Ballard, Land Development
Sara Isgur, General Services
Marcus Lubich, Department of Parks and Recreation
Jessica Cissel, Department of Parks and Recreation
Emmet Aquino, Department of Parks and Recreation
Tim Henion, thenion@deprattiinc.com
Attachment C – Environmental Documentation
AN ADDENDUM TO THE PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION FOR PURPOSES OF CONSIDERATION OF PDS2019-ZAP-00-130W2

November 21, 2019

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Mitigated Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent Mitigated Negative Declaration have occurred.

There are some minor changes and additions, which need to be included in an Addendum to the previously adopted Mitigated Negative Declaration to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Name add: Crown Castle Felicita Park Wireless Telecommunication Facility Minor Use Permit Modification

2. To the Project Number(s) add: PDS2019-ZAP-00-130W2; PDS2019-ER-00-08-040B

3. To the first paragraph add as indicated: The Mitigated Negative Declaration for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated November 21, 2019, which includes the following forms attached.

A. An Addendum to the previously approved Mitigated Negative Declaration with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated November 21, 2019.

B. An Ordinance Compliance Checklist
November 21, 2019

Environmental Review Update Checklist Form
For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF
Crown Castle Felicita Park Wireless Telecommunication Facility
Minor Use Permit Modification
PDS2019-ZAP-00-130W2

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (EIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously adopted MND:

   A MND for the original Crown Castle Felicita Park Wireless Telecommunication Facility (3400-00-130), Log No. 00-08-040 was adopted by the Zoning Administrator on June 4, 2002. The adopted MND found the project would not have any potentially significant effects as the project was conditioned for purchase of biological mitigation and monitoring during earth disturbing and construction activities.

2. Lead agency name and address:
   County of San Diego, Planning & Development Services
   5510 Overland Avenue, Suite 110
   San Diego, CA 92123

   a. Contact Sean Oberbauer, Project Manager
   b. Phone number: (858) 495-5747
   c. E-mail: sean.oberbauer@sdcountry.ca.gov
3. Project applicant’s name and address:

Tim Henion of Depratti Inc. on behalf of Crown Castle
2707 Tiburon Avenue, Carlsbad, CA 92010

4. Summary of the activities authorized by present permit/entitlement application(s):

Minor Use Permit ZAP-00-130 authorized the construction, operation, and maintenance of a wireless telecommunication facility consisting of a 45-foot tall faux mono-pine located on a 320 square foot platform with an approximately 220 square foot and 12-foot tall equipment enclosure designed as a shed. Since the approval of the original Minor Use Permit, three minor deviations have been approved for additional antennas and additional ancillary equipment within the equipment enclosure.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES ☒ NO ☐

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux mono-pine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance.

6. SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR: The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE
☐ Aesthetics ☐ Agriculture and Forest Resources ☐ Air Quality
☐ Biological Resources ☐ Cultural Resources ☐ Geology & Soils
☐ Greenhouse Gas Emissions ☐ Hazards & Haz Materials ☐ Hydrology & Water Quality
☐ Land Use & Planning ☐ Mineral Resources ☐ Noise
☐ Population & Housing ☐ Public Services ☐ Recreation
☐ Transportation/Traffic ☐ Utilities & Service Systems ☐ Mandatory Findings of Significance
DETERMINATION:
On the basis of this analysis, Planning & Development Services has determined that:

☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous MND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND is adequate with the preparation of an Addendum.

☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with an EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.

Signature  
Date  
Sean Oberbauer  
Printed Name  
Project Manager  
Title  

November 21, 2019
INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
   a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
   b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
   d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the “Determination,” above, as to the type of environmental documentation required, if any.
ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES ☐  NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The wireless telecommunication facility is not visible from Via Rancho Parkway which is the nearest Scenic Highway identified by the County of San Diego General Plan and is located approximately a half of a mile south of the project site. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to aesthetics.

II. AGRICULTURE AND FORESTY RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?  

YES ☐  NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to agriculture and forestry resources.
III. AIR QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES ☐ NO ☑

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The amount and duration of construction and grading activities would be lower than screening thresholds for air quality impacts. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to air quality.

IV. BIOLOGICAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

YES ☐ NO ☑

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to biological resources.
V. CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

YES □  NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The original Minor Use Permit was conditioned for archaeological monitoring during earth disturbing activities involved with the construction of the facility. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to cultural resources.

