



# Planning Commission Regular Meeting Agenda

**January 15, 2020 - 6:30 PM**

City Council Chambers - Yucaipa City Hall  
34272 Yucaipa Blvd., Yucaipa, California

THE CITY OF YUCAIPA COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT OF 1990. IF YOU REQUIRE SPECIAL ASSISTANCE TO ATTEND OR PARTICIPATE IN THIS MEETING, PLEASE CALL THE CITY CLERK'S DEPARTMENT AT (909) 797-2489 AT LEAST 48-HOURS PRIOR TO THE MEETING.

ANY PUBLIC WRITINGS DISTRIBUTED BY THE CITY TO AT LEAST A MAJORITY OF THE COUNCILMEMBERS REGARDING ANY ITEM ON THIS REGULAR MEETING AGENDA WILL BE MADE AVAILABLE AT THE PUBLIC RECEPTION COUNTER AT CITY HALL, LOCATED AT 34272 YUCAIPA BOULEVARD, DURING NORMAL BUSINESS HOURS.

IF YOU WISH TO ADDRESS THE COMMISSION DURING THE MEETING, PLEASE COMPLETE A SPEAKERS FORM AND RETURN IT TO THE PLANNING COMMISSION SECRETARY PRIOR TO THE BEGINNING OF THE MEETING. THERE IS A THREE-MINUTE TIME LIMIT FOR SPEAKING.

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **PUBLIC COMMENT**

## **CONSENT AGENDA**

The following Consent Agenda items are expected to be routine and non-controversial. The Planning Commission will act upon them, at one time, without discussion. Any Councilmember or staff member may request removal of an item from the Consent Agenda for discussion.

The title is deemed to be read and further reading waived on any ordinance listed on the Consent Agenda for second reading and adoption.

1. **SUBJECT**: APPROVE PLANNING COMMISSION MINUTES OF DECEMBER 18, 2019

**RECOMMENDATION**: That the Commission approve the minutes.

## **PUBLIC HEARINGS**

The order of Business for the Public Hearing Shall Be:

- |  |                                      |
|--|--------------------------------------|
| A. Staff Presentation                    | D. Applicant Rebuttal (if necessary) |
| B. Applicant/Representative Presentation | E. Public Hearing Closed             |
| C. Public Comments                       | F. Commission Discussion             |

2. **SUBJECT:** AT&T Wireless (Case No. 19-156/CUP); A Conditional Use Permit to construct an unmanned telecommunications facility within a 768 square-foot fenced lease area for AT&T Wireless, which consists of ground-mounted equipment cabinets and a 65-foot tall tower designed as a Eucalyptus tree to house antennas at 13700 Calimesa Boulevard; APN: 0318-212-14.

**RECOMMENDATION:** That the Planning Commission take the following actions:

- A) Review the design and location of the proposed telecommunications facility, and if it is acceptable, approve Conditional Use Permit No. 19-156, subject to the Conditions of Approval as contained in the Agenda Report; and
- B) Adopt the Findings as contained in the Agenda Report; and
- C) Adopt a Categorical Exemption pursuant to the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended, Section 15303 (Class 3); and
- D) Direct staff to file a Notice of Exemption.

3. **SUBJECT:** City of Yucaipa (Case No. 20-001/DCA); Consideration of Ordinance No. 385, amending Divisions 3 and 4 of the Yucaipa Development Code, and to update regulations pertaining to accessory dwelling units to ensure compliance with State law (including AB 881, AB 68, and SB 13). Among other things, the proposed Ordinance will update the permitting requirements, development standards, and size restrictions for accessory dwelling units.

**RECOMMENDATION:** That the Planning Commission conduct a public hearing and recommend that the City Council:

- A) Approve first reading, by title only, as read by staff, of Ordinance No. 385 amending Divisions 3 and 4 of the Yucaipa Development Code, and to update regulations pertaining to accessory dwelling units to ensure compliance with State law (including AB 881, AB 68, and SB 13)
- B) Find that the ordinance is exempt from Environmental Review pursuant to Public Resources Code Section 21080.17.

## **ANNOUNCEMENTS**

## **ADJOURN PLANNING COMMISSION**

City of Yucaipa  
PLANNING COMMISSION MINUTES  
Regular Meeting of December 18, 2019

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A Regular meeting of the Planning Commission of the City of Yucaipa, California was called to order in the Community Meeting Room, 34272 Yucaipa Boulevard, Yucaipa, California, on December 18, 2019 at 6:30 PM.

**PRESENT:** Bart Brizzee, Chair  
J.R. Allgower, Commissioner  
Kathy Fellenz, Commissioner  
Lloyd Rekstad, Commissioner  
Aron Wolfe, Commissioner  
Paul Toomey, Director of Community Development  
Benjamin Matlock, Associate Planner  
Fermin Preciado, Director of Public Works/City Engineer  
Katrina Jaimes, Assistant Engineer  
Travis Heaps, Assistant Planner  
Chris Mee, Planning Commission Assistant

**ABSENT:** Vanessa Register, Vice Chair  
Denise Work, Commissioner

**CONVENE PLANNING COMMISSION**

The meeting was opened by Chair Brizzee, with the Pledge of Allegiance led by Commissioner Allgower.

**CONSENT**

1. **SUBJECT:** APPROVE COMMISSION MINUTES OF NOVEMBER 6, 2019.

**RECOMMENDATION:** That the Commission approve the minutes.

**ACTION:** MOTION BY COMMISSIONER FELLEENZ, SECOND BY COMMISSIONER WOLFE TO APPROVE REGULAR PLANNING COMMISSION MINUTES OF NOVEMBER 6, 2019. MOTION CARRIED 4-0-1-2. CHAIR BRIZZEE ABSTAINED (NOT PRESENT ON NOVEMBER 6). COMMISSIONER WORK AND VICE CHAIR REGISTER WERE ABSENT.

**PUBLIC COMMENT:** NONE

**PUBLIC HEARINGS**

2. **SUBJECT:** Conroy Development Company (Case No. 19-169/ARC/REV): An Architectural Review for Revisions to the previously approved architectural design (Case No. 06-141/REV to 04-207/CUP), which include façade improvements to Buildings C, D, & E of the existing shopping center on the northeast corner of 5<sup>th</sup> Street and Yucaipa Boulevard at 12045 5<sup>th</sup> Street; APN: 0303-131-95.

**RECOMMENDATION:** That Planning Commission reviews the proposed design, materials, and color selection for Case No. 19-169, and if they are acceptable, approve the architectural design.

**DISCUSSION:** Travis Heaps, Assistant Planner, presented the Project. There were no public comments. Ben Millett of DKC Architects was invited to speak at the podium. Commissioner Wolfe asked if it was okay that there was not the typical craftsman look in the design. Ben replied that the 5<sup>th</sup> Street Marketplace is more of a contemporary style, so the color choices are designed to create a nice modern look. Commissioner Rekstad noted how he loved the new look and it will be a great improvement.

**ACTION:** MOTION BY COMMISSIONER WOLE, SECOND BY COMMISSIONER ALLGOWER, CARRIED 5-0-0-2, TO APPROVE STAFF RECOMMENDATIONS. COMMISSIONER WORK AND COMMISSIONER REGISTER WERE ABSENT.

3. **SUBJECT:** R.C. Hobbs Company, Inc (Case No. 19-020/GPA/CUP/TTM 20263): A minor General Plan Amendment for a change of the land use designation of a property with a split zone of RL-2.5 (Rural Living, 2.5 acre minimum) and RM-72C (Multiple Residential, 7,200 square foot minimum lot size) to have a single land use designation of RM-72C, and a Conditional Use Permit and Tentative Tract Map (TTM 20263) to permit a 44-unit, detached condominium project, located on a vacant property directly south of the City Fire Station at the southwest corner of 5th Street and Wildwood Canyon Road; APN: 0318-201-59.

**RECOMMENDATION:** That the Planning Commission conduct a public hearing, and if the Planning Commission decides to support the approval of this proposal, recommend to the City Council that they:

- A) Adopt Resolution No. 2019-58, approving the minor General Plan Amendment / Land Use District Change of a property with a split zone of RL-2.5 (Rural Living, 2.5 acre minimum) and RM-72C (Multiple Residential, 7,200 square foot minimum lot size) to have a single land use designation of RM-72C; and
- B) Approve first reading, by the title only, as read by staff, of Ordinance No. 383, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa; and
- C) Approve Conditional Use Permit and Tentative Tract Map No. 20263 (Case No. 19-020/CUP/TTM 20263), subject to the Conditions of Approval as contained in this Agenda Report; and
- D) Adopt the Findings as contained in this Agenda Report; and
- E) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, finding the mitigation measures and standard measures and procedures will reduce the potential level of environmental impact to less than significant; and,

- F) Direct staff to file a Notice of Determination.
- G) Review, and if it is considered acceptable, approve the architectural design and conceptual landscaping for the proposed Project.

**DISCUSSION:** Benjamin Matlock, Associate Planner, presented the case. Commissioner Wolfe and Commissioner Allgower asked about the traffic and if there would be stacking of cars as home owners attempt to turn left into the development. Commissioner Wolfe also asked whether there would be a crosswalk for children to use to get to the Dog Park. Commissioner Rekstad asked for confirmation on where block, vinyl and wrought iron fencing will be used. Fermin Preciado, City Engineer, noted that the street will be widened, and a second lane will be created along the frontage; this lane will end before the bridge.

Applicant, Craig Heaps, of Premium Land Development was invited to speak at the podium. Regarding the fencing, the use of a wrought iron fence around the dog park is for aesthetic reasons so people can see the dogs playing and to create better visibility of pedestrians that are walking on the sidewalk. There will be decorative block walls along the rest of the frontage and 6-ft. vinyl perimeter fencing. He noted that he will talk to the developer about the crosswalk as they take the safety of our citizens very seriously. He informed the Commission that they did a site-line study to find the optimal placement for the entrance into the development. He mentioned the lighting will be typical layout used in SFR area. He also responded to Chair Brizzee’s question on the comments received, and that staff had answered all of questions provided in the staff report. Paul Toomey, Director of Community Development, noted that the calming condition could be added. The Applicant shall work with the Public Works Department to implement any needed traffic calming measures within the development.

**ACTION: MOTION BY COMMISSIONER WOLFE SECOND BY COMMISSIONER FELLEENZ, CARRIED 5-0-0-2, TO APPROVE STAFF RECOMMENDATIONS. COMMISSIONER WORK AND VICE CHAIR REGISTER WERE ABSENT.**

- 4. **SUBJECT:** City of Yucaipa (Case No. 19-144/GPA): A minor General Plan Amendment to change the Land Use Designation of approximately 1.67 acres adjacent to the Crafton Hills Fire Station to have a designation as General Commercial (CG). The land use designation change would impact portions of vacant property adjacent to 32664 Yucaipa Boulevard; Assessor Parcel Numbers (APNs): 0299-321-61, 84, 85

**RECOMMENDATION:** That the Planning Commission conduct a public hearing, and if the Planning Commission decides to support the approval of this proposal, recommend to the City Council that they:

- A) Adopt Resolution No. 2019-59, approving the minor General Plan Amendment / Land Use District Change to change the Land Use Designation of approximately 1.76 acres adjacent to the Crafton Hills Fire Station to have a designation as General Commercial (CG); and
- B) Approve first reading, by the title only, as read by staff, of Ordinance No. 384, amending Ordinance No. 343, amending the Official Land Use Plan and Zoning Ordinance as adopted by the City of Yucaipa; and
- C) Adopt the Findings as contained in this Agenda Report; and

- D) Find that the Project is exempt from the environmental review requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations (the “CEQA Guidelines”); and,
- E) Direct staff to file a Notice of Exemption.

**DISCUSSION:** Benjamin Matlock, Associate Planner, presented the case. There were no public comments. The minor GPA will change the land use designation to General Commercial. The land is currently owned by the City of Yucaipa and is in the process of being sold.

**ACTION:** MOTION BY COMMISSIONER FELLENZ, SECOND BY COMMISSIONER WOLFE, CARRIED 4-1-0-2, TO APPROVE STAFF RECOMMENDATIONS. COMMISSIONER ALLGOWER VOTED NO, COMMISSIONER WORK AND VICE CHAIR REGISTER WERE ABSENT.

**ANNOUNCEMENTS:** Paul Toomey let the Commission know that the Planning Commissioners Academy is scheduled for March 4-6, 2020 and will be held in Sacramento. Assistant, Chris Mee, will send the itinerary/program as it becomes available. Please let Chris Mee know if you plan on attending so she can arrange for registration, travel and hotel stays. Registration, travel, hotel, and food will be covered by the City (spouses are not covered).

Vanessa Register has now moved so we have sent the invitation to apply to the Planning Commission to the Newsmirror. Applications are due by January 6th and Mayor Avilla will be appointing for this vacant spot.

The January 2nd PC meeting is cancelled. The next meeting will be held on January 15, 2020.

Paul Toomey let the Commission know that since he will be retiring this month, this was his last PC meeting. He let the Commission know how much he has enjoyed working with them all these years and he will miss them. Each one of the Commissioners bid him well and let him know they will miss him as well.

**PLANNING COMMISSION ADJOURNED AT 7:48 P.M.**

Submitted by:

Approved by:

\_\_\_\_\_  
Chris Mee  
Planning Commission Assistant

\_\_\_\_\_  
Benjamin Matlock  
Associate Planner  
Community Development Department

**CITY OF YUCAIPA  
DEVELOPMENT SERVICES DEPARTMENT  
AGENDA REPORT**

**TO:** Honorable Chairman and Planning Commissioners  
**FROM:** Travis Heaps, Assistant Planner   
**FOR:** Planning Commission Meeting of January 15, 2020  
**SUBJECT:** AT&T Wireless (Case No. 19-156/CUP); A Conditional Use Permit to construct an unmanned telecommunications facility within a 768 square-foot fenced lease area for AT&T Wireless, which consists of a ground-mounted equipment cabinet, an emergency generator, and a 65-foot tall tower designed as a Eucalyptus Tree to house antennas at 13700 Calimesa Boulevard; APN: 0318-212-14.

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**RECOMMENDATION:**

That the Planning Commission take the following actions:

- A) Review the design and location of the proposed telecommunications facility, and if it is acceptable, approve Conditional Use Permit No. 19-156, subject to the Conditions of Approval as contained in the Agenda Report; and
- B) Adopt the Findings as contained in the Agenda Report; and
- C) Adopt a Categorical Exemption pursuant to the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended, Section 15303 (Class 3); and
- D) Direct staff to file a Notice of Exemption.

**BACKGROUND:**

Area Land Use Designations; Improvement Levels; and Existing Land Uses:

Site:	CS (Service Commercial)	IL-1	Church facility
North:	CS	IL-1	Single family residences
South:	CS	IL-1	Gas stations & fast food restaurant
East:	CS	IL-1	Retail shops
West:	Freeway	IL-1	Interstate 10

**DISCUSSION:**

**Location and Setting:**

The subject property is a relatively flat, 0.70-acre parcel that is surrounded by commercial and residential uses to the north, east, and south, and adjacent to the Interstate 10 freeway to the west. The general location of the subject property is on the west side of Calimesa Boulevard, between County Line Road and Avenue J, and east of the Interstate 10 Freeway. The Project site is located at the rear of the existing place of worship, Set Free, which is improved with their church building, a parking lot, and a tent/canopy that is used for general storage and/or special events. The facility is located on two (2) separate parcels. The front/east parcel contains the place of worship and parking lot, and the rear/western parcel contains the tent/canopy and the lease area for the proposed telecommunications facility.

**Conditional Use Permit:**

The approval of a Conditional Use Permit is requested to establish an unmanned telecommunications facility consisting of a 65-foot tall mono-eucalyptus tower within a 32 foot by 24-foot (768 square foot) lease area. Pursuant to Section 84.0410 of the City Development Code, the proposed facility is an “Additional Use” (Public utilities and public service uses), which may be permitted within the Service Commercial Land Use District subject to the Conditional Use Permit review process.

The proposed AT&T Wireless facility will be contained within a 768 square foot fenced lease area that is 25 feet from the rear/west property line, 65 feet from the side/north property line, 55 feet from the front/east property line, and approximately 552 feet from the Public Right-of-Way along Calimesa Boulevard. The telecommunication facility consists of a single antenna array installed approximately 60 feet above ground level. The antenna array contains three (3) separate sectors that include 12 total antennas and 36 remote radio units (RRUs) that are stack mounted directly behind the antennas. The proposed tower provides additional space below the proposed antenna array to provide the opportunity for future co-location of additional antenna arrays. The proposal also includes the associated ground-mounted equipment to support the cell tower, which consists of one (1) main equipment walk-in-cabinet, GPS antenna, and an emergency 30 KW diesel generator. The tower and associated equipment will be secured within the 768 square foot lease area with the installation of an eight (8) foot tall wrought iron fence around the perimeter of the concrete pad. A 12-foot wide gravel pathway will be installed from the edge of the lease area to the edge of the parking lot to provide vehicular access to the telecommunication site for maintenance purposes.

