

July 1, 2019

San Dieguito Planning Group
[P.O. Box 2789](#)
[Rancho Santa Fe, CA, 92067](#)

Tara Lieberman
Land Use/Environmental Planner, Advance Planning
[5510 Overland Avenue, Suite 310](#)
[San Diego California 92123](#)

Re: Small Cell Wireless Facilities Ordinance

Dear Ms. Lieberman,

Below is the list of DRAFT San Dieguito Planning Group comments to the proposed zoning ordinance for Small Cell Wireless Facilities. At the next San Dieguito Planning Group meeting scheduled for [7:00pm, Thursday, July 11, 2019](#), we will formally vote to support this list of comments for submittal to the SD County PDS Advanced Planning.

Please note that since the new ordinance allows ministerial approval without comment by planning groups and/or homeowners' associations, and favors the right of way for installation, the community character of San Dieguito area may be adversely effected in places where the right of ways are used as trail easements for equestrian and hiking, as well as impacting the aesthetics of the San Dieguito area.

1. Make pre-application site visit a requirement.
Rationale: This will give participating parties an opportunity to ask all the appropriate questions and recommend any changes because of varying conditions.
2. Support Structure Removal and Performance Bond: Prior to the issuance of a building permit, the Applicant and the owner of record of any proposed new Tower or support structure shall, at its sole cost and expense, file with the Administrator a bond or other form of security that is acceptable to the County as to the type of security and the form and manner of execution, in an amount of at least \$75,000 for a Tower or \$20,000 for a support structure that is not a Tower, and with such sureties as are deemed adequate by the County to assure the faithful performance of the terms and conditions of this Ordinance and conditions of any Special Use Permit issued pursuant to this Ordinance. The full amount of the bond or security shall remain in full force and effect throughout the term of the Special Use Permit/ use agreement and/or until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the original Special Use Permit.
3. The applicant will be limited to submitting only five (5) cell sites per application, with only one application per 48 hr. period.
Rationale: Applicant may overwhelm staff with applications, making it difficult to review within the application processing time limit.
4. The applicant will pick up building permits within 30 days of approval. Applicant will begin construction within 90 days of approval, else begin application process again or justify why extension needed.
Rationale: Prevents "warehousing" of permits by applicant, i.e., leaving many approved applications at

County for pick up until convenient for applicant; this is inconvenient for staff. If construction doesn't begin within the allotted timeframe, applicant must submit new application or justify why they deserve extension.

5. The applicant will provide a letter verifying that the site/ applicant/carrier will comply with all Federal, State, County, and municipality rules and regulations. All FCC, FAA, OSHA and other federal regulations that require training, equipment, specific program development, caused by the installation of any portion of a Wireless facility, to include Small Cell installations, will be at the applicant's expense. The applicant will fund an Escrow account, held by the county, for the duration of the Permit/ agreement, funding for at least one half the total program's projected costs will be required as part of the application. The escrow account will be reviewed on a scheduled basis. The account will not go below a minimum of thirty-six (36) months of potential funding. The applicant/carrier will be contacted to fund the Escrow account for any and all the appropriate programs.
6. The applicant will provide one hundred (100) foot setback and Fall Zone in all areas and use Class 3 poles.
Rationale: If hit by a motorist, a lighter weight pole may fall onto road or structure, etc.
7. No site will be closer than one hundred (100) feet to any occupied residence/ structure. Additional set back rules for residential areas of a minimum of five hundred (500) feet apply.
8. Height limitation is 35', one provider per site.
Rationale: Providers are allowed to increase height by 10% per year; lower height will have less impact on Community Character.
9. Cell sites not to be located in "sensitive areas."
Rationale: There are areas within the County that are considered "Sensitive Areas." These areas can be quite extensive in certain locations. The "Pre Application" meeting will mitigate/ eliminate the potential site placement in these areas.
10. Sound mitigation is required on equipment.
Rationale: Reduce the impact to Community Character by insulating the equipment boxes. Equipment may be seen, not heard.
11. Applicants must work within County-approved Wireless Facilities Master Plans, where applicable.
Rationale: Some areas have Wireless Facilities Master Plans that specify a range of locations from Most Desirable to Least Desirable; provide aesthetic requirements, etc.
12. Where operating facilities in the County right of ways, facilities shall not impede use of public and private equestrian trails, including location of underground equipment.
Rationale: Facilities and equipment in trails may make the trails hazardous to use, thereby invalidating the County or local insurance on those trails.
13. Encourage under-grounding of equipment where feasible, after staff and planning group and/or HOA review.
Rationale: Aesthetic elements will be improved if equipment boxes are underground. However, vaults in equestrian trails may make the trails unsafe to use and may invalidate the County or local insurance on those trails.

14. If fiber-optic cable is available, applicant is required to use it or justify why not feasible.

Rationale: Fewer nodes may be needed if fiber-optic cable is used, reducing impact on Community Character.

Thank you for the opportunity for the San Dieguito Planning Group to comment on the proposed Small Cell Wireless Facilities Ordinance.

Sincerely,
Douglas Dill
Chair
San Dieguito Planning Group