

Item 333
Subitem B
Tues. 3/24/15

RESOLUTION NUMBER R- 309575

DATE OF FINAL PASSAGE MAR 24 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING NEIGHBORHOOD USE PERMIT NO. 1088557/PLANNED DEVELOPMENT PERMIT NO. 1378745 (AMENDMENT TO PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 95-0173) FOR VERIZON – WRIGHT’S RANCH – PROJECT NO. 231240.

WHEREAS, Santa Luz Maintenance Association, Owner and Verizon Wireless, Permittee, filed an application with the City of San Diego for a permit for a Wireless Communication Facility (as described in and by reference to the approved Exhibits “A” and corresponding conditions of approval), on portions of an 18.34-acre site; and

WHEREAS, the project site is located at 7595 Montien Road in the AR-1-1 zone of the Black Mountain Ranch Subarea Plan; and

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 19580, in the City of San Diego, County of San Diego, State of California, Filed in the Office of the County Recorder of San Diego County, September 21, 2004; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

WHEREAS, on December 18, 2014, the Planning Commission of the City of San Diego considered Neighborhood Use Permit (NUP) No. 1088557 and Planned Development Permit

No. 1378745 amending Planned Residential Development Permit No. 95-0173 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

WHEREAS, on November 14, 2014, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15303 (New Construction) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED, by the City Council of the City of San Diego, that it adopts the following written findings with respect to NUP No. 1088557 and PDP No. 1378745:

I. NEIGHBORHOOD USE PERMIT – SDMC SECTION 126.0205

1. The proposed development will not adversely affect the applicable land use Plan. The Black Mountain Ranch Subarea Plan does not address Wireless Communication Facilities (WCF), but the City of San Diego's General Plan, Section UD-15 requires that the visual impact of wireless facilities be minimized by concealing them in existing structures or using screening techniques to hide or blend them into the area in which they are proposed. The Plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. This project is a WCF that is completely concealed within a proposed faux house. The 1,568-square foot house will be two stories and will accommodate up to three wireless carriers. The house is designed in the Spanish Ranch style and will integrate into the neighborhood of low density, estate type homes. Landscape is being proposed to further screen the house from surrounding properties. The proposed design will result in a WCF that is aesthetically pleasing and respectful of the neighborhood context.

The proposed WCF complies with the City's Land Development Code Section 141.0420, Wireless Communication Facilities, as well as the City's General Plan. The proposed WCF will not adversely affect the General Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The project consists of a new 1,568-square foot faux house which will conceal up to three carriers' antennas and equipment. Verizon is currently proposing 15 panel antennas, 12 Remote Radio Units (RRU), and a two-foot diameter microwave dish to be located on the northern upper portion of the house. The associated equipment, as well as an emergency generator will be located below the antennas on the first floor. The house is proposed on a Property Owner Association lot that is designated for Amenity Open Space. The original Planned

Residential Development Permit is being amended to allow development on the lot, which requires that the easement be vacated over the portion where the house is proposed as well as the access road from Northern Lights.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare. All proposed improvement plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing, and fire codes.

Additionally, the Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Reports demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction.

In conclusion, the proposed project will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. WCFs are permitted in agricultural zones with the processing of a Conditional Use Permit (CUP), Process 3, except where it can be demonstrated that the antennas are more than 100-feet from the property line of residential uses, day cares, elementary, or middle schools, in which case an NUP, Process 2 is required. The antennas associated with this project are more than 100-feet away from the nearest residential property line, therefore, an NUP is the appropriate permit. The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." In this case, the entire Verizon WCF will be concealed within the proposed faux house, which from outward appearances; will integrate well into the neighborhood context. The house complies with the AR-1-1 development regulations.

In 2004, a parcel map was approved for the current Unit 7 subdivision, which this project is located within. Besides including a Building Restricted Easement (BRE) on the property in question, the map contained language restricting the construction of above-ground roofed buildings or covered structures, except as provided for in the PRD. This application includes an amendment to the PRD to allow the faux house and it includes an easement vacation over that

portion of the lot where the faux house and access road are located. The rest of the lot will remain within the BRE.

The proposed project will comply with the regulations of the Land Development Code.

II. PLANNED DEVELOPMENT PERMIT – SDMC SECTION 126.0604

1. The proposed development will not adversely affect the applicable land use plan. The Black Mountain Ranch Subarea Plan does not address Wireless Communication Facilities (WCF), but the City of San Diego's General Plan, Section UD-15 requires that the visual impact of wireless facilities be minimized by concealing them in existing structures or using screening techniques to hide or blend them into the area in which they are proposed. The Plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. This project is a WCF that is completely concealed within a proposed faux house. The 1,568-square foot house will be two stories and will accommodate up to three wireless carriers. The house is designed in the Spanish Ranch style and will integrate into the neighborhood of low density, estate type homes. Landscape is being proposed to further screen the house from surrounding properties. The proposed design will result in a WCF that is aesthetically pleasing and respectful of the neighborhood context.