The design of the tower has been designed to mimic a real eucalyptus tree to the extent possible. Faux branches, at a density of at least 3.4 branches per foot, are proposed beginning at a height of 15 feet and ending at a height of 65 feet. Draft Conditions of Approval prepared for the project state that the branches shall extend past the antenna arrays to help camouflage the antennas. In addition, antennas will be camouflaged by featuring matching “sock” covers that match the eucalyptus foliage. The proposed tower will also feature a bark-like finish that resembles the texture and color of a eucalyptus tree trunk. Due to existing plantings onsite that include California Pepper and Eucalyptus Trees, no additional plantings were recommended by Staff. Landscaping around the

fenced portion of the lease area is required, and shall be subject to approval by the City Landscape Architect.

Included for review are the photo-simulations of the proposed facility, and the site plan and elevation of the facility. The design of the tower as a mono-eucalyptus is intended to conceal the antennas and help it blend into the surrounding environment.

**Consistency with the General Plan and Development Code:**

The proposed telecommunications facility is an allowable use within the Service Commercial Land Use District and is listed as an Additional Use under Development Code Section 84.0410(m), “Public utilities and public service uses or structures including, but not limited to, reservoirs, pumping plants, electrical substations, central communications offices, microwave and repeater huts, and towers and satellite receiving stations.”

The factors to consider in reviewing Conditional Use Permits for facilities with antennas as proposed are as follows (per Development Code Section 88.01040(b)(2)):

- A. *Height:* The proposed 65-foot mono-eucalyptus does not exceed the Service Commercial Land Use District height limit based on Development Code 87.0405(c)(22), which allows for a 50% increase in height for towers, allowing a height of 67.5 feet for this project, as the maximum structure height limit in the Service Commercial Zone is 45 feet.
- B. *Proximity to residential structures and residential district boundaries:* The subject property is surrounded by the Service Commercial Land Use District; however, there are two (2) single-family residences located approximately 150 feet northeast of the proposed lease area. Since the adjacent properties are designated as Service Commercial, the residential land use therefore represents a legal nonconforming use.
- C. *Uses on adjacent property:* The uses adjacent to the property are a combination of legal nonconforming single-family residences, vacant commercial property, a gas station, and the Interstate 10 freeway. The existing institutional use onsite is a church.
- E. *Surrounding tree cover and foliage:* The surrounding area has a variety of mature trees in the background and foreground of the site, including Eucalyptus trees. The proposed tower design will help to further integrate the project tower into the surroundings.
- F. *Tower Design:* The AT&T mono-eucalyptus is conditioned to have branch coverage beginning at a height of 15 feet, and a density of 3.4 branches per foot of coverage height. The mono-eucalyptus design was chosen over the monopine design because there are existing Eucalyptus trees onsite.

- D. *Surrounding topography:* The site is relatively flat, and is improved with a place of worship, parking lot and canopy, and is surrounded by commercial and residential development.
- E. *Proposed ingress/egress:* The existing parking lot has access along Calimesa Boulevard, and a 12-foot-wide by 93.6-foot-long gravel path will be installed between the proposed lease area and the western edge of the parking to provide ingress/egress.
- F. *Availability of suitable existing towers, other structures, or alternative technology:* The application package includes a Letter of Intent (attached) and a description of the locational parameters used by AT&T and SmartLink to determine the proposed site location. An Alternative Site Analysis was conducted, and due to constraints at other locations, this site was selected to provide coverage to an area that is lacking service. However, the tower has been designed to accommodate future co-location of antennas from other carriers.

The Development Code requires that cell towers have a side yard setback greater than or equal to the height of the tower. The Development Code also requires a 10-foot rear yard setback because the adjacent land to the west of the project site is not zoned as commercial or industrial. The placement of the tower and associated equipment, as previously discussed, exceeds these requirements.

**Electromagnetic Frequency:**

The EMF emission levels, according to the FCC standards for this facility, are those for PCS base station transmitters, and the FCC's exposure limits for the public are 1000uW/cm<sup>2</sup> (OET Bulletin 56). Also, all facilities are FCC regulated and rated, and therefore, they would not be able to operate if the site is out of compliance. The frequencies assigned by the Federal Communication Commission (FCC) for wireless services are different from the frequencies assigned to televisions or computers. Therefore, there will be no disruption to existing household or business devices.

**Maintenance of the Antennas and Appurtenances:**

Maintenance of the equipment occurs on an as-needed basis, typically once a month by a service truck during regular business hours, unless otherwise required by emergency conditions.

**Processing and Procedural Actions:**

Project notifications were sent to nineteen (19) surrounding property owners within a 300-foot radius and no comments were received. Telecommunications facilities are normally exempt from environmental review. A Categorical Exemption is recommended pursuant to Section 15303 (Class 3) of the CEQA Guidelines for the construction of limited numbers of new, small facilities or structures.

**CONCLUSION:**

This project is being processed in accordance with the requirements of Development Code Chapter 10, Division 8, which would allow the proposed facility as a Major Wireless Telecommunications Facility (Section 88.01040) subject to the review and approval of a Conditional Use Permit. The proposed facility is consistent with the property development standards for the Service Commercial Land Use District.

Attachments:            Findings  
                                 Location Map  
                                 Site Photos  
                                 Conditions of Approval  
                                 Photo-Simulations  
                                 Letter of Intent  
                                 Location and Coverage Maps  
                                 Site Plan

Approved by:



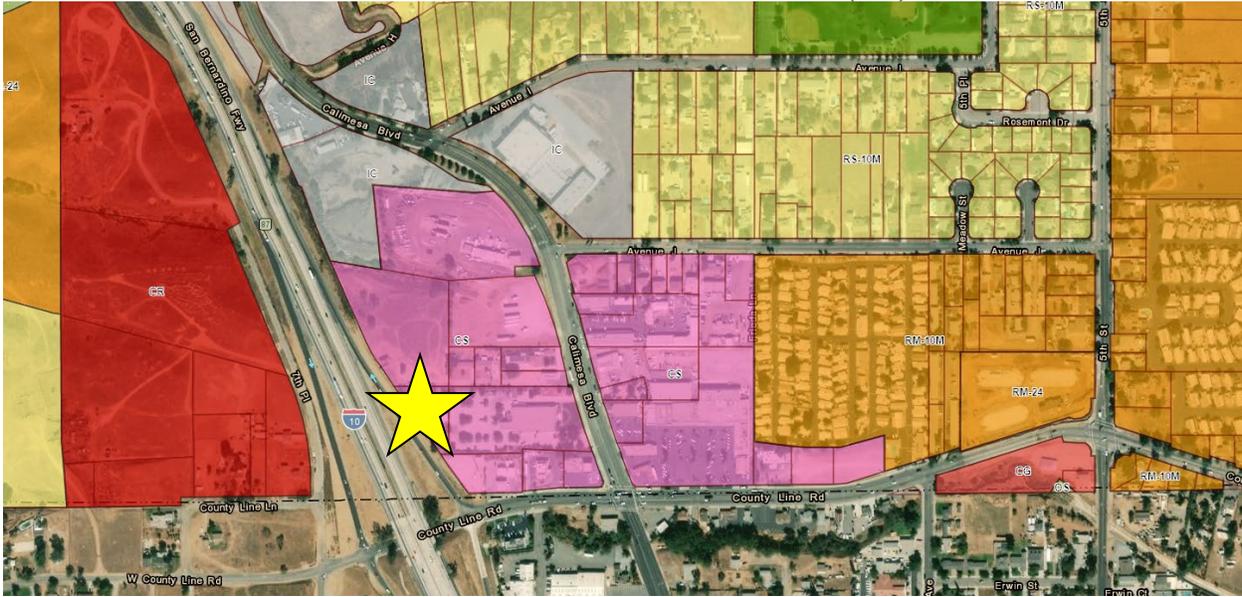
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Benjamin Matlock, Planner  
Community Development Department

**FINDINGS: CONDITIONAL USE PERMIT NO. 19-156**

1. The proposed project will not have a significant impact on the environment and a Categorical Exemption will be adopted pursuant to Section 15303 (Class 3) of the CEQA Guidelines for the construction of limited numbers of new, small facilities or structures.
2. The site for the proposed use is adequate in size and shape to accommodate the proposed use and all yards, open spaces, setbacks, walls and fences, parking areas, landscaping, and other features pertaining to the application, because there is adequate area to accommodate the proposed project and accompanying features.
3. The site for the proposed use has adequate access, meaning that the site design incorporates street and highway limitations, because the site has adequate access from Calimesa Boulevard.
4. The proposed use will not have a substantial adverse effect on abutting property or the permitted use thereof, meaning that the use will not generate excessive noise, vibration, traffic or other disturbance, because these considerations have been addressed through design review and appropriate Conditions of Approval have been included to minimize any potential adverse impacts. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.
5. The proposed use is consistent with the goals, policies, standards and maps of the General Plan, because the proposed use is permitted in the Service Commercial Land Use District and an Additional Use, subject to the provisions of this Conditional Use Permit, per Development Code Division 8, Chapter 10, entitled "Wireless Telecommunications Facilities".
6. The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, and general welfare, because they ensure adequate design, and compatibility with surrounding land uses.
7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, because there are no obstructions to the collection of solar energy.

LAND USE: SERVICE COMMERCIAL (CS)



SITE LOCATION



SITE PHOTOS





Google Street View from I-10 Freeway Onramp



Previously approved Mono Eucalyptus cell tower  
(Case # 14-119/CUP) – 34215 Avenue E

## CONDITIONAL USE PERMIT

### **ON-GOING CONDITIONS/GENERAL REQUIREMENTS:**

#### **PLANNING DIVISION (909) 797-2489 EXT. 224**

1. This Conditional Use Permit is for the establishment of an unmanned telecommunications facility within a 768 square-foot fenced leased area for AT&T Wireless, which consists of a ground-mounted equipment cabinet, an emergency generator, and a 65-tall tower designed as a Eucalyptus tree to house antennas at 13700 Calimesa Boulevard. Any alteration or expansion of these facilities, or increase in the developed area of the site from that shown on the approved site plan, may require the submission of a new application or an additional application for Revisions for review and approval.
2. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action or proceeding attacking or seeking to set aside, void or annul the approval of all or part of the matters applied for, or any other claim, action or proceeding relating to or arising out of such approval. This obligation includes the obligation to reimburse the City, its agents, officers and employees for any court costs or attorney fees which the City, its agents, officers, or employees are required by a court to pay as a result of such claim, action or proceeding. The City agrees to notify the applicant of any such claim, action or proceeding promptly after the City becomes aware of it. The City may, at its own expense, participate in the defense of the claim, action or proceeding, but such participation will not relieve the applicant of applicant's defense and indemnification obligations.
3. This Conditional Use Permit shall become null and void if all conditions have not been complied with and the occupancy or use of the land has not taken place within three (3) years of the date of approval. One extension of time, not to exceed three (3) years, may be granted upon written request and submittal of the appropriate fee not less than 30 days prior to the date of expiration. **PLEASE NOTE:** this will be the only notice given for the above specified expiration date. **The applicant is responsible for the initiation of an extension request.**
4. A Categorical Exemption is being issued for this project, pursuant to the California Environmental Quality Act of 1970 and the CEQA Guidelines, as amended. The applicant/owner shall deliver a \$50.00 administrative handling fee to the Planning Division within five (5) days after the effective date of conditional approval. **Payments shall be made with a Check, Money Order or Cashier's Check for \$50.00 made payable to the "Clerk of the Board"**. The Planning Division shall then file the Notice of Exemption with the Clerk. Proof of fee payment will be required prior to issuance of building permit.

5. All conditions of this Conditional Use Permit are continuing conditions. Failure of the applicant/property owner/ tower owner/ carrier and/or operator to comply with any or all of said conditions at any time may result in the revocation of the permit granted to use the property.
6. The applicant/ property owner/ tower owner/ carrier and/or operator shall maintain in good condition at all times all permanent plantings as identified on the approved landscape plan.
7. All new utility lines shall be placed underground. Existing overhead distribution lines shall be placed underground when three (3) or more utility poles on the same street are located on or adjacent to the project site.
8. Noise levels shall not exceed City Standards as required by Development Code Section 87.0905(b).
9. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual and public health nuisances are minimized.
10. The applicant shall implement the approved "Solid Waste Recycling Plan" for any new commercial, industrial, or institutional uses located on the property. The developer and all occupants of the property shall make a good faith effort to fully comply with each component of the approved Plan. Any proposed revision to this Plan shall be subject to the review and approval of Yucaipa Disposal, Inc. (909) 797-9125.
11. The project site shall remain in full compliance with all City Sign Regulations at all times.
12. The applicant/property owner shall be required to apply an anti-graffiti coating, and/or provide a landscape design of a type and nature that is acceptable to the City Planner, to each of the publicly viewable surfaces deemed by the City Planner to be likely to attract graffiti.
13. The applicant/property owner, and any and all successors in interest, shall for ten (10) years after the issuance of a Certificate of Occupancy, provide the City with sufficient matching paint and/or anti-graffiti coating on demand for use in the painting over or removal of graffiti from any designated graffiti attracting surfaces.
14. The tower shall be representative of, and give the appearance of, a "Eucalyptus Tree", and it shall be continuously maintained in good condition to mitigate any visual impacts to the surrounding area. The simulated foliage and branches shall begin at a height of no less than fifteen (15) feet on the tower, and shall be at a density of at least 3.4 branches per foot up to the tower's coverage height. The tower shall be designed to feature simulated bark from the ground up that consists of a textured coating and that is etched in a manner to emulate the appearance of the trunk of a eucalyptus tree. Antenna panels/sectors and all

support structures shall be camouflaged to match the eucalyptus branches, and all branches shall extend beyond the antenna. Camouflage 'sock' covering shall be use on all antennas and appurtenance equipment, where possible.

15. The facility shall meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the State or Federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the facility shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
16. The eucalyptus tower and ground equipment shall be removed within sixty (60) days of termination of the use.
17. The AT&T equipment enclosure and 8-foot high wrought iron fence around the facility shall be finished with colors that match the existing church facility. Access to the facility shall be through a wrought iron type gate with a mesh backing and a "Knox" rapid entry lock or box acceptable to the Fire Department. Plans shall be submitted to the Planning Department prior to the issuance of a building permit.

**CDF FIRE DEPARTMENT (909) 797-2489 EXT. 246**

18. This project is protected by the Yucaipa Fire Department/California Department of Forestry and Fire Protection. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Marshall for verification of current fire protection development requirements. All new construction shall comply with the adopted Uniform Fire Code and all applicable statutes, codes, ordinances, standards and policies of the Yucaipa Fire Department/CalFire.
19. Fire Department access roads and/or public/private streets shall meet the Fire Department minimum width standard of twenty-four (24) feet. Within FR-1 zone minimum width shall be twenty-six (26) feet. Access roads shall be paved (asphalt/concrete) and in place prior to placement of combustible material on site. Fire Department minimum paving thickness shall be no less than four (4) inches. This standard shall not lessen other agency requirements.
20. Fire Department access roads and/or public/private streets and residential driveways shall have a minimum vertical clearance of thirteen (13) feet and six (6) inches.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A GRADING PERMIT:**

**BUILDING AND SAFETY DIVISION (909) 797-2489 EXT. 225**

21. The site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Yucaipa.
22. City of Yucaipa enforces the State of California provisions of the California Building Code disabled access requirements. The Federal ADA standards differ in some cases from the California State requirements. It is the building owner's responsibility to be aware of those differences and comply accordingly.

**PLANNING DIVISION (909) 797-2489 EXT. 224**

23. No archaeological work is required; however, if prehistoric or historic artifacts over 50 years of age are encountered during land modification, then activities in the immediate area of the finds shall be halted and an on-site inspection performed by a qualified archaeologist, to assess the find, determine its significance, and make recommendations for appropriate mitigation measures. For more information, contact the County Museum at 909-307-2669. If human remains are encountered on the property, then the San Bernardino County Coroner's Office MUST be contacted within 24 hours of the find, and all work halted until a clearance is given by that office and any other involved agencies. Contact the County Coroner at 175 South Lena Road, San Bernardino, CA 92415-0037 or (909) 387-2543.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

**BUILDING AND SAFETY DIVISION (909) 797-2489 EXT. 225**

24. The site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Yucaipa.
25. Buildings on the site shall be accessible per California Building Code (CBC) 11B.
26. Separate submittals and permits are required for all accessory structures such as but not limited to, trash enclosures, patios, block walls, and storage buildings.
27. Pursuant to California Business and Professions Code Section 6737, this project is required to be designed by a California licensed architect or engineer.