VI. GEOLOGY AND SOILS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

YES □  NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to geology and soils.
VII. GREENHOUSE GAS EMISSIONS – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

YES □ NO □

In 2006, the State of California passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill (AB 32), which set a GHG emissions reduction goal for the state into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Senate Bill (SB) 375, passed in 2008, links transportation and land use planning with global warming. It requires the California Air Resources Board (ARB) to set regional targets for the purpose of reducing GHG emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing, and transportation plans that meet SB 375 targets, new projects in these regions can be relieved of certain new requirements under CEQA. The San Diego Association of Governments (SANDAG) has prepared the region’s Sustainable Communities Strategy (SCS) and the 2050 Regional Transportation Plan (RTP) which are elements of the San Diego Forward: The Regional Plan. The strategy identifies how regional GHG reduction targets, as established by the ARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies that are determined to be feasible. To implement State mandates to address climate change in local land use planning, local land use jurisdictions are generally preparing GHG emission inventories and reduction plans and incorporating climate change policies into local General Plans to ensure development is guided by a land use plan that reduces GHG emissions. The County of San Diego’s General Plan, adopted in 2011, incorporates various climate change goals and policies. These policies provide direction for individual development projects to reduce GHG emissions. The County adopted a Climate Action Plan (CAP) in February 2018. The original project was approved prior to CAP approval and the CAP included the project in its baseline emissions as the original project was approved prior to the General Plan Update as well as the adoption of the Climate Action Plan.

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The project will not result in additional trips as the majority of trips associated with the operation of the facility consist of approximately monthly maintenance trips. There are no changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that result in effects associated with greenhouse gas emissions of compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions.
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES ☐ NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. No additional hazardous materials will be stored on-site for the construction of the facility. The County is preempted by the Federal Telecommunication Act from considering Electric Magnetic Radiation (EMR) when reviewing the proposed location of cellular facilities. Potential health effects from EMR associated with the project is available from the cellular providers upon request as it is also required from the Federal Communication Commission. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to hazards and hazardous materials.

IX. HYDROLOGY AND WATER QUALITY -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-
year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES ☐ NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. An updated stormwater intake form and Standard Stormwater Quality Management Plan has been submitted and reviewed for compliance with current standards. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to hydrology and water quality.

X. LAND USE AND PLANNING – Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES ☐ NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to land use and planning.
XI. MINERAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES ☐ NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to mineral resources.

XII. NOISE -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES ☐ NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The current proposal does not include additional noise generating equipment. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects associated with noise.
XIII. POPULATION AND HOUSING -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES ☐ NO ☑

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to population and housing.

XIV. PUBLIC SERVICES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES ☐ NO ☑

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Although wireless telecommunication facilities are not necessarily public services, the facility will still be operational during the construction on the faux tree and will continue to provide coverage and facilitate communication in the event of an emergency. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to public services.
XV. RECREATION -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES ☑️ NO ☐

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to recreation.

XVI. TRANSPORTATION/TRAFFIC -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES ☐️ NO ☑️

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The project will not result in additional trips as the majority of trips associated with the operation of the facility consist of approximately monthly maintenance trips. Therefore, the proposed Minor Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to transportation and traffic.
XVII. TRIBAL CULTURAL RESOURCES -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES ☐  NO ☒

Since the MND was adopted for the original Minor Use Permit, there has been a change in circumstances. Assembly Bill 52 (AB-52) became effective on July 1, 2015. AB-52 requires that tribal cultural resources (TCR) be evaluated under CEQA. The proposed project was evaluated for tribal cultural resources as follows; however, AB-52 consultation does not apply since the environmental document is not a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report. The project has previously been conditioned for archaeological monitoring while grading or during any ground disturbing activities.

XVIII. UTILITIES AND SERVICE SYSTEMS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES ☐  NO ☒

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The facility will still be operational during the construction on the faux tree and will continue to provide coverage and facilitate communication to motorists in the area. Therefore, the proposed Major Use Permit Modification would not result in a substantial increase in the severity of previously identified and analyzed effects to utilities and service systems.
XIX. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- YES
- NO

As discussed within this document and the attached addendum, there are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any of the mandatory findings of significance. There are no proposed changes to Biological Resources or Cultural Resources that were impacts that were previously identified and analyzed in the adopted MND.

The proposed project is for a Minor Use Permit Modification to an existing wireless facility consisting of the removal and replacement of six antennas to an existing 45-foot tall faux monopine and the removal and replacement of ancillary equipment within an equipment enclosure for a wireless telecommunication facility located in Felicita Park. No additional earth disturbing activities are proposed outside of the footprint of the existing equipment enclosure. The application has been submitted in accordance with the amortization requirements outlined in sections 6985 and 6991 of the Zoning Ordinance. The intent of the project overall is to bring the wireless telecommunication facility into conformance with current standards and to make minor use permit findings to allow continued operation of the facility.

Attachments
- Previous environmental documentation
- Addendum to the previously adopted Mitigated Negative Declaration
XX. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW UPDATE CHECKLIST FORM

California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 et. seq.