The proposed WCF complies with the City's Land Development Code Section 141.0420, Wireless Communication Facilities, as well as the City's General Plan. The proposed WCF will not adversely affect the General Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The project consists of a new 1,568-square foot faux house which will conceal up to three carriers' antennas and equipment. Verizon is currently proposing 15 panel antennas, 12 Remote Radio Units (RRU) and a two-foot diameter microwave dish to be located on the northern upper portion of the house. The associated equipment, as well as an emergency generator will be located below the antennas on the first floor. The house is proposed on a Property Owner Association lot that is designated for Amenity Open Space. The original Planned Development Permit is being amended to allow development on the lot, which requires that the easement be vacated over the portion where the house is proposed as well as the access road from Northern Lights.

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare. All proposed improvement plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes.

Additionally, the Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emission to the extent that such

facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Reports demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction.

In conclusion, the proposed project will not be detrimental to the public health, safety and welfare.

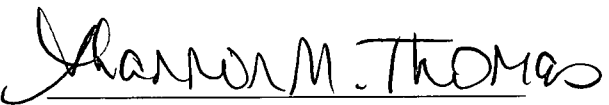
3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. WCFs are permitted in agricultural zones with the processing of a CUP, Process 3, except where it can be demonstrated that the antennas are more than 100-feet from the property line of residential uses, day cares, elementary or middle schools, in which case an NUP, Process 2 is required. The antennas associated with this project are more than 100-feet away from the nearest residential property line, therefore, an NUP is the appropriate permit. The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." In this case, the entire Verizon WCF will be concealed within the proposed faux house, which from outward appearances; will integrate well into the neighborhood context. The house complies with the AR-1-1 development regulations.

In 2004, a parcel map was approved for the current Unit 7 subdivision, which this project is located within. Besides including a Building Restricted Easement (BRE) on the property in question, the map contained language restricting the construction of above-ground roofed buildings or covered structures, except as provided for in the PRD. This application includes an amendment to the PRD to allow the faux house and it includes an easement vacation over that portion of the lot where the faux house and access road are located. The rest of the lot will remain within the BRE.

No deviations are proposed with this project. With the approval of the elimination of the Building Restricted Easement, construction of a faux house for the purposes of concealing a WCF will comply with the regulations of the Land Development Code.

BE IT FURTHER RESOLVED, that, based on the findings hereinbefore adopted by the City Council, NUP No. 1088557/PDP No. 1378745 is approved with the form, exhibits, terms and conditions as set forth in Permit No. 1088557/1378745, a copy of which is attached hereto, and made a part hereof.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Shannon M. Thomas
Deputy City Attorney

SMT:dkr
01/14/2015
02/25/2015 COR. COPY
Or.Dept: DSD
Doc. No. 935936_2

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

WHEN RECORDED MAIL TO
CITY CLERK

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001506

NEIGHBORHOOD USE PERMIT NO. 1088557
PLANNED DEVELOPMENT PERMIT NO. 1378745
PROJECT NO. 231240
AMENDMENT TO PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 95-0173
CITY COUNCIL

This Neighborhood Use Permit (NUP) No. 1088557 and Planned Development Permit No. 1378745 (Amendment to PRD 95-0173) is granted by the City Council of the City of San Diego to Santa Luz Maintenance Association, Owner and Verizon Wireless, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420, 126.0201, 126.0601 and 125.1001. The 18.34-acre site is located at 7595 Montien Road in the AR-1-1 zone of the Black Mountain Ranch Subarea Plan. The project site is legally described as: Parcel 1 of Parcel Map No. 19580, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, September 21, 2004.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for a Wireless Communication Facility (WCF), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated MAR 24 2015, on file in the Development Services Department.

The project shall include:

- a. A two-story, 1,568-square foot faux house for the accommodation of up to three wireless carriers. The Verizon project includes 15 panel antennas, 12 Remote Radio Units and a 2-foot diameter microwave dish on the second story of the house. The associated equipment will be located below the antennas on the ground floor;
- b. An associated 30kw emergency generator with a 210-gallon diesel tank located on the north side of the equipment room;

- c. Space availability for up two additional carriers' antennas and associated equipment. Review of future WCFs will require a Substantial Conformance Review approval;
- d. Landscaping (planting, irrigation and landscape related improvements); and
- e. The faux house is for the purpose of providing an architecturally integrated structure that integrates with the adjacent low density residential neighborhood, but may have the secondary purpose of accommodating Permittee's Operations on the Premises. The faux house may not be used for any other purpose.
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by MAR 24 2018.
2. The project complies with the Telecommunication Facility Guidelines as a Complete Concealment Facility and as a result, the permit will not contain an expiration date. It is the responsibility of the wireless carrier and owner(s) to maintain the appearance of the approved facility to condition set forth in this permit unless the site is removed and restored to its original condition. Code compliance shall be notified if the appearance or the scope of the project has changed without the approval of the City Manager.
3. Under no circumstances, does approval of this permit authorize the Permittee to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit beyond the expiration date of this permit is prohibited.
4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.

5. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

10. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City

should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

13. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

14. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

15. Prior to the issuance of any construction permit, the Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permit, the Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

17. Prior to the issuance of any construction permit the Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

18. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

LANDSCAPE REQUIREMENTS:

19. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including

Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

20. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

21. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards, unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

23. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

MULTIPLE SPECIES CONSERVATION PROGRAM:

24. Due to the adjacency to the MHPA, the development must conform to all applicable Land Use Adjacency Guidelines (LUAG) (Section 1.4.3) of the MCSP Subarea Plan. In particular, Permittee shall assure that lighting, drainage, landscaping, grading, access and noise must not adversely affect the MHPA. Prior to issuance of construction permits, provide the LUAG notes on the construction plans.

PARK AND RECREATION DEPARTMENT REQUIREMENTS:

25. The Permittee shall submit to the Black Mountain Ranch Maintenance Assessment District Grounds Maintenance Manager, a report by a certified arborist documenting the impacts to trees by the proposed trenching. Any tree that is failing or dies within 5 years of project installation, as a result of impacts by the project, shall be replaced with trees of equal value as determined by the Open Space Division, Maintenance Assessment District Section of the Park & Recreation Department.

26. The Permittee shall ensure protection of existing trees and shall not work within the dripline of any tree. Any tree damaged or determined to have died within a 5 year period as a result of impacts created by this project, shall be replaced with a tree of equal value as determined by the Open Space Division, Maintenance Assessment District Section of the Park & Recreation Department.
27. The Permittee shall ensure that all impacts to Maintenance Assessment District irrigation systems must not impede irrigation application frequency and be repaired within a 24 hour period.
28. The Permittee must ensure that the Park & Recreation Department review and approve all construction plans prior to building permit issuance.
29. The Permittee must provide notification, in writing, to the Park and Recreation Department Grounds Maintenance Manager for the Black Mountain MAD 72 hours prior to the pre-construction meeting or prior to commencing with construction. (GMM Michael Cook 619-685-1304)

PLANNING/DESIGN REQUIREMENTS:

30. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
31. Two additional carrier's WCFs are permitted to be located within the faux house and may be approved through the Substantial Conformance Review process. Each carrier's application must include an updated cumulative Radio Frequency compliance report demonstrating that the entire facility complies with Federal Communication Commission's standards for RF Guidelines
32. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.
33. All facilities and related equipment shall be: maintained in good working order; free from trash, debris, graffiti; and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.
34. The Owner/Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational requiring the removal and the restoration of this site to its original condition.
35. The photosimulation(s) for the proposed project shall be printed (not stapled) on the building plans. This is to ensure the construction team building the project is in compliance with approved the Exhibit "A."

36. The approved antenna dimensions include: nine – 72.72” x 11.85” x 7.1””; three – 54” x 12” x 8””; and three – 53.7” x 20.7” x 7.1” as illustrated on the Exhibit “A” dated ~~_____~~ **MAR 24 2015**. Replacement of the antennas may occur in the future, subject to the Owner/Permittee notifying the Development Services Department prior to the replacement of the antennas and subject to the provision of providing an updated Radio Frequency (RF) report demonstrating compliance with the Federal Communication Commission’s regulations in accordance with SDMC Section 141.0420(b)(1)(A) to the satisfaction of the Development Services Department.

37. The WCF shall conform to Exhibit “A” (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.

38. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

39. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department.

40. Use of or replacement of any building façade or mechanical screen with FRP material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the main building facade. All FRP shall be painted and textured to match the entire building.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- A “Telecom Planning Inspection” will be required prior to Final Clearance from the City’s Building Inspector to ensure compliance with the approved plans, exhibits, and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at (619) 446-5351 to schedule an inspection of the completed WCF. Please request the telecom inspection at least five working days ahead of the requested Final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on MAR 24 2015 by
Resolution No. R-309575.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Karen Lynch
Development Project Manager

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

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

Santa Luz Maintenance Association
Owner

By _____
NAME:
TITLE:

Verizon Wireless
Permittee

By _____
NAME:
TITLE:

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

Passed by the Council of The City of San Diego on MAR 24 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 24 2015.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Fernandez*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 309575