28. If applicable, a tree removal plan, permit and preconstruction inspection, in compliance with the City's Plant Protection and Management Ordinance, shall be approved prior to any land disturbance and/or removal of any trees or plants.
29. Any change of occupancy will require submission of plans for approval to Building and Safety. It is the applicant's responsibility to contact the local Building and Safety Division for a pre-construction inspection prior to occupancy of the building(s).
30. Three copies of a Landscape Documentation Package shall be submitted for Building & Safety Division review and approval. Said Landscape Documentation Package shall be consistent with the requirements of Chapter 4, of Division 10, of the Development Code and include all of the following elements:
  - a. Project Information
    - (1) Date
    - (2) Project Applicant
    - (3) Project Address (if available, parcel and/or lot number(s))
    - (4) Total Landscape Area (square feet)
    - (5) Project Type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
    - (6) Water Supply Type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
    - (7) Checklist of All Documents in Landscape Documentation Package
    - (8) Project Contacts (to include contact information for the project applicant and property owner)
    - (9) Applicant Signature and Date (with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package").
  - (B) Water Efficient Landscape Worksheet
    - (1) Hydrozone Information Table
    - (2) Water Budget Calculations

- (I) Maximum Applied Water Allowance (MAWA)
- (II) Estimated Total Water Use (ETWU)
- (C) Soil Management Report
- (D) Landscape Design Plan
- (E) Irrigation Design Plan
- (F) Grading Design Plan
- (G) Certification of Substantial Completion (to be submitted after installation of the project).

A copy of the approved Landscape Documentation Package shall be provided to the property owner or site manager along with the record drawings and any other information normally forwarded to the property owner or site manager. A copy of the Water Conservation Concept Statement and the Certificate of Substantial Completion shall be sent by the project manager to the local retail water purveyor.

31. Three (3) copies of a landscape and irrigation plan prepared by a Registered Landscape Architect for the planting (drought tolerant landscaping shall be utilized to minimize water consumption) and permanent irrigation system for the development, including setback areas and parkways, shall be submitted to the Building & Safety Division for review and approval. Said plans must be consistent with the City of Yucaipa Landscape Design and Installation Guidelines and include the following details:
- A. Voltage boxes, mailboxes, trash enclosures, maintenance structures, backflow devices, automatic controls, air conditioning/heating units, etc., to be shown on the plan and screened with landscaping and/or decorative fencing/trim.
  - B. A permanent automatically-controlled irrigation system.
  - C. Landscaping shall consist of drought tolerant vegetation appropriate to the local climate. Trees, shrubs and ground covers in the following quantities shall be required as follows:
    - 1. Tree planting (15 gallon size):
      - a. 1 for each 600 sq. ft. of total landscaped area (one required, minimum);

- b. 80% of total trees required to be 15 gallon;
    - c. 1 for every 12 parking stalls;
  - 2. 24 to 96 inch box trees:
    - a. 20% of total trees required (one required, minimum).
  - 3. Tree Spacing/location:
    - a. small trees: 20 feet O.C. max.;
    - b. large trees: 30 feet O.C. max.;
    - c. street trees: 15 gal. min./30 feet O.C. max.;
    - d. min. 6 feet from curbs, paving and sidewalks;  
trees in parkway between sidewalk and curb shall be provided with a linear root barrier.
  - 4. 5 gallon shrubs:
    - a. 60% of total shrubs required to be 5 gallon;
    - b. 10 for each 300 sq. ft. of landscaped area.
  - 5. 1 gallon shrubs:
    - a. 40% of total shrubs required.
  - 6. Ground Cover:
    - a. Drought tolerant adapted when mature, or native;
    - b. Maximum spacing: 12 inches O.C., or as suitable for planting material;
    - c. Hydroseeding (establish recommended mixture); specify weight or volume per unit area.
- D. Parking/vehicular circulation areas screened with landscaped berms adjacent to streets.
- E. Landscape detail of trash enclosures, to be located within 200 ft. of building pad.
- F. All walls and fences shall be shown, at the top of slope (if applicable), with the style, design, materials, and colors indicated.
- G. Design features to direct storm water run-off into landscaped pervious areas to achieve percolation into the ground before run-off flows reach the public right-of-way of 10<sup>th</sup> Street.

- H. Detector-check valve assembly screening and camouflage, which shall include landscaped berms and/or depressions, shrub screening, and the painting of the equipment to match the landscaping. The height of the equipment shall not exceed the minimum ground clearance established by the applicable code. It is not permitted to be located within the front yard building setback area, unless otherwise approved by City Inspector.

**PLANNING DIVISION (909) 797-2489 EXT. 224**

32. The applicant/owner shall process a Condition Compliance Review through the City for verification of conditions prior to the issuance of building permits.
33. Provide detailed elevations including materials, finishes, colors, and signage for all buildings and tower for Planning Division review and approval prior to issuance of building permits. Elevations shall be consistent with those approved by the Planning Commission.
34. The applicant/property owner shall grant to the City, in writing, the irrevocable right of entry over, and access to, such property, upon twenty-four (24) hours' posted notice, by authorized City employees or agents, for the purpose of removing or painting over graffiti on any designated graffiti attracting surfaces.

**SUBJECT PROPERTY SHALL NOT BE OCCUPIED AND/OR USED FOR PURPOSES APPLIED FOR UNTIL THE FOLLOWING CONDITIONS HAVE BEEN MET:**

**BUILDING AND SAFETY DIVISION (909) 797-2489 EXT. 225**

35. The site shall be developed in compliance with all current model codes. All plans shall be designed in compliance with the latest editions of the California Building Codes as adopted by the City of Yucaipa.

**CDF FIRE DEPARTMENT (909) 797-2489 EXT. 246**

36. Address numbers shall be placed on all new and existing commercial and multi-family residential structures in such a manner as to be plainly visible and legible from the access roadway or street. Structures shall have numbers of 8" height, 3/8" stroke on contrasting background. Address numbers shall be illuminated so as to be visible and legible from access roadway or street. Industrial occupancies shall have address numbers of 12" height, 1/2" stroke and shall be illuminated so as to be visible and legible from access roadway or street. Where structure setback exceeds one hundred (100) feet from the access roadway or

street, additional non-illuminated numbers are 6" in height, 3/8" stroke, on contrasting background shall be displayed at property access entrance.

37. "No Parking – Fire Lane" signs shall be posted at locations designated by Fire Department. Fire lane curbs shall be painted red with white letters stating "No Parking – Fire Lane".
38. The main electrical panel and all sub-panels shall be labeled on inside cover for all circuits.
39. Commercial and industrial structures/occupancies and gated complexes shall have a "Knox box" system installed on the exterior of the buildings or complex. Location of device to be determined by the Fire Department. The box shall contain keys necessary to gain access and may contain pre-plans and SDS information as required by the Fire Department.

**PLANNING DIVISION (909) 797-2489 EXT. 224**

40. Any lights used to illuminate the site shall be hooded and designed so as to reflect away from adjoining properties and public thoroughfares.
41. All landscaping and irrigation shown on the approved landscape and irrigation plans and all required walls shall be completed. Trees in the parkway between sidewalk and curb/gutter shall be provided with a linear root barrier. Provide the City with a Certificate of Substantial Completion from the certified professional that prepared the approved landscape and irrigation plans.
42. Developers of commercial/industrial/institutional projects shall submit a report detailing the percentage of project costs spent in the City of Yucaipa. At a minimum, this report shall contain a list of local businesses/individuals that have been solicited for bids and/or received contracts for materials or services.
43. The appearance of the tower and facility shall be consistent with the approved elevations and specifications.



# AT&T

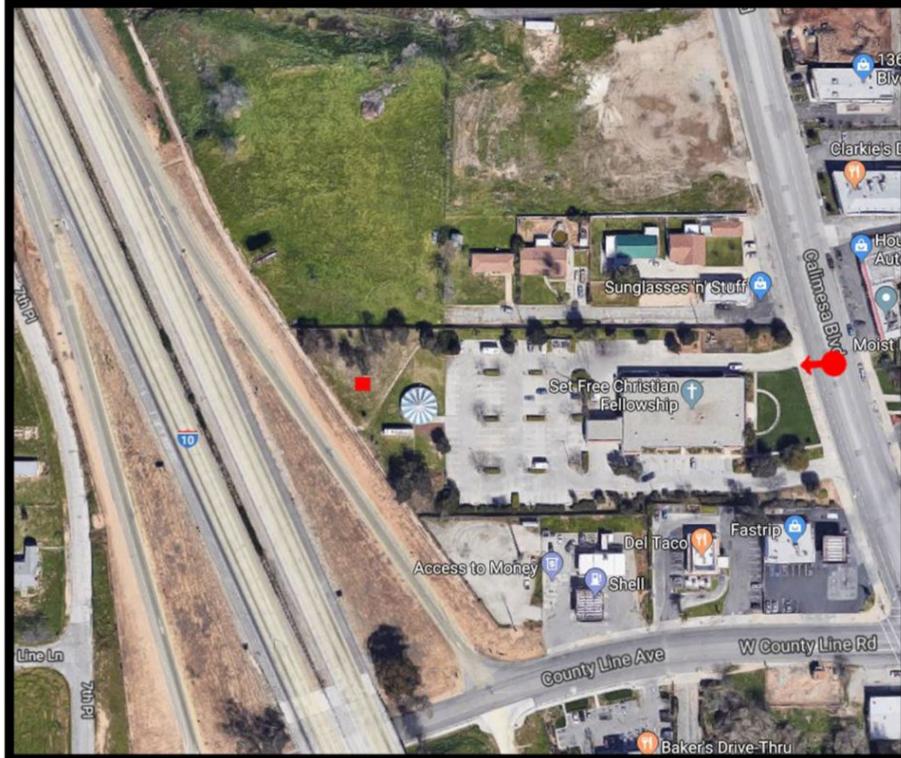
# CSL05589

## SET FREE CHRISTIAN CHURCH

13700 CALIMESA BLVD, YUCAIPA, CA 92399



### VIEW 1



**LOCATION** ©2017 GOOGLE MAPS



**EXISTING**



**PROPOSED**

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.

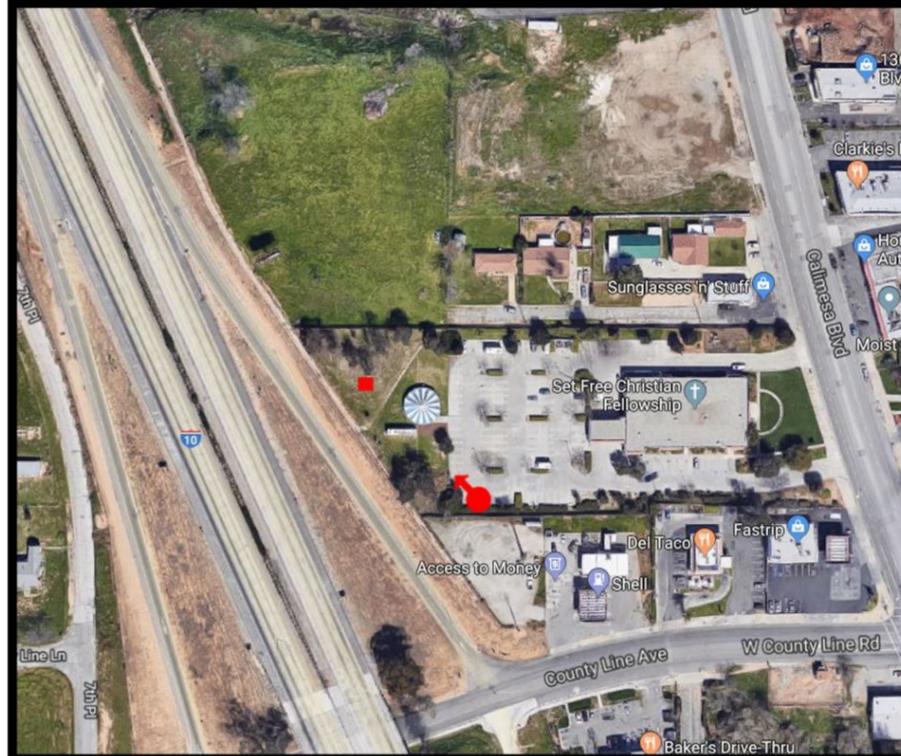


# AT&T

# CSL05589

## SET FREE CHRISTIAN CHURCH

13700 CALIMESA BLVD, YUCAIPA, CA 92399



**LOCATION** ©2017 GOOGLE MAPS

**VIEW 2**



**EXISTING**

**PROPOSED**

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.



# AT&T

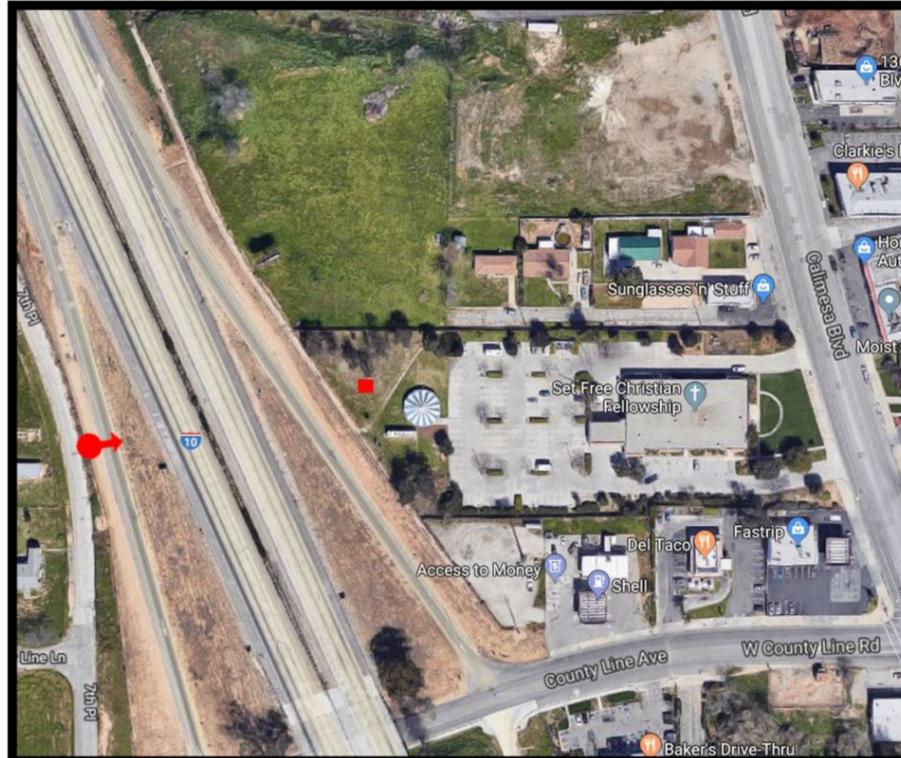
# CSL05589

## SET FREE CHRISTIAN CHURCH

13700 CALIMESA BLVD, YUCAIPA, CA 92399



### VIEW 3



**LOCATION** ©2017 GOOGLE MAPS



**EXISTING**

**PROPOSED**

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.



September 30, 2019

City of Yucaipa  
34272 Yucaipa Blvd.  
Yucaipa, CA 92399

RE: AT&T Wireless Facility – Letter of Intent  
Site ID/Address: CSL05589 – 13700 Calimesa Blvd., Yucaipa, CA 92399

To Whom It May Concern

AT&T is proposing a new 65' MonoEucalyptus cell site facility to be located at 13700 Calimesa Blvd., Yucaipa, CA 92399. Designed to add coverage in the area of the 10 Freeway and County Line Rd in the city of Yucaipa.

The scope of work is described below:

Included with the 65' MonoEucalyptus, AT&T will install, W.I.C. shelter on concrete pad, (1) power generator, utility cabinets, 12 Panel antennas, 36 RRU's, 1 Microwave antenna, GPS antenna, telco board and 8' high wrought iron fence inside.

Please contact Chris Doheny at 619-994-8528 or my email [chris.doheny@smartlinkllc.com](mailto:chris.doheny@smartlinkllc.com) with any questions.

Sincerely

Chris Doheny  
Smartlink LLC  
Real Estate Development Specialist



On Behalf of



**Chris Doheny**  
Wireless Development Specialist  
3300 Irvine Ave., S-300  
Newport Beach, CA 92660  
619.994.8528 cellular  
chris.doheny@smartlinkllc.com

AT&T Project Number: CSL05589  
AT&T Project Name: Set Free Christian Church

## **City of Yucaipa Project Narrative**

### *Project Information and Justification*

AT&T Mobility (AT&T) is requesting approval of a zoning permit application for the construction and operation of an unmanned wireless telecommunications facility (cell site), and presents the following project information for your consideration:

#### **Project Location**

Address: 13700 Calimesa Blvd., Yucaipa, CA 92399  
APN: 0318-212-14 & 0318-212-18  
Zoning: CS

#### **Project Representative**

Chris Doheny  
Smartlink, LLC  
3300 Irvine Ave., S-300  
619-994-8528 cellular  
chris.doheny@smartlinkllc.com

#### **AT&T Contact**

Gunjan Malik, Project Manager  
1452 Edinger Ave. 3<sup>rd</sup> Floor  
Tustin, CA 92780-6246  
Gm827w@att.com  
562-650-5681

#### **Project Description**

AT&T proposes to construct an unmanned wireless telecommunications facility consisting of a 65 Ft. tall faux Eucalyptus tree. The antennas will be disguised within the branches of the Eucalyptus tree which will blend nicely with the many other trees in the near vicinity. The associated equipment cabinets will be mounted within an 6' x 6' W.I.C. (Walk In Cabinet), which will be fenced for security and placed in an unobtrusive section of the property. AT&T will work with the City and the community to install a state of the art stealth faux tree which will provide a benefit to the residents and visitors of the City of Yucaipa

#### **Project Objectives**

There are several reasons why a wireless carrier requires the installation of a cell site within a specified area to close a "significant gap in coverage:"

- The radio signal must be of sufficient strength to achieve consistent, sustainable, and reliable service to customers at a *level sufficient for outdoor, in-vehicle, and in-building penetration with good voice quality* (Threshold, -76db).

- When nearby other sites become overloaded, and more enhanced voice and data services are used (4G and other high-speed data services) signal contracts and a gap is created. With heavy use it is intensified due to the unique properties of digital radio transmissions.

In this specific case, this location was selected because AT&T's radio-frequency engineers (RF) have identified a significant gap in coverage in the vicinity of **Calimesa Blvd. and County Line Rd.**, in the City of Yucaipa and the surrounding community as demonstrated on the enclosed radio-signal propagation maps.

### **Alternative Site Analysis**

The following locations were evaluated and the reasons why they were not selected for this project are addressed. **Please review the attached map for their precise locations:**

1. American Tower Facility – 665 W. County Line Rd., Calimesa, CA 92320  
Structure height only 62 feet, would limit AT&T RAD to a 38 foot RAD with the 10 foot separation required between Antenna Tips. Also AT&T & ATC to not have a Master Agreement to allow them to collocate.
2. 908 Park Ave., Calimesa, CA 92320 – 1740 feet from proposed location,  
Location out of search ring to meet RF requirements
3. 34259 Wildwood Canyon Rd., Yucaipa, CA 92320 Location to far north and out  
of search ring to meet RF requirements. 4345 Feet from proposed location

### **Findings/Burden of Proof**

*The site for the proposed use is adequate in size and shape.*

AT&T is proposing a mono-eucalyptus design for this project which is a stealth design. The requested height of the mono- eucalyptus design is the minimum height needed in order to fill the significant gap in coverage for this project. The height restriction for the wireless facilities is 65'. AT&T uses the most advanced technology and design when constructing the mono-eucalyptus so as to blend the facility with the surrounding community and landscaping and thereby minimizing the visual impact of the site.

*The proposed location has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.*

The access to this site is immediately off Calimesa Blvd.. There are adequate access routes directly to the proposed facility. All the roadways and access ways within the facility are in compliance with local, state and federal regulations concerning width and pavement.

*The proposed use will not have an adverse effect upon adjacent or abutting properties.*

The project will not have an adverse effect upon adjacent or abutting properties as it is a stealth design that will blend naturally with the subject property and is far away from the residential areas within the ring. The project will provide a public benefit of better wireless telecommunications and data services to the surrounding neighborhoods and community.

*The proposed use is deemed essential and desirable to the public convenience or welfare.*

The new wireless telecommunications facility is in high demand to the residents and visitors of the City of Yucaipa. Wireless communications are vastly used in this area and the need for this site was established entirely from increased usage of AT&T services in the vicinity of the requested project.

## **GENERAL INFORMATION**

### **Site Selection**

Customer demand drives the need for new cell sites. Data relating to incomplete and dropped calls is gathered, drive-tests are conducted, and scientific modeling using sophisticated software is evaluated. Once the area requiring a new site is identified, a target ring on a map is provided to a real estate professional to begin a search for a suitable location.

During an initial reconnaissance, properties for consideration for the installation of a cell site must be located in the general vicinity of the ring, with an appropriate zoning designation, and appear to have enough space to accommodate an antenna structure and the supporting radio equipment. The size of this space will vary depending on the objective of the site. The owners of each prospective location are notified to assess their interest in partnering with AT&T.

Four key elements are considered in the selection process:

- **Leasing:** The property must have an owner who is willing to enter into a long-term lease agreement under very specific terms and conditions.
- **Zoning:** It must be suitably zoned in accordance with local land-use codes to allow for a successful permitting process.
- **Construction:** Construction constraints and costs must be reasonable from a business perspective, and the proposed project must be capable of being constructed in accordance with local building codes and safety standards.
- **RF:** It must be strategically located to be able to achieve the RF engineer's objective to close the significant gap with antennas at a height to clear nearby obstructions.

### **The Benefits to the Community**

Approximately 90-percent of American adults subscribe to cell phone service. People of all ages rely increasingly on their cell phones to talk, text, send media, and search the Internet for both personal and business reasons. More and more, they are doing these things in their homes, therefore, becoming reliant on adequate service within residential neighborhoods. In fact, 50-percent of people relocating are not signing up for landline service at their new location and are using their cell phone as their primary communication method.

The installation and operation of the proposed facility will offer improved:

- Communications for local, state, and federal emergency services providers, such as police, fire, paramedics, and other first-responders.
- Personal safety and security for community members in an emergency, or when there is an urgent need to reach family members or friends. Safety is the primary reason parents provide cell phones to their children. Currently 25% of all preteens, ages 9 to 12, and 75% of all teens, aged 13 to 19, have cell phones.
- Capability of local businesses to better serve their customers.
- Opportunity for a city or county to attract businesses to their community for greater economic development.
- Enhanced 911 Services (E911) – The FCC mandates that all cell sites have location capability. Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites. (Over half of all 911 calls are made using mobile phones.)

### **Safety – RF is Radio**

The FCC regulates RF emissions to ensure public safety. Standards have been set based on peer-reviewed scientific studies and recommendations from a variety of oversight organizations, including the National Council on Radiation Protection and Measurements (NCRP), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency (EPA), Federal Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), and National Institute for Occupational Safety and Health (NIOSH).

Although the purview of the public safety of RF emissions by the FCC was established by the Telecommunications Act of 1996, these standards remain under constant scrutiny. All AT&T cell sites operate well below these standards, and the typical urban cell site operates hundreds or even thousands of times below the FCC's limits for safe exposure.

**AT&T Company Information**

AT&T is one of the fastest growing nationwide service providers offering all digital voice, messaging and high-speed data services to nearly 30 million customers in the United States.

AT&T is a "telephone corporation", licensed by the Federal Communications Commission (FCC) to operate in the 1950.2-1964.8, 1965.2-1969.8 MHz and 1870.2-1884.8-1889.8 MHz frequencies, and a state-regulated Public Utility subject to the California Public Utilities Commission (CPUC). The CPUC has established that the term "telephone corporation" can be extended to wireless carriers, even though they transmit signals without the use of telephone lines.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and other applicable laws.

The enclosed information is presented for your consideration. AT&T requests approval of the proposed location and design. Please contact me at 619-994-8528 or [chris.doheny@smarlinkllc.com](mailto:chris.doheny@smarlinkllc.com) for any questions or requests for additional information.

Respectfully submitted,

Chris Doheny, Smartlink, LLC  
Authorized Agent for AT&T

# LTE Justification Plots

**Market Name: Los Angeles**

**Site Name: SET FREE CHRISTIAN CHURCH**

**Site ID: CSL05589**

**Site Address: 13700 CALIMESA BLVD, YUCAIPA, CA 92399**

**ATOLL Plots Completion Date: Sep 16, 2019**

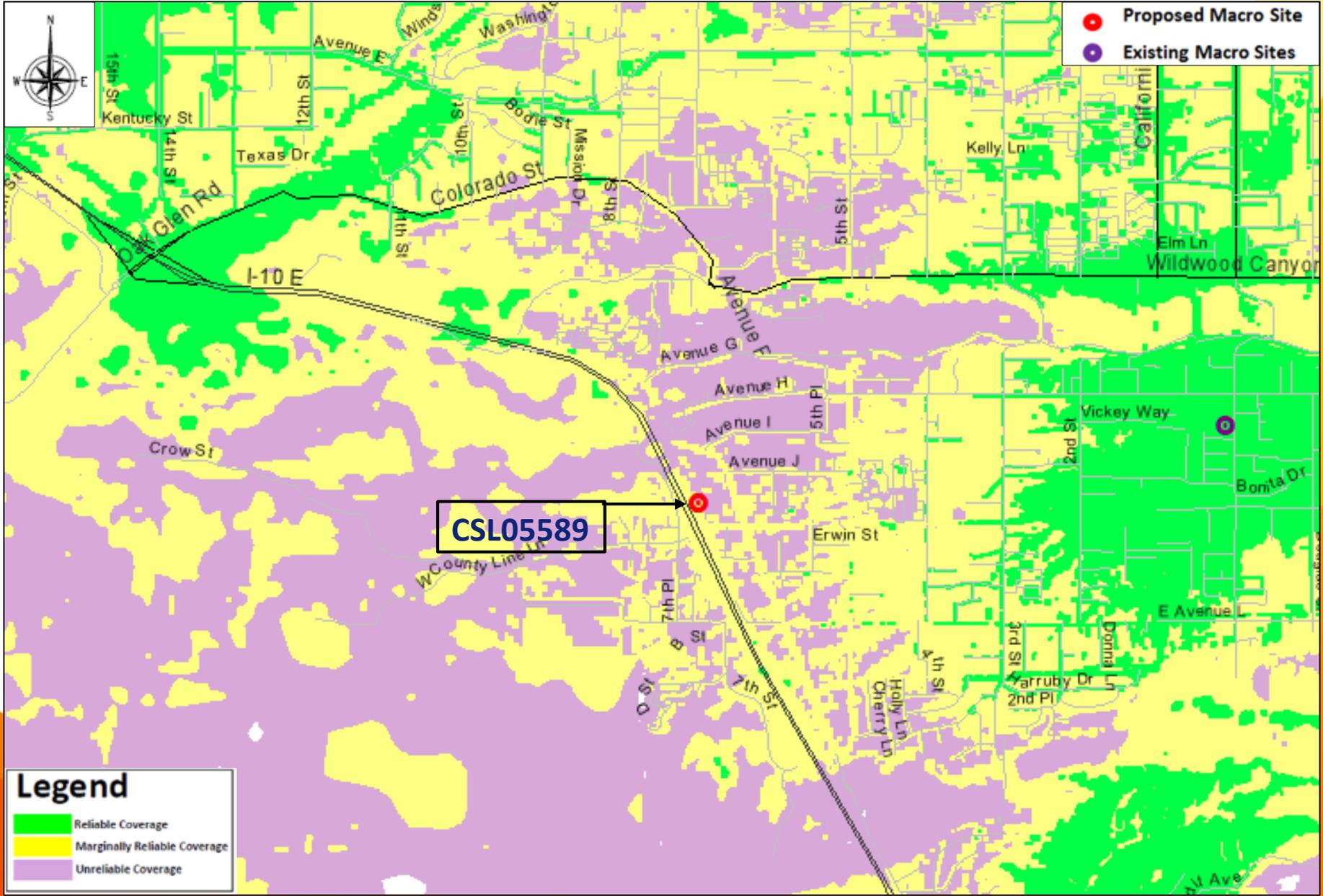


## Assumptions

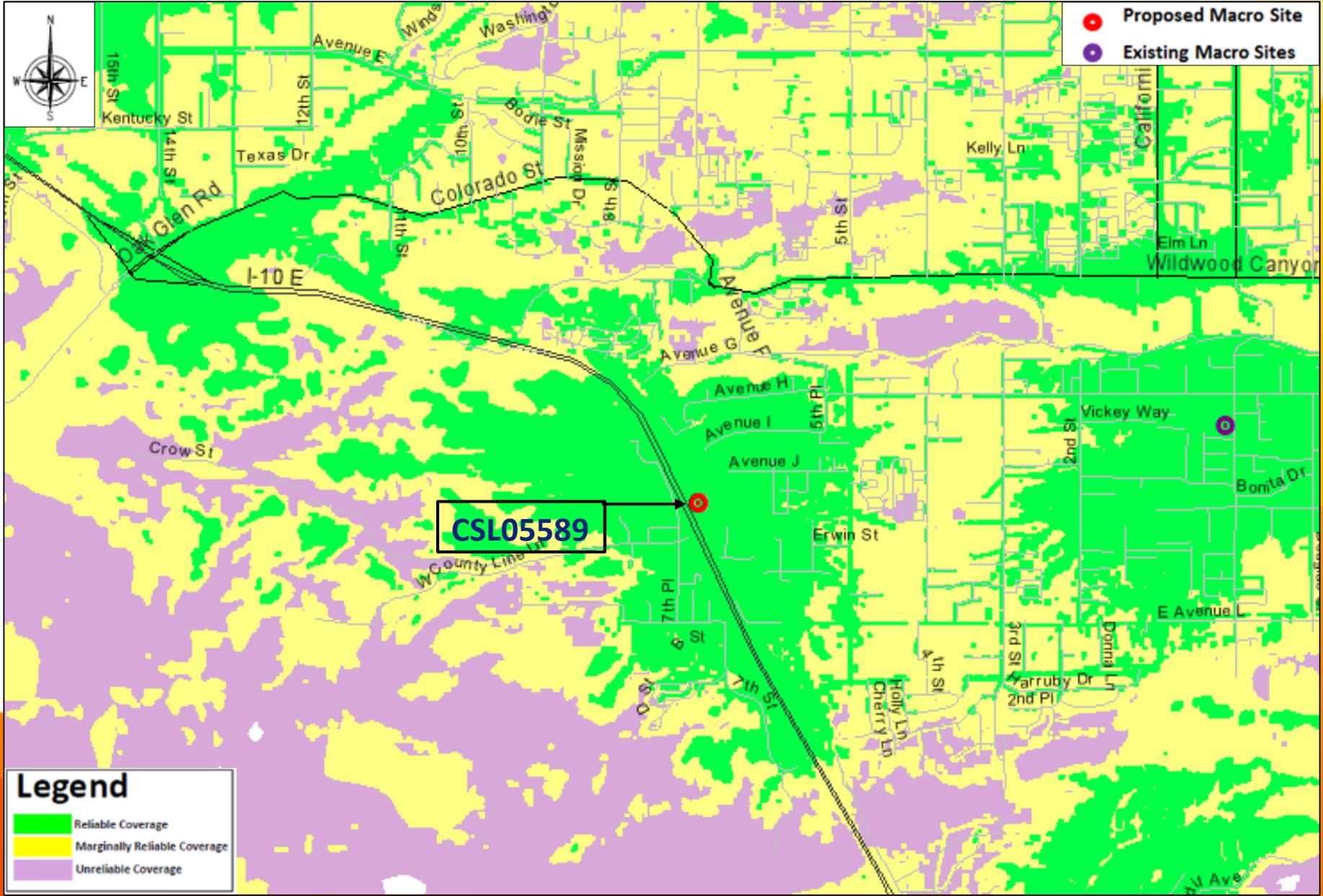
- ❖ Propagation of the site plots are based on our current Atoll (Design tool) project tool that shows the preferred design of the AT&T 4G-LTE network coverage.
- ❖ The propagation referenced in this package is based on proposed LTE coverage of AT&T users in the surrounding buildings, in vehicles and at street level . For your reference, the scale shown ranges from good to poor coverage with gradual changes in coverage showing best coverage to marginal and finally poor signal levels.
- ❖ The plots shown are based on the following criteria:
  - **Existing:** Since LTE network modifications are not yet **On-Air**. The first slide is a snap shot of the area showing the existing site without LTE coverage in the AT&T network.
  - **The Planned LTE Coverage with the Referenced Site:** Assuming all the planned neighboring sites of the target site are approved by the jurisdiction and the referenced site is also approved and **On-Air**, the propagation is displayed with the planned legends provided.
  - **Without Target site:** Assuming all the planned neighboring sites are approved by the jurisdiction and **On-Air** and the referenced site is **Off-Air**, the propagation is displayed with the legends provided.



# LTE Coverage Before site CSL05589



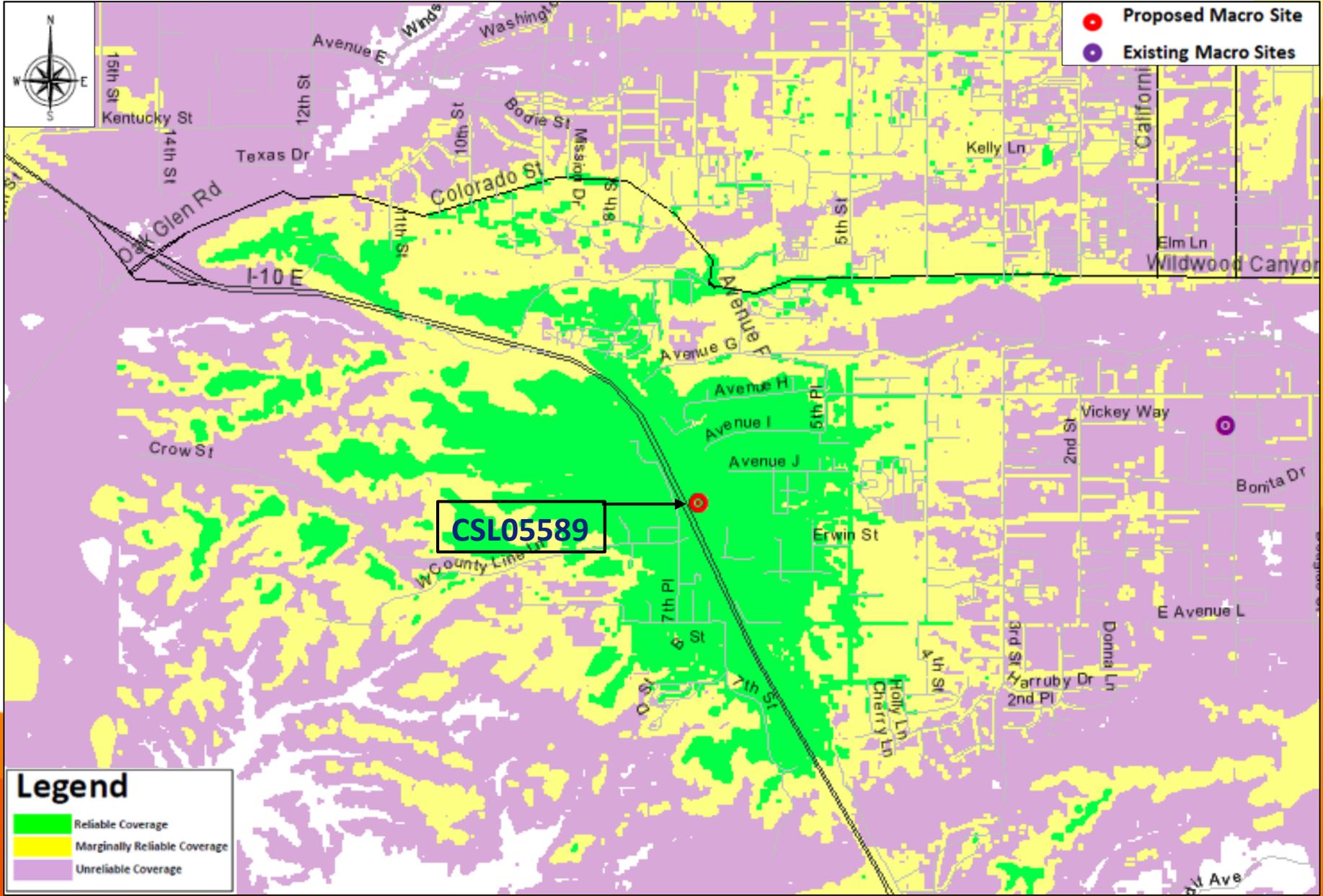
# LTE Coverage After site CSL05589 at 66ft RAD center



**CSL05589**



# LTE Coverage standalone site CSL05589 at 66ft RAD center



# Coverage Legend



**In-Building Service:** In general, the areas shown in dark green should have the strongest signal strength and be sufficient for most in-building coverage. However, in-building coverage can and will be adversely affected by the thickness/construction type of walls, or your location in the building (i.e., in the basement, in the middle of the building with multiple walls, etc.)

**In-Transit Service:** The areas shown in the yellow should be sufficient for on-street or in-the-open coverage, most in-vehicle coverage and possibly some in-building coverage.

**Outdoor Service:** The areas shown in the purple should have sufficient signal strength for on-street or in-the-open coverage, but may not have it for in-vehicle coverage or in-building coverage.

### CODE COMPLIANCE

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

- |   |   |
|---|---|
| 1. 2016 CALIFORNIA BUILDING CODE                    | 6. 2016 CALIFORNIA ENERGY CODE                            |
| 2. 2016 CALIFORNIA ELECTRICAL CODE ADOPTED 2008 NEC | 7. COUNTY COASTAL ZONE LAND USE ORDINANCE-TITLE 23        |
| 3. 2016 CALIFORNIA FIRE CODE                        | 8. COUNTY FIRE CODE ORDINANCE - TITLE 16                  |
| 4. 2016 CALIFORNIA MECHANICAL CODE                  | 9. COUNTY LAND USE ORDINANCE - TITLE 22                   |
| 5. 2016 CALIFORNIA PLUMBING CODE                    | 10. COUNTY BUILDING AND CONSTRUCTION ORDINANCE - TITLE 19 |

### PROJECT TEAM

#### CLIENT REPRESENTATIVE

COMPANY: SMARTLINK, LLC  
 ADDRESS: 3300 IRVINE AVENUE, SUITE 300  
 CITY, STATE, ZIP: NEWPORT BEACH, CA 92660  
 CONTACT: ALEXIS DUNLAP  
 PHONE: (949) 838-7313  
 EMAIL: alexis.dunlap@smartlinkllc.com

#### CONSTRUCTION MANAGER

COMPANY: BECHTEL COMMUNICATIONS, INC.  
 ADDRESS: 16808 ARMSTRONG AVENUE SUITE 225  
 CITY, STATE, ZIP: IRVINE, CA 92606  
 CONTACT: RON VANDERWAL  
 PHONE: (714) 343-0931  
 EMAIL: rvanderw@bechtel.com

#### SITE ACQUISITION

COMPANY: SMARTLINK, LLC  
 ADDRESS: 3300 IRVINE AVENUE, SUITE 300  
 CITY, STATE, ZIP: NEWPORT BEACH, CA 92660  
 CONTACT: ALEXIS DUNLAP  
 PHONE: (949) 838-7313  
 EMAIL: alexis.dunlap@smartlinkllc.com

#### ATT PROJECT MANAGER

COMPANY: AT&T  
 ADDRESS: 3073 ADAMS  
 CITY, STATE, ZIP: RIVERSIDE, CA 20504  
 CONTACT: BOB STURTEVANT  
 PHONE: (714) 473-7268  
 EMAIL: rs1458@att.com

#### ZONING

COMPANY: SMARTLINK, LLC  
 ADDRESS: 3300 IRVINE AVENUE, SUITE 300  
 CITY, STATE, ZIP: NEWPORT BEACH, CA 92660  
 CONTACT: WILL KAZIMI  
 PHONE: (925) 939-2227  
 EMAIL: willkazimi@smartlinkllc.com

#### APPLICANT

COMPANY: AT&T  
 ADDRESS: 3073 ADAMS  
 CITY, STATE, ZIP: RIVERSIDE, CA 20504  
 CONTACT: BOB STURTEVANT  
 PHONE: (714) 473-7268  
 EMAIL: rs1458@att.com

#### ENGINEER

COMPANY: CASA INDUSTRIES, INC.  
 ADDRESS: 9926 PIONEER BLVD, #105  
 CITY, STATE, ZIP: SANTA FE SPRINGS, CA 90670  
 CONTACT: JULIUS SANTIAGO  
 PHONE: (714) 553-8899  
 EMAIL: JSANTIAGO@CASAINC.COM

#### RF ENGINEER

COMPANY: AT&T  
 ADDRESS: 1452 EDINGER AVE.  
 CITY, STATE, ZIP: TUSTIN, CA, 92780  
 CONTACT: TARIK OUJAZANI  
 PHONE: (505) 730-4726  
 EMAIL: ot7124@att.com

### SITE INFORMATION

#### APPLICANT / LESSEE



Your world. Delivered

1452 EDINGER AVE, 3RD FLOOR  
 TUSTIN, CALIFORNIA 92780

#### PROPERTY OWNER

NAME: SET FREE CHRISTIAN CHURCH  
 CONTACT: JOSH HANES  
 PHONE: (909) 346-4909  
 EMAIL: josh@setfreerocks.com

LATITUDE: 34° 00' 17.80" (34.004944°)

LONGITUDE: -117° 03' 53.10" (-117.064750°)

LAT.LONG. TYPE: NAD 83

GROUND ELEVATION: 2387.3' AMSL

ABOVE GROUND LEVEL: 65' A.G.L.

APN #: 0318-212-14 (TOWER PARCEL)

0318-212-18 (ACCESS PARCEL)

AREA OF CONSTRUCTION: 768 SQ. FT.

ZONING / JURISDICTION: NAD 83

CURRENT ZONING: CS

PROPOSED USE: UNMANNED TELECOMMUNICATIONS FACILITY

HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION.

HANDICAPPED ACCESS NOT REQUIRED



# AT&T

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**SITE NUMBER: CSL05589 - NSB**

**FA#: 12844486**

**USID#: 268252**

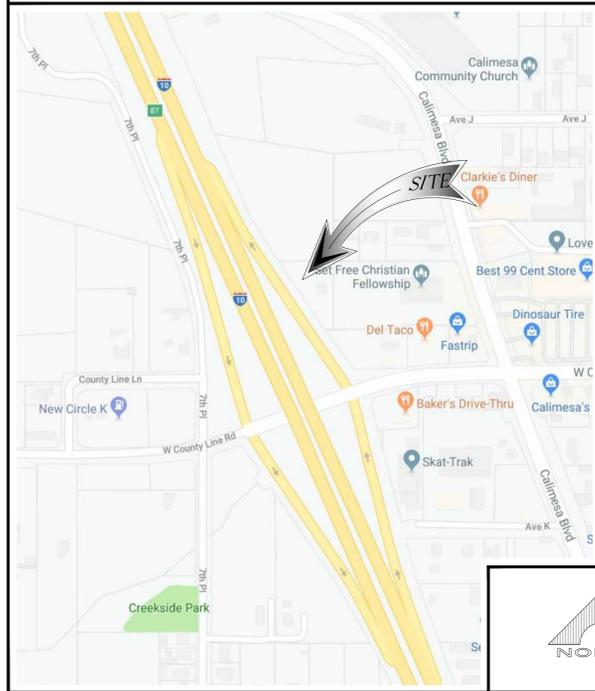
**SITE NAME: SET FREE CHRISTIAN CHURCH**

**13700 CALIMESA BLVD,**

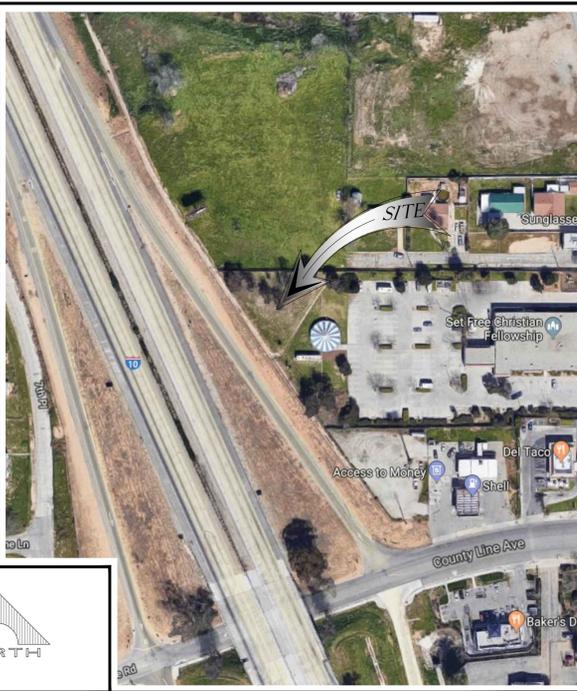
**YUCAIPA, CA 92399**

**SAN BERNARDINO COUNTY**

#### VICINITY MAP



#### LOCAL MAP



### DRIVING DIRECTIONS

DIRECTIONS FROM AT&T OFFICE:

TURN LEFT ONTO EDINGER AVE, USE THE LEFT 2 LANES TO TURN LEFT ONTO DEL AMO AVE, USE THE RIGHT 2 LANES TO TAKE THE RAMP ONTO CA-55 N/STATE RTE 55 N, MERGE ONTO CA-55 N/STATE RTE 55 N, MERGE ONTO CA-91 E, CONTINUE ONTO I-215 N, USE THE RIGHT 2 LANES TO TAKE EXIT 40A TO MERGE ONTO I-10 E TOWARD REDLANDS, TAKE EXIT 87 FOR COUNTY LINE RD, TURN LEFT ONTO W COUNTY LINE RD, TURN LEFT ONTO CALIMESA BLVD, SITE IS ON THE LEFT.

### LEGAL DESCRIPTION

SEE SURVEY FOR LEGAL DESCRIPTION



DIAL TOLL FREE  
 1-800-227-2600  
 AT LEAST TWO WORKING  
 DAYS BEFORE YOU DIG  
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

### APPROVALS

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS & AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT & MAY IMPOSE CHANGES OR MODIFICATIONS.

DISCIPLINE:	SIGNATURE:	DATE:
AT&T RF ENGINEER:		
AT&T OPERATIONS:		
SITE ACQUISITION:		
CONSTRUCTION MANAGER:		
PROPERTY OWNER:		
ZONING VENDOR:		
PROJECT MANAGER:		

### GENERAL CONTRACTOR NOTES

**DO NOT SCALE DRAWINGS**  
 SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

### GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED. NO DRAINAGE ISSUE ON SITE. NO NATIONAL OR PROTECTED TREES ON SITE. NO GRADING PROPOSED.

### PROJECT DESCRIPTION INDOOR EQUIPMENT/ WIC CABINET

- THE SCOPE WILL CONSIST OF THE FOLLOWING:
- INSTALL 1 (P) 65'-0" HIGH MONO-EUCALYPTUS.
  - INSTALL 1 (P) 8' WROUGHT IRON FENCE.
  - INSTALL 1 (P) 6'-0" X 6'-0" W.I.C. ON HELICAL PIERS.
  - INSTALL 1 (P) 30KW GENERAC DIESEL GENERATOR ON CONCRETE PAD.
  - INSTALL 1 (P) DC POWER PLANT.
  - INSTALL 1 (P) FIF RACK.
  - INSTALL (P) UTILITY CABINETS.
  - INSTALL 1 (P) GPS ANTENNA.
  - INSTALL 3 (P) DC-12 OUTDOOR UNITS.
  - INSTALL 12 (P) 8' PANEL ANTENNAS (4 PER SECTOR).
  - INSTALL 36 (P) LTE RRUS AT ANTENNA LEVEL (12 PER SECTOR).
  - INSTALL 4 (P) DC-9 SURGE SUPPRESSORS (SQUID).
  - INSTALL 1 (P) 2' Ø MW ANTENNA.
  - INSTALL (P) LANDSCAPE AROUND LEASE AREA.
  - TOTAL LEASE AREA - 768 SQ.FT.

### DRAWING INDEX

SHEET NO:	SHEET TITLE
T-1	TITLE SHEET
LS-1	SITE SURVEY
LS-2	SITE SURVEY
A-1	OVERALL SITE PLAN AND ENLARGED SITE PLAN
A-2	LEASE AREA/ANTENNA PLAN AND ANTENNA/RRU SCHEDULE
A-3	ELEVATIONS
A-4	ELEVATIONS



1452 EDINGER AVE.  
 TUSTIN, CALIFORNIA 92780

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 FAX: (949) 387-1275



9926 PIONEER BLVD, #105  
 SANTA FE SPRINGS, CALIFORNIA 90670

REV	DATE	DESCRIPTION
1	10/25/19	PLANNING COMMENTS
0	08/01/19	100% ZONING DRAWINGS
A	07/24/19	90% ZONING DRAWINGS

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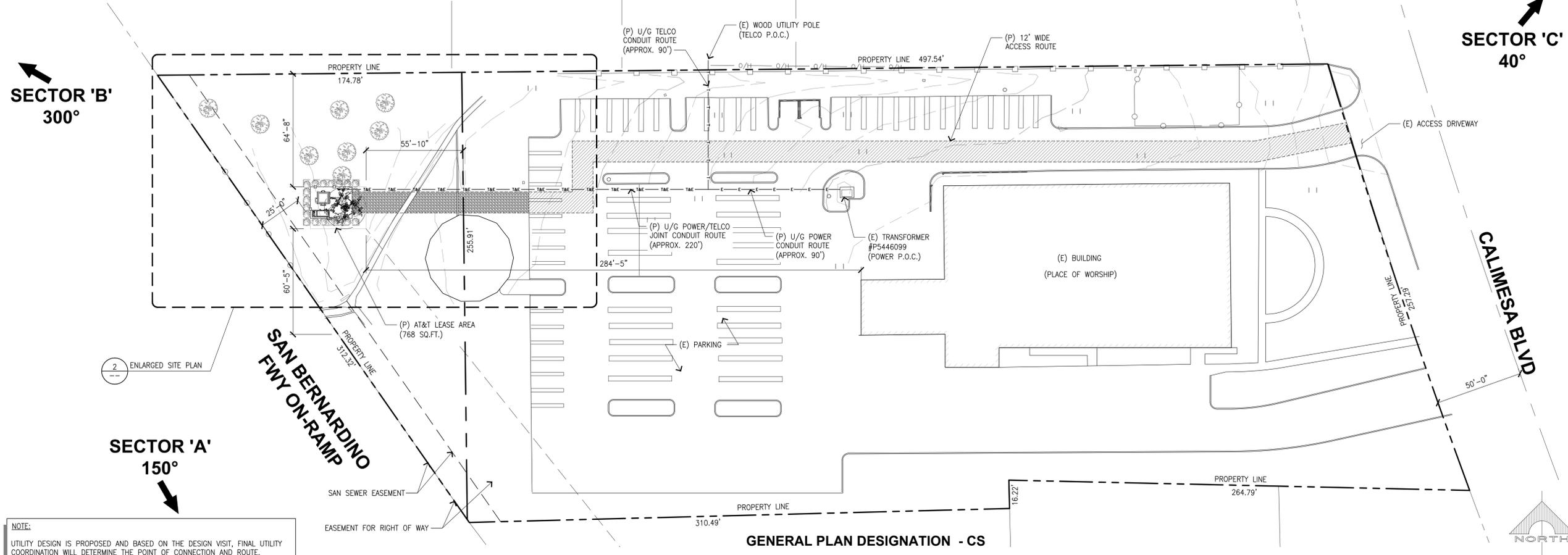
CSL05589  
 SET FREE CHRISTIAN CHURCH  
 13700 CALIMESA BLVD,  
 YUCAIPA, CA 92391  
 MONO-EUCALYPTUS

DRAWN BY: JEM  
 CHECKED BY: JS

SHEET TITLE:  
 TITLE SHEET

SHEET NUMBER:  
**T-1**

GENERAL PLAN DESIGNATION - CS



SECTOR 'C'  
40°

SECTOR 'B'  
300°

SECTOR 'A'  
150°

NOTE:  
UTILITY DESIGN IS PROPOSED AND BASED ON THE DESIGN VISIT, FINAL UTILITY COORDINATION WILL DETERMINE THE POINT OF CONNECTION AND ROUTE.

GENERAL PLAN DESIGNATION - CS



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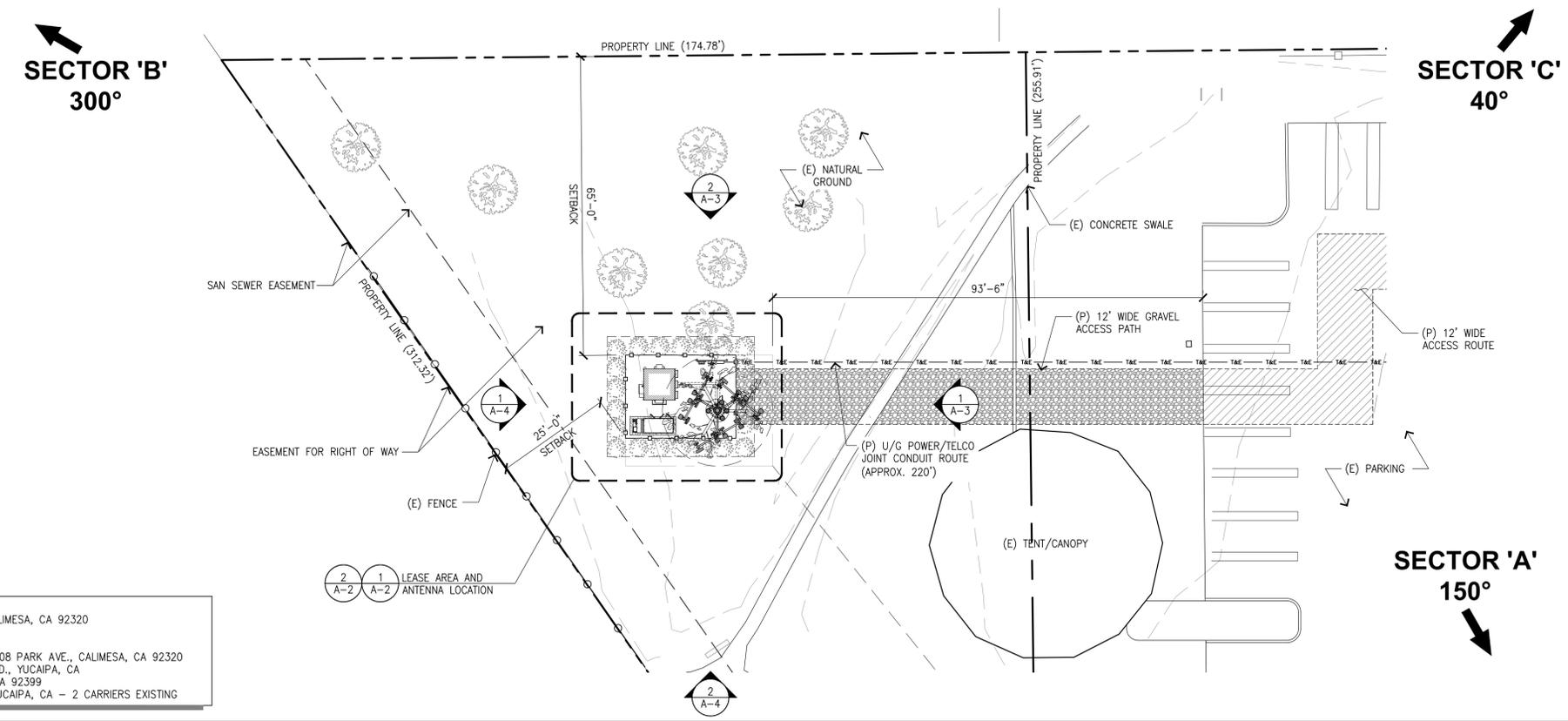


9926 PIONEER BLVD. #105  
SANTA FE SPRINGS, CALIFORNIA 90670

REV	DATE	DESCRIPTION
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0	08/01/19	100% ZONING DRAWINGS
A	07/24/19	90% ZONING DRAWINGS

OVERALL SITE PLAN

SCALE: 1"=50'-0" 25' 50' 100' 1



SECTOR 'C'  
40°

SECTOR 'B'  
300°

SECTOR 'A'  
150°

EXISTING NEAREST TOWERS:  
ATC SITE APPROXIMATELY 715 FT. - 665 W COUNTY LINE RD., CALIMESA, CA 92320  
OUT OF SEARCH RING:  
TOWERCO SITE APPROXIMATELY 1740 FT - CALIMESA CITY HALL, 908 PARK AVE., CALIMESA, CA 92320  
ATC SITE APPROXIMATELY 4345 FT - 34259 WILDWOOD CANYON RD., YUCAIPA, CA  
ATC SITE APPROXIMATELY 7000 FT. - 12692 5TH ST., YUCAIPA, CA 92399  
CROWN SITE APPROXIMATELY 8120 FT - 13378 CALIFORNIA ST., YUCAIPA, CA - 2 CARRIERS EXISTING

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MONO-EUCALYPTUS

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SHEET TITLE:  
OVERALL SITE PLAN AND ENLARGED SITE PLAN

SHEET NUMBER:  
A-1

ENLARGED SITE PLAN

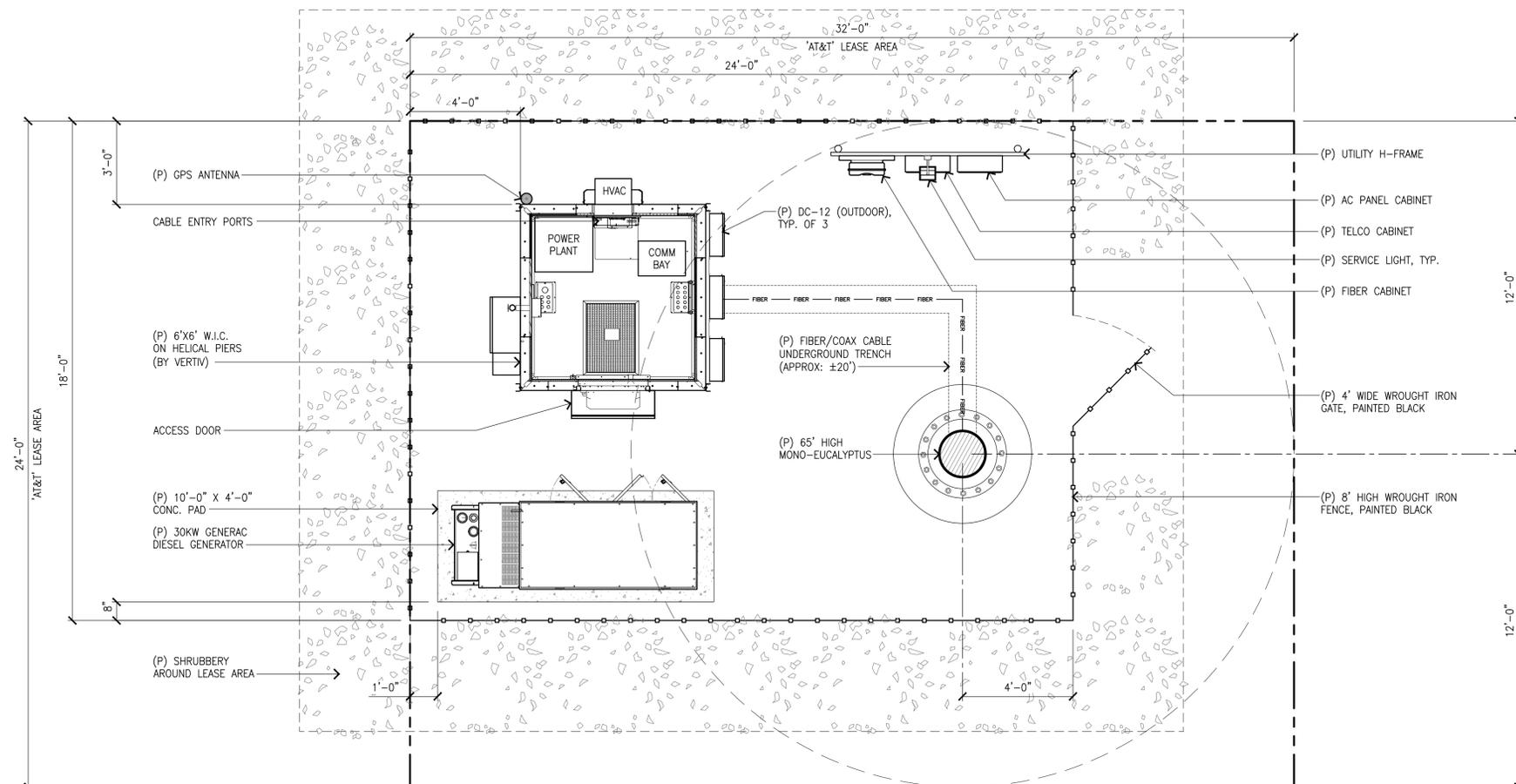
SCALE: 1/16"=1'-0" 2



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9826 PIONEER BLVD. #105  
SANTA FE SPRINGS, CALIFORNIA 90670



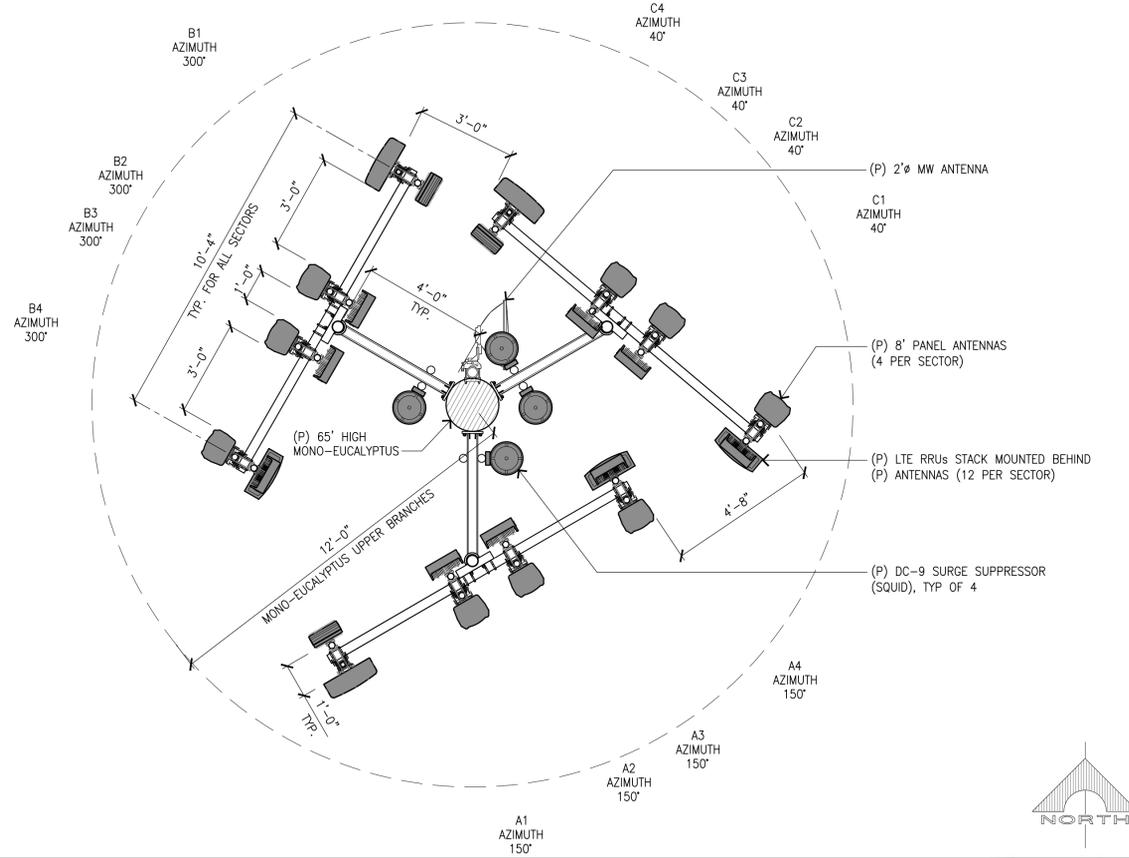
TOTAL AT&T LEASE AREA - 768 SQ. FT.  
TOTAL FENCED AREA - 432 SQ. FT.  
TOTAL AERIAL AREA - 336 SQ. FT.

SCALE: 3/8"=1'-0" 1

**LEASE AREA PLAN**

PROPOSED ANTENNA AND TRANSMISSION CABLE REQUIREMENTS								
SECTOR	PROPOSED TECHNOLOGY	ANTENNA		ANTENNA AZIMUTH	RAD CENTER	TRANSMISSION LINES (LENGTH FT +/-)		
		AIR/HEX/8-PORT	SIZE (4', 6', 8')			JUMPER	DC CABLE (AWG #8)	
ALPHA SECTOR	A1	LTE	8-PORT PANEL ANTENNA	8'	150'	60'-0"	<12'	+/- 90'
ALPHA SECTOR	A2	LTE	8-PORT PANEL ANTENNA	8'	150'	60'-0"	<12'	+/- 90'
ALPHA SECTOR	A3	LTE	8-PORT PANEL ANTENNA	8'	150'	60'-0"	<12'	+/- 90'
ALPHA SECTOR	A4	LTE	8-PORT PANEL ANTENNA	8'	150'	60'-0"	<12'	+/- 90'
BETA SECTOR	B1	LTE	8-PORT PANEL ANTENNA	8'	300'	60'-0"	<12'	+/- 90'
BETA SECTOR	B2	LTE	8-PORT PANEL ANTENNA	8'	300'	60'-0"	<12'	+/- 90'
BETA SECTOR	B3	LTE	8-PORT PANEL ANTENNA	8'	300'	60'-0"	<12'	+/- 90'
BETA SECTOR	B4	LTE	8-PORT PANEL ANTENNA	8'	300'	60'-0"	<12'	+/- 90'
GAMMA SECTOR	C1	LTE	8-PORT PANEL ANTENNA	8'	40'	60'-0"	<12'	+/- 90'
GAMMA SECTOR	C2	LTE	8-PORT PANEL ANTENNA	8'	40'	60'-0"	<12'	+/- 90'
GAMMA SECTOR	C3	LTE	8-PORT PANEL ANTENNA	8'	40'	60'-0"	<12'	+/- 90'
GAMMA SECTOR	C4	LTE	8-PORT PANEL ANTENNA	8'	40'	60'-0"	<12'	+/- 90'

REMOTE RADIO UNITS (RRU'S)							
SECTOR	RRU UP OR DOWN	RRU COUNT	RRU LOCATION (DISTANCE FROM ANTENNA)	MINIMUM CLEARANCES			
				ABOVE	BELOW	SIDES	
ALPHA SECTOR	A1	UP	3	<12'	18"	8"	8"
ALPHA SECTOR	A2	UP	3	<12'	18"	8"	8"
ALPHA SECTOR	A3	UP	3	<12'	18"	8"	8"
ALPHA SECTOR	A4	UP	3	<12'	18"	8"	8"
BETA SECTOR	B1	UP	3	<12'	18"	8"	8"
BETA SECTOR	B2	UP	3	<12'	18"	8"	8"
BETA SECTOR	B3	UP	3	<12'	18"	8"	8"
BETA SECTOR	B4	UP	3	<12'	18"	8"	8"
GAMMA SECTOR	C1	UP	3	<12'	18"	8"	8"
GAMMA SECTOR	C2	UP	3	<12'	18"	8"	8"
GAMMA SECTOR	C3	UP	3	<12'	18"	8"	8"
GAMMA SECTOR	C4	UP	3	<12'	18"	8"	8"



SCALE: 3/8"=1'-0" 2

**ANTENNA AND RRU SCHEDULE**

**3 ANTENNA PLAN**

REV	DATE	DESCRIPTION
1	10/25/19	PLANNING COMMENTS
0	08/01/19	100% ZONING DRAWINGS
A	07/24/19	90% ZONING DRAWINGS

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SET FREE CHRISTIAN CHURCH  
13700 CALIMESA BLVD,  
YUCAIPA, CA 92391  
MONO-EUCALYPTUS