California Environmental Quality Act, CEQA Guidelines


California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Conservation/Open Space Element of the General Plan (Goal COS-17: Solid Waste Management)

County of San Diego Conservation/Open Space Element of the General Plan

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego. 1997. Multiple Species Conservation Program, County of San Diego Biological Mitigation Ordinance

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 et seq.)

Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from Watershed Protection Techniques Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection
The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control Board, San Diego Region
REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF

Crown Castle Felicita Park Wireless Telecommunication Facility
Minor Use Permit Modification,
PDS2019-ZAP-00-130W2; PDS2019-ER-00-08-040B

November 21, 2019

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

YES ☐ NO ☐ NOT APPLICABLE/EXEMPT ☑

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

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

YES ☐ NO ☐ NOT APPLICABLE/EXEMPT ☑

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

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

YES ☑ NO ☐ NOT APPLICABLE/EXEMPT ☑

The project involves modifications to an existing unmanned wireless telecommunication facility and does not propose the addition of any landscaping or use of groundwater.
IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

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

Wetland and Wetland Buffers:
Although the site does contain wetlands as defined by the San Diego County Resource Protection Ordinance, the scope of the project occurs within the development footprint of an existing wireless telecommunication facility. The wireless facility is located away from the drainage and ponds located near the central portion of the property. Therefore, it has been found that the proposed project complies with the Resource Protection Ordinance.

Floodways and Floodplain Fringe:
The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with the Resource Protection Ordinance.

Steep Slopes:
The scope of the project occurs within the development footprint of an existing wireless telecommunication facility. There is no proposed development on portions of the property and Felicita Park defined as steep slopes. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:
Sensitive habitat lands were previously identified on the site near the drainage running through the central portion of the property. The proposed project and development footprint occur on an existing wireless telecommunication facility and are located away from the drainage. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.
**Significant Prehistoric and Historic Sites:**
Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, it has been determined that the project site does contain archaeological resources. The original development of the wireless telecommunications facility required monitoring during grading activities. The current project application will be located within the same developed footprint of the original approval. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

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

- [x] YES
- [ ] NO
- [ ] NOT APPLICABLE

The project Storm Water Quality Management Plan has been reviewed and is found to be complete and in compliance with the WPO.

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

- [x] YES
- [ ] NO
- [ ] NOT APPLICABLE

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

The project is zoned Open Space (S80) and is subject to a restrictive sound level requirement of a one-hour average 45 dBA limit at the project property line. The current project does not propose any additional noise generating equipment. Primary noise sources from the existing site consist of a supporting equipment within an on-site equipment enclosure designed as a rustic shed. The communications facility is located over 200 feet from the nearest property line. Due to the considerable distance from the project site to the boundary lines, staff does not anticipate that the existing generator will produce noise that will exceed the one-hour average 45dBA limit at the nearest project property line. Therefore, the project as designed demonstrates Noise Ordinance (N.O.) compliance and no noise mitigation is required.
Attachment D – Environmental Findings
CROWN CASTLE FELICITA PARK
WIRELESS TELECOMMUNICATION FACILITY
MINOR USE PERMIT MODIFICATION
PERMIT NO.: PDS2019-ZAP-00-130W2
ENVIRONMENTAL LOG: PDS2019-ER-00-08-040B

ENVIRONMENTAL FINDINGS

November 21, 2019

1. Find that the Addendum on file with Planning & Development Services as Environmental Review Number PDS2019-ER-00-08-040B was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein prior to approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration dated January 10, 2002 and adopted on June 4, 2002, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the Mitigated Negative Declaration was adopted as explained in the Environmental Review Update Checklist dated November 21, 2019.

2. Find that the proposed project is exempt from the Resource Protection Ordinance (RPO) per Section 86.603(a) of the RPO (County Code, section 86.601 et seq.).

3. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management and Discharge Control Ordinance (County Code, section 67.801 et seq.).
Attachment E – Photo-Simulations, Geographic Service Area Maps, and Alternative Site Analysis
1.9 LTE Coverage SD34XC697 by itself
1.9LTE Coverage (Cluster minus SD34XC697)
PROJECT NAME: Crown Castle BU 880276 Clarence Lane
Record ID "PDS2019-ZAP-00-130W2" Environmental Log No. "PDS2019-ER-00-08-040B"
PROJECT ADDRESS: 742 Clarence Lane, Escondido, CA 92029; APN: 238-380-06

Site Justification

Project Site:

The project site is located at 742 Clarence Lane in Escondido at Felicita Park. It is approximately 800 feet west of Felicita Road, 340 feet east of Oak Lane, 650 south of Park Drive and 1150 feet from Felicita Park entrance. The parcel is zoned (S80) open space, is (8) acres in size, and currently has a County Park Facility in operation.