DRAWN BY: JEM  
CHECKED BY: JS

SHEET TITLE:  
LEASE AREA/ANTENNA PLAN & ANTENNA/RRU SCHEDULE

SHEET NUMBER:  
**A-2**

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FAX: (949) 387-1275



9826 PIONEER BLVD. #105  
SANTA FE SPRINGS, CALIFORNIA 90670

REV	DATE	DESCRIPTION
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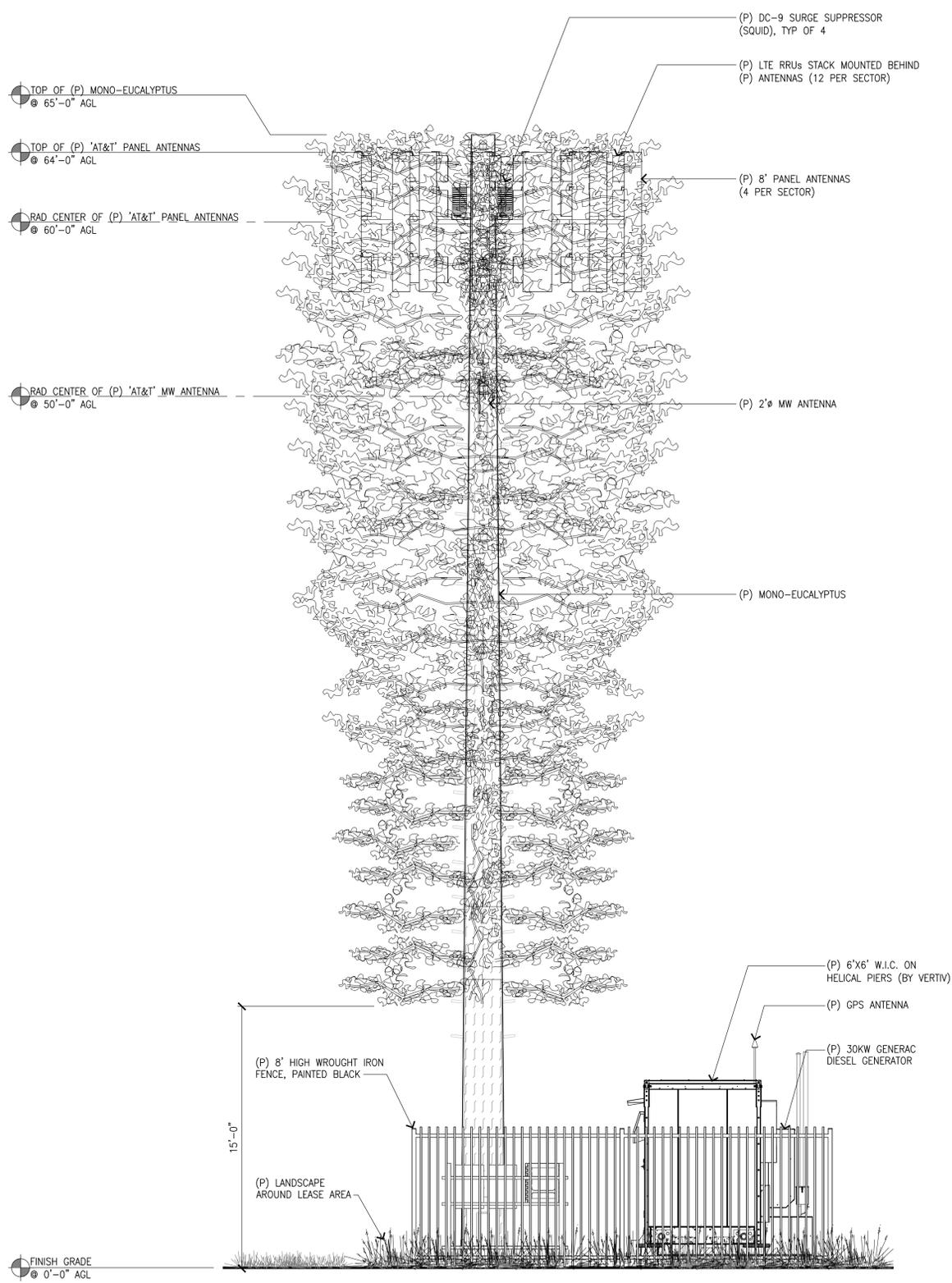
CSL05589  
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YUCAIPA, CA 92391  
MONO-EUCALYPTUS

DRAWN BY: JEM	CHECKED BY: JS
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SHEET TITLE:  
**ELEVATIONS**

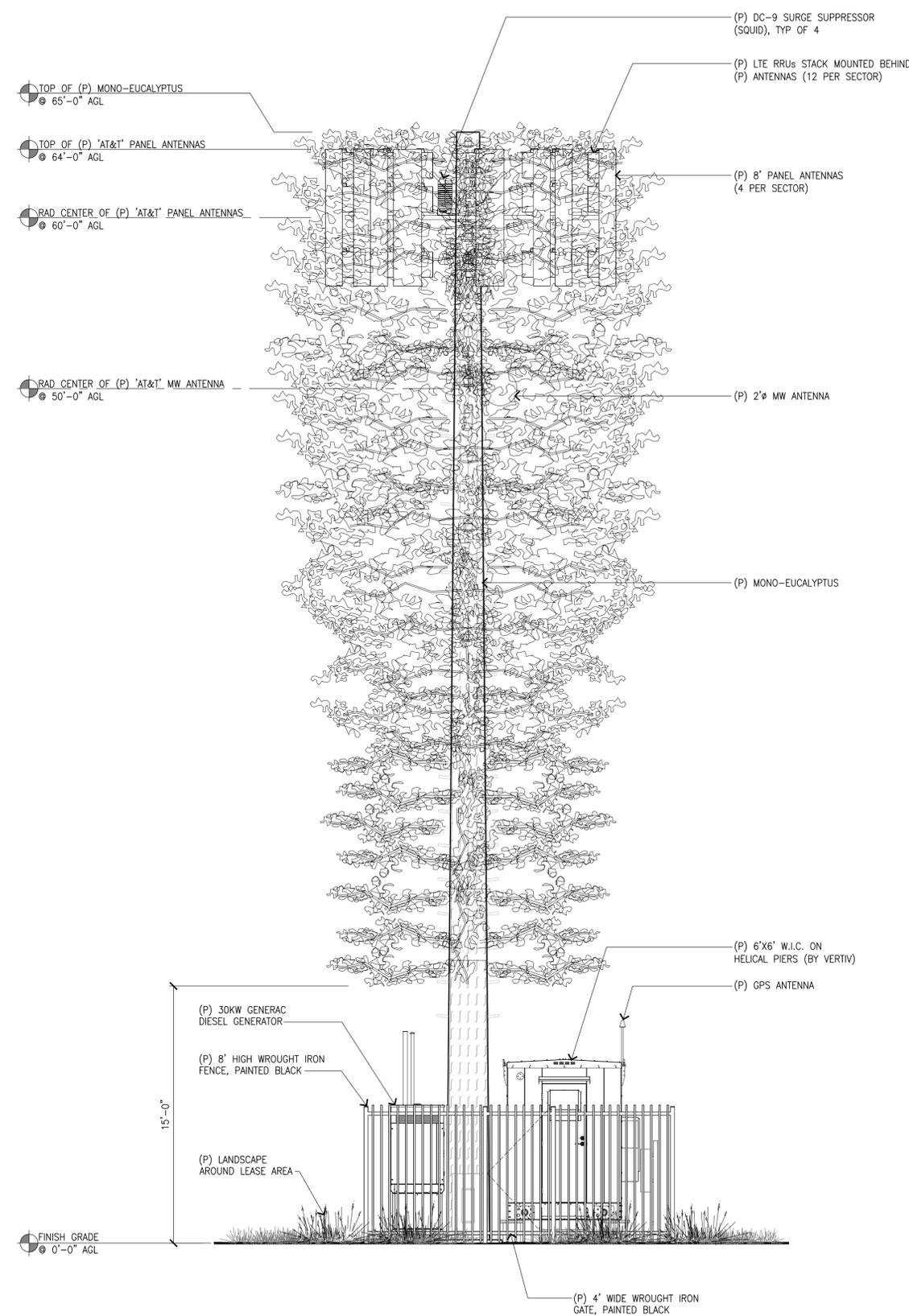
SHEET NUMBER:  
**A-3**

- NOTES:
1. MONO-EUC BRANCHES TO EXTEND PAST THE ANTENNAS AND EQUIPMENT.
  2. ANTENNAS AND ASSOCIATED EQUIPMENT TO BE PAINTED TO MATCH THE TREE COLORS.
  3. ANTENNAS AND APPURTENANCES SHALL HAVE SOCK COVERINGS.
  4. BARK TEXTURE ON POLE.
  5. TOWER CAN SUPPORT COLLOCATION OF OTHER CARRIERS.



**NORTH ELEVATION**

SCALE:  
1/4"=1'-0" **2**



**EAST ELEVATION**

SCALE:  
1/4"=1'-0" **1**

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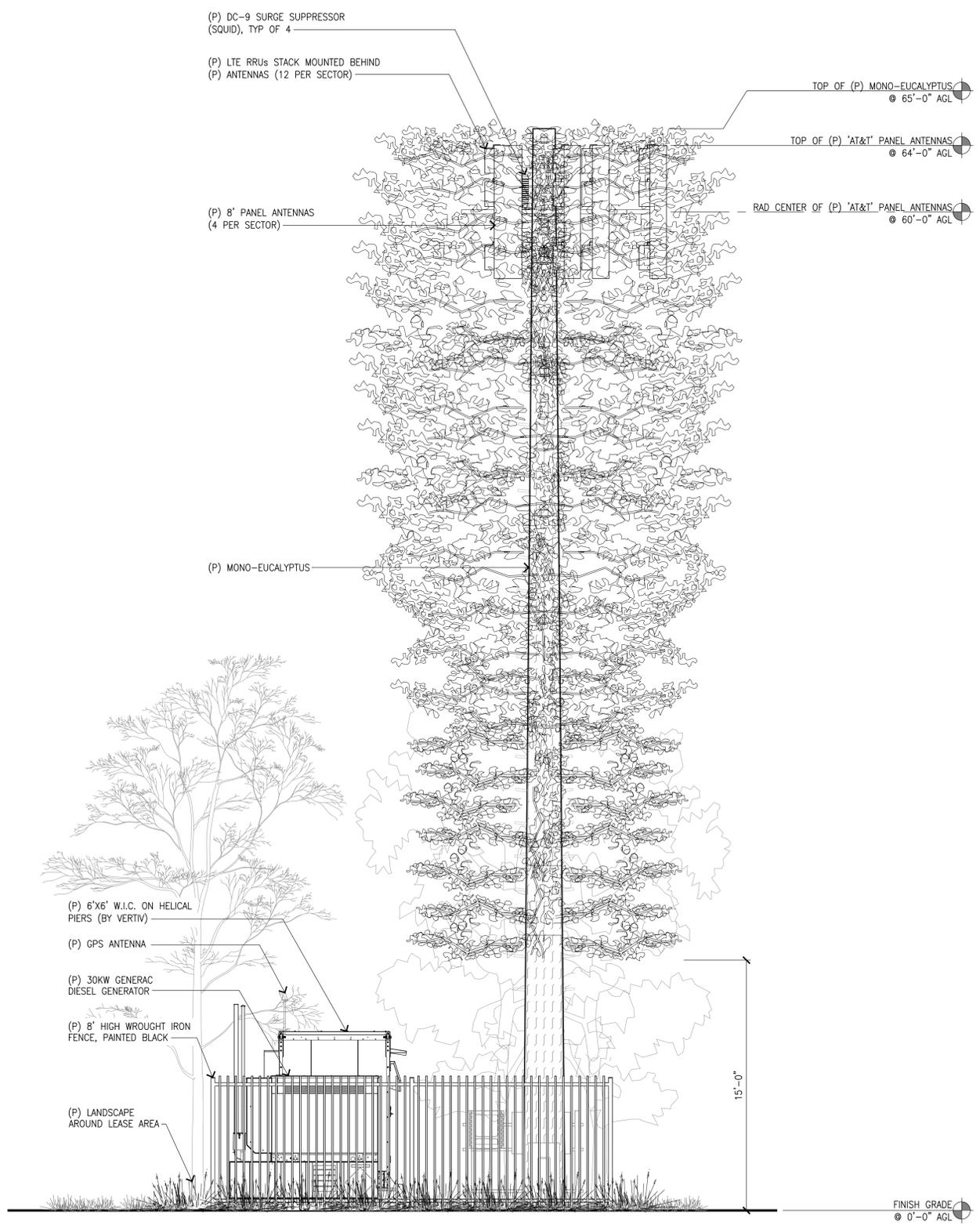
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DRAWN BY: JEM	CHECKED BY: JS
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SHEET TITLE:  
**ELEVATIONS**

SHEET NUMBER:  
**A-4**

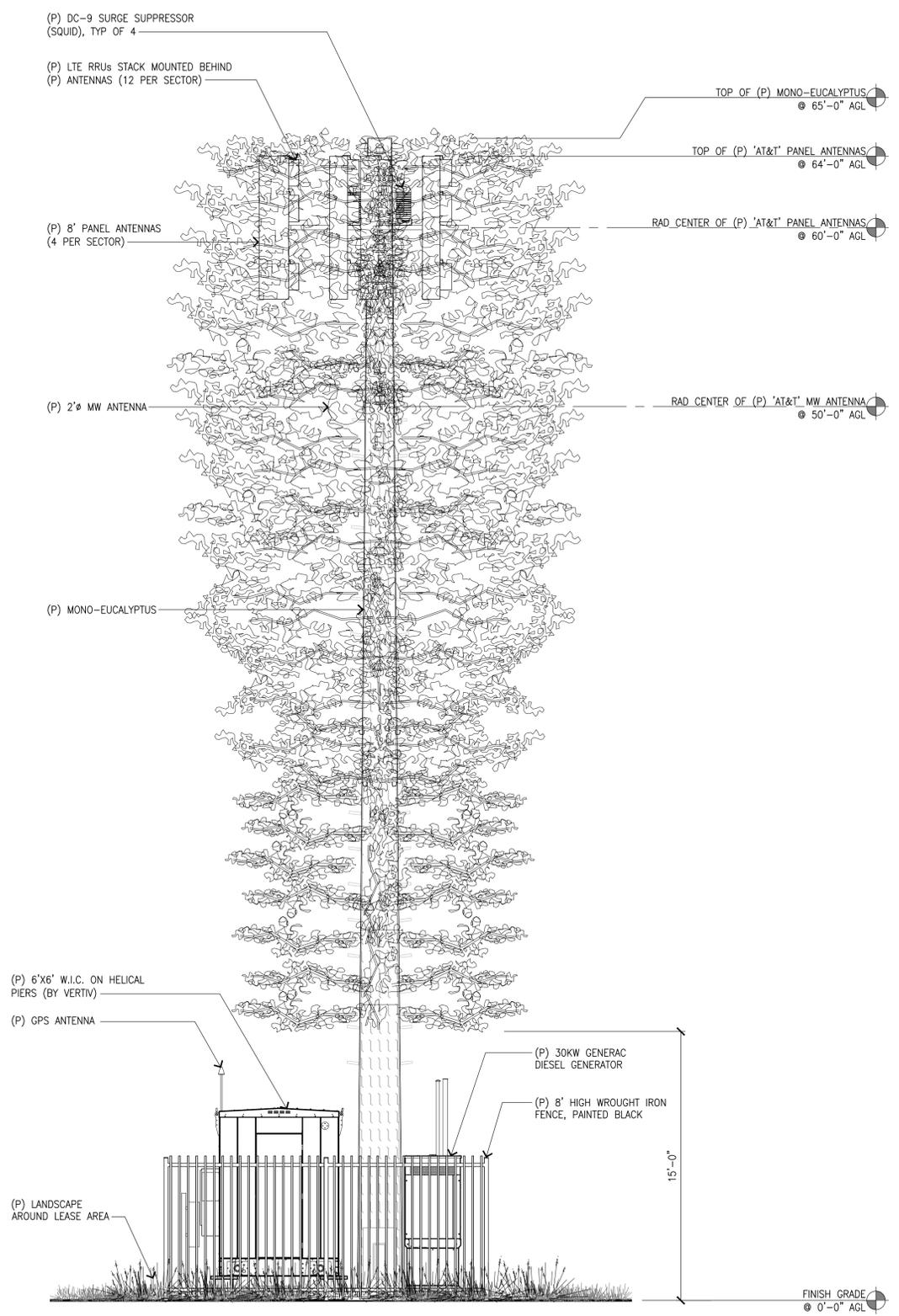
- NOTES:
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  2. ANTENNAS AND ASSOCIATED EQUIPMENT TO BE PAINTED TO MATCH THE TREE COLORS.
  3. ANTENNAS AND APPURTENANCES SHALL HAVE SOCK COVERINGS.
  4. BARK TEXTURE ON POLE.
  5. TOWER CAN SUPPORT COLLOCATION OF OTHER CARRIERS.



**SOUTH ELEVATION**

SCALE:  
1/4"=1'-0"

**2**



**WEST ELEVATION**

SCALE:  
1/4"=1'-0"

**1**

**CITY OF YUCAIPA  
COMMUNITY DEVELOPMENT DEPARTMENT  
AGENDA REPORT**

**TO:** Honorable Chairman and Planning Commissioners

**FROM:** Benjamin J. Matlock, Associate Planner

**FOR:** Planning Commission Meeting of January 15, 2020

**SUBJECT:** City of Yucaipa (Case No. 20-001/DCA); Consideration of Ordinance No. 385, amending Divisions 3 and 4 of the Yucaipa Development Code to update regulations pertaining to accessory dwelling units to ensure compliance with State law (including AB 881, AB 68, and SB 13). Among other things, the proposed Ordinance will update the permitting requirements, development standards, and size restrictions for accessory dwelling units.

---

**RECOMMENDATION:**

That the Planning Commission conduct a public hearing and recommend that the City Council:

- A) Approve first reading, by title only, as read by staff, of Ordinance No. 385 amending Divisions 3 and 4 of the Yucaipa Development Code to update regulations pertaining to accessory dwelling units to ensure compliance with State law (including AB 881, AB 68, and SB 13)
- B) Find that the ordinance is exempt from Environmental Review pursuant to Public Resources Code Section 21080.17.

**BACKGROUND:**

In September 2016, the California State Legislature passed AB 2299 and SB 1069, amending sections of the State law regulating second dwelling units, now known as Accessory Dwelling Units (ADU). The approved bills were subsequently signed into law by Governor Brown, with the enacted laws taking effect January 1, 2017. Under the new State law, local jurisdictions were required to revise their local zoning ordinances to conform to the new “accessory dwelling unit” law; in the meantime, any inconsistent existing local zoning regulations are preempted by State law, and more restrictive ordinances related to ADUs were invalidated. The enacted legislation had greatly expanded an owner or developer’s ability to build an ADU on their property and simultaneously restricted a city’s discretionary and regulatory authority over such development. As a result of this new legislation, staff initiated Planning Case No. 17-056 to address the referenced regulations and drafted Ordinance No. 359 to amend Division 3 and 4 of the Yucaipa Development Code, as appropriate. At their regular meeting of June 26, 2017, the City Council approved Ordinance No. 359, which provided development standards for ADUs, consistent with State law.

The State has identified the housing shortage as an issue of statewide significance. Following the approval of AB 2299 and SB 1069, an increased focus towards the development of ADUs and Junior ADUs (JADUs) has been identified by the State as one approach to increasing the housing supply in a way that can benefit renters (new rental opportunities) and homeowners (additional rental income for assistance with mortgage payment). In 2019, new State laws (AB 68, AB 881 and SB 13) have been developed, and further amend Government Code Sections 65852.2 and 65852.22, and Health and Safety Code Section 17980.12, pertaining to local regulations for ADUs, and have been designed to further encourage the development of ADUs across the State. The new State laws specify that all existing local ADU ordinances not in compliance with amended State law shall be null and void effective January 1, 2020.

### **DISCUSSION:**

The draft Ordinance No. 385 is presented to the Commission for their consideration and recommendation to City Council. The Ordinance is consistent with new California law standards and requirements for the development of ADUs, and includes the following:

**Process:** State law had required a local government to ministerially approve ADUs if the proposed unit complied with certain requirements, and could not be subject to a public hearing or notification process. To comply with the original ADU laws, the City had required submittal of a Land Use Compliance Review application, a ministerial plan review process, to provide for the review and approval of any ADU that was proposed. With the updated State laws, several types of ADUs can now only be subject to a building permit only process, where cities cannot require any sort of separate planning application for their review and approval. These types of ADUs that are subject to the streamlined building permit only process are now reflected in the proposed Development Code, and only the larger units that do not qualify for the streamlined process as specified by State law would remain subject to approval through the City's Land Use Compliance Review application process. However, cities may elect to permit all of their ADUs through the building permit only process. For any type of permit process, State law now also specifies that agencies must issue ADU permits within 60 days (rather than the prior 120-day limit) for an ADU that is to be permitted within an existing residence. Another important factor related to the permitting of an ADU is that cities cannot require that pre-existing "nonconforming zoning conditions" be corrected as a condition for ADU permit issuance.

**Unit Size:** ADUs, which have been historically referred to as second units, in-law units, or granny flats, are designed to be a smaller, subordinate dwelling unit. An ADU may be either attached to an existing residential dwelling or located within the existing living area of the primary home, inclusive of a basement or attic. As part of the original ADU requirements, local governments were required to permit an ADU that is no more than 50 percent of the existing living area, up to a maximum 1,200 square-feet. However, the updated State law now also requires that cities permit an ADU that is at least 800 square feet and 16 feet in height, irrespective of the existing dwelling unit size or any other Development Code limitations governing lot coverage, floor area ratio, open space, or minimum lot size.

**Number of Units:** Pursuant to State law, local agencies must now allow at least one ADU on any parcel in a residential land use or zoning district that has a primary residential unit on the parcel, and must also allow for a JADU. A JADU consists of a unit that is up to 500 square feet and made from the existing living space within a residence. The proposed Ordinance would permit one ADU per residential lot that has one existing residence, consistent with State law, and now add provisions to allow for the additional JADU. Alternatively, cities may develop their ordinances to permit more than one ADU per lot.

**Setbacks:** Per State law, no setbacks can be required when an existing garage is converted into an ADU or when existing space above a garage is converted into an ADU. Prior State law allowed cities to use the existing setback requirements for accessory structures within each respective land use designation to apply for any proposed ADUs. However, the updated State law now establishes a minimum setback of 4 feet for rear or side property lines in order to permit an ADU.

**Parking Requirement:** The parking requirements have been reduced to one parking space per ADU, which may be provided as tandem parking or, where an existing garage or carport is demolished in conjunction with the construction of an accessory dwelling unit, the City must permit replacement parking spaces in any configuration on the lot, including but not limited to covered, uncovered, or tandem spaces, or by the use of a mechanical lift. No additional parking shall be required for a JADU. It should be noted that prior State law had permitted one parking space per bedroom for an ADU. Consistent with prior State law, parking is not required for an ADU in the following instances:

- 1) The ADU is located within one-half mile of public transit;
- 2) The ADU is located within an architecturally and historically significant historic district;
- 3) The ADU is part of the existing primary residence or an existing accessory structure;
- 4) On-street preferential parking permits are required but not offered to the occupant of the ADU; or
- 5) There is a car share vehicle located within one block of the ADU.

**Rentals:** ADUs are intended to provide lower cost, rentable dwelling units to meet the housing needs within the State of California. The legislation provides the City the option to require that a deed restriction be recorded ensuring that the ADU will not be sold separately from the single family residence and that the ADU shall not be rented for less than 30 days (vacation rentals), but has since removed the ability to require that an ADU remain owner-occupied (where the owner must live in the primary residence or in the ADU), but does allow for an owner-occupied requirement for JADUs. The proposed Ordinance continues the requirement of a deed restriction to be recorded on approved ADUs, but has removed the owner occupied requirements as they pertain to ADUs.

**Development Impact Fees:** State law has provided new requirements that limit a city's ability to collect Development Impact Fees for ADUs, which some smaller-sized ADUs becoming exempt from any Development Impact Fees. The City will need to amend its Development

Impact Fees to address the updated requirements for ADUs, which will be presented to City Council for their consideration and adoption.

**Temporary Dependent Housing:** The City of Yucaipa currently offers a temporary use permit for small accessory residential structures, commonly known as “granny flats,” through a Temporary Dependent Housing (TDH) special use permit, and is specifically for families that are providing care for a registered dependent family member, and is renewed biannually. As part of the approval, Development Impact Fees for the structure are waived until the need for care has ended. This option would continue to remain should a resident decide to construct a small accessory residential unit, and does not intend to use the unit in a manner that is permitted with an ADU. Once the need for the TDH unit has ended, the resident can complete the ADU permitting process as identified by the Ordinance, and would then be required to pay the applicable Development Impact Fees. Additionally, the TDH could be converted to a guest house or removed entirely. Given the updated State laws that are designed to encourage new ADUs, it is expected that only those wishing to construct a larger sized units would opt for the TDH process in lieu of an ADU.

### **Environmental Review**

The adoption of the Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17, which provides that CEQA “does not apply to the adoption of an ordinance by a city or county to implement the provisions of Sections 65852.1 or 65852.2 of the Government Code.” This ordinance is adopted to implement changes in Government Code Section 65852.2, and thus is exempt from CEQA’s environmental review requirements. Further, the proposed amendment is exempt from the requirement for environmental review under CEQA because the ADU regulation provisions promulgated through the proposed Code already took effect on January 1, 2020 by virtue of the State’s adoption of new statutes that preempt any inconsistent local ordinance; thus, the City’s action is not creating a new land use regulation and it can be seen with certainty that no environmental impacts will result from the City’s action. Instead, the City’s action is to create an ADU ordinance that matches the new requirements of State law and provides City-specific provisions, where applicable, that does not exceed the requirements of State law.

### **FISCAL IMPACT:**

There is no direct fiscal impact as a result of this approval of the Development Code Amendments. However, the ability to collect Development Impact Fees has been modified pursuant to State law, and would be assessed at a lower rate.

### **CONCLUSION:**

The required findings for approval of the Development Code Amendment have been made and are attached.

Attachments: Findings for Development Code Amendment  
Draft Ordinance No. 385

Approved by:



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Benjamin J. Matlock  
Associate Planner

**FINDINGS: DEVELOPMENT CODE AMENDMENT NO. 20-001**

1. The proposed Development Code Amendment is consistent with the General Plan and its policies and objectives because its implementation will enhance the public's health, safety, and general welfare, and has been developed to meet the requirements of State law.

**ORDINANCE NO. 385**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUCAIPA, CALIFORNIA AMENDING THE YUCAIPA MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND FINDING THE AMENDMENTS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

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**THE CITY COUNCIL OF THE CITY OF YUCAIPA DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Findings**

A. Effective January 1, 2020, Senate Bill 13 (“SB 13”), Assembly Bill 68 (“AB 68”), and Assembly Bill 881 (“AB 881”) amend Government Code Sections 65852.2 and 65852.22 to further limit the standards cities may impose on accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”). To comply with State law, the City must update its local ordinance regulating ADUs.

B. The Planning Commission considered this Ordinance on January 15, 2020, at a duly noticed public hearing, as prescribed by law, at which time City staff and interested persons had an opportunity to and did testify either in support of or against this matter.

C. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission voted to recommend approval of the Ordinance by the City Council.

D. The City Council, at a regular meeting, considered the Ordinance on \_\_\_\_\_, 2020, at a duly noticed public hearing, as prescribed by law, at which time City staff and interested persons had an opportunity to and did testify either in support or against this matter.

E. Following the public hearing, the City Council considered the entire record of information received at the public hearings before the Planning Commission and City Council.

F. In approving the proposed Municipal Code amendments, the City Council hereby finds that the Ordinance is consistent with the goals, policies, programs, and guidelines of the General Plan, including the Housing Element, as follows:

- a. CDL-1.1 Places to Live. Provide sites for a range of housing types, locations, and densities in a variety of neighborhood settings equipped with amenities that support a high quality of life.
- b. HN-2.1 Balanced Housing Stock. Designate adequate land for a broad range of types of housing, including single-family attached and detached, multiple-family housing, and mixed uses located in accordance with the land use and community design element.

- c. HN-3.2 Entitlement Process. Offer flexible entitlement processes that facilitate innovative and imaginative housing solutions, yet balance the developer’s need for predictability in the approval process, governmental regulation, and oversight.
- d. HN-3.3 Housing Incentives. Facilitate the development of market rate and affordable housing through regulatory incentives (e.g., density bonus), permit processing (e.g., planned development), and other incentives, where feasible and appropriate.
- e. HN-5.6 Fair Housing. Promote equal and fair housing opportunities for residents of all types, ages, and income levels to ensure adequate choices to reside in the housing best suited to their individual needs.

**Section 2. Municipal Code Amendments.** Section 84.0570 (Accessory Dwelling Units) of Chapter 5 (Accessory Uses) of Division 4 (Land Uses) of the Yucaipa Development Code is hereby amended in its entirety to read as follows:

**“84.0570 Accessory Dwelling Units**

(a) Purpose

The purpose of these provisions is to establish procedures for permitting an accessory dwelling unit on lots zoned for residential uses; to implement state law requiring consideration for such uses; and to protect and preserve existing neighborhoods by ensuring comprehensive established standards.

(b) Definitions

The following definitions apply to this section only:

ACCESSORY DWELLING UNIT or ADU means an additional attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. The ADU shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the primary residence is located. The term “ADU” also includes an “efficiency unit” as defined in Health and Safety Code Section 17958.1 and a “manufactured home” as defined in Health and Safety Code Section 18007.

JUNIOR ACCESSORY DWELLING UNIT or JADU means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

PRIMARY DWELLING UNIT means the existing or proposed single-family residence that is located on the lot where the accessory dwelling unit will be constructed or converted.

(c) Accessory Dwelling Unit Requirements

(1) Application Procedure

(A) Where an ADU or JADU permit application is submitted with an application for a single-family dwelling or multi-family dwelling that is subject to discretionary review under the Development Code, the ADU or JADU permit application will be considered separately without discretionary review or a public hearing, following action on the portion of the project that is subject to discretionary review.

(B) Except as provided in subsection (C), an applicant must submit an application for Land Use Compliance Review. Any ADU that meets the standards in subsections (2) through (12) herein shall be approved by the Community Development Director or designee within 60 days from the date the City receives a completed application if there is an existing single-family dwelling on the lot, or as otherwise required by Government Code Section 65852.2, as that section may be amended from time to time. In addition to obtaining affirmative approval through Land Use Compliance Review, the applicant shall be required to obtain a building permit and any other applicable construction permits prior to the construction of the ADU.

(C) An applicant shall not be required to submit an application for Land Use Compliance Review and may instead seek building permit approval for an ADU or JADU that satisfies the requirements of: (i) the California Building Standards Code, as amended by the City, and (ii) Government Code Section 65852.2(e)(1), as the same may be amended from time to time. This type of ADU or JADU does not need to comply with the requirements of subsections (2) through (12) herein. An ADU or JADU approved by this “building permit only” process shall be rented only for terms of 31 days or longer. The property owner shall record a declaration of restrictions, in a form approved by the City Attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (i) the ADU or JADU is to be rented only for terms of 31 days or longer, unless State law and the City’s Municipal Code are both amended to allow short-term rentals; and (ii) the ADU or JADU is not to be sold or conveyed separately from the Primary Dwelling Unit. Proof of recordation of the covenant shall be provided to the City before the final building permit may be issued for the ADU or JADU. In accordance with the standards set forth in Government Code section 65852.22, JADUs shall comply with the following requirements, unless State law is amended to set forth different standards, in which case State law standards will govern:

- (I) A JADU shall be a minimum of 220 square feet and a maximum of 500 square feet of gross floor area. The gross floor area of a shared sanitation facility shall not be included in the maximum gross floor area of a JADU.
- (II) A JADU must be contained entirely within the walls of the existing or proposed single-family dwelling.

- (III) A separate exterior entry from the main entrance to the single-family dwelling shall be provided to serve a JADU.
- (IV) A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family dwelling.
- (V) A JADU shall include an efficiency kitchen meeting the requirements of Government Code Section 65852.22.
- (VI) No additional parking shall be required for a JADU.
- (VII) Unless State law is amended, the JADU or single family residence shall be occupied by the owner of record.

## (2) Local ADU Standards

An ADU may only be permitted on lots within a residential zoning district on which there is one existing or proposed primary dwelling unit and no second dwelling unit, as defined in Section 812.04158 of the Development Code. Only one ADU shall be permitted on any one lot. ADUs approved in conformance with this Chapter do not exceed the allowable density for the lot upon which the ADU is located and shall be considered a residential use that is consistent with the existing general plan and zoning designation for the lot. The ADU shall provide complete and independent living facilities. Except as otherwise provided in this section, the lot upon which the ADU is to be established shall conform to all general development standards of the land use district in which it is located, except where the application of the regulations would not permit construction of an 800 square foot ADU that is 16 feet in height with four-foot side and rear yard setbacks. The permitting of any ADU shall be subject to applicable Development Impact Fees, as allowed by Government Code Section 65852.2, as that section may be amended from time to time.

## (3) Size Restrictions

The ADU may be either an attached or detached unit. If the ADU is an attached unit, the ADU shall not exceed fifty (50) percent of the area of the primary dwelling unit or one thousand two hundred (1,200) square feet, whichever is smaller. If the ADU is a detached unit, the unit shall not exceed 1,200 square feet. No ADU shall be smaller in size than an “efficiency unit” as defined in Section 17958.1 of Health and Safety Code