Project Description:

Crown Castle seeks to renew the use permit for the existing wireless facility at Felicita Park. The location is currently operating for Sprint's network and has been in service here since 2002. The faux pine tree and equipment building are in good condition. As part of this renewal, Crown on behalf of Sprint proposes to upgrade the antenna configuration to upgrade this location to provide the latest 4G technology and prep for 5G service.

Preference Categories:

Section 6986 of the Telecommunications Ordinance (Preferred Sites) identifies the preference categories assigned to proposed zones and locations. The project site is zoned S80- Open Space, which is a non-preferred zone for telecommunications facilities. The project location is at a County of San Diego Park. Although this design is defined as "high visibility" according to the County's Wireless Ordinance because it exceeds the height and is a faux tree design, it is the most appropriate design for the subject site which has several large pine tree surrounding the site location.

Below is a list categorizing what the site development team explored prior to arriving at the proposed location.

- **Preferred Zones: Industrial and Commercial**
  There are no Industrial or Commercial zones within a mile of the existing site

- **Preferred Locations: Public Right of Way / Utility Poles:**
  Public right-of-way solutions were sometimes relied upon with earlier generation wireless facilities when the requirements for data capacities were less and quick voice only coverage solutions were acceptable. No public right-of-way location was identified that could accommodate the facility required to provide adequate coverage and service level to the target area. Again, the significant topographical constraints of the surrounding area make utilities poles obsolete.
**Water Tanks**
Existing water tank sites are preferred solutions for wireless sites since they represent a non-residential land use, frequently located within residential areas and located on high ground. However, the closest water tank is near Lake Hodges over a mile for the existing site and too far to meet the coverage needs.

**Non-Residential Land Uses**
Opportunities for any non-residential land uses were examined. Our search for non-residential land uses included commercial sites, fire stations, Elementary schools, churches, community centers and open space areas.

**County or other government facilities**
This application is to renew the existing wireless facility at a County park, Felicita Park

**Co-location opportunities**
The existing site is a 45' tall mono pine, there is a American Tower broadleaf tree directly next to the existing Crown/Sprint facility at the same height. Collocation would require a reduced antenna height which would result in the loss of coverage in the surrounding area.

The site is located in a S80 zone at a County Maintained park without visual impact to the surround roadways or residences. The faux tree design blends in with the areas landscape and the equipment shelter is also in a location of no impact to the surrounding parcels.

**Public Benefit**
Without this existing site there would be a serious lack of coverage in and around the project area which would create significant public safety considerations. The majority of 911 calls are now placed by wireless telephone, and many of the emergency responders now rely upon the wireless networks to a large degree for their communications. The proposed wireless facility would be E-911 compliant, meaning that emergency calls placed from the wireless phones of other carriers would connect through the site. In such hilly areas, regular radio communications may not be reliable, but the cellular networks provide secure communications for areas having network coverage. Also, the wireless systems have the ability to locate lost, injured or stranded persons with the GPS aspect of the cellular networks. These rural communities of the County are vulnerable to isolation in the event of wildfires, earthquakes or other public emergencies if regular landline communications become severed. With the nearby area being a County park coverage is needed for the visitors to the park and surrounding neighborhoods.
PROJECT NAME: Crown Castle BU 880276 Clarence Lane
Record ID PDS2019-ZAP-00-130W2 Environmental Log No. PDS2019-ER-00-08-040B
PROJECT ADDRESS: 742 Clarence Lane, Escondido, CA 92029; APN: 238-380-06

The following (4) pages show the Spring are coverage provided by this existing location:
1. Sprint Cover page
2. Sprint stand alone coverage from this existing location
3. Sprint network coverage including the existing location
4. Sprint network coverage without the existing location
PROJECT NAME: Crown Castle BU 880276 Clarence Lane
Record ID PDS2019-ZAP-00-130W2 Environmental Log No. PDS2019-ER-00-08-040B
PROJECT ADDRESS: 742 Clarence Lane, Escondido, CA 92029; APN: 238-380-06

Alternative Site Analysis

Crown Castle BU 880276 located at 742 Clarence Lane, Escondido, CA 92029
Attachment F – Ownership Disclosure
County of San Diego, Planning & Development Services

APPLICANT’S DISCLOSURE OF OWNERSHIP INTERESTS ON APPLICATION FOR ZONING PERMITS/ APPROVALS
ZONING DIVISION

Record ID(s)  PDS2017-ZAP-00-130W2

Assessor's Parcel Number(s) 238-380-06

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

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

CCTM1 LLC
200 Spectrum Center Drive, Suite 200
Irvine, CA 92618

County of San Diego

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

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

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

Signature of Applicant
Tim Henion
Print Name
03/14/2019
Date

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770
http://www.sdcounty.ca.gov/pds

SDC PDS RCVD 4-9-19
ZAP00-130W2

PDS-305 (Rev. 09/21/2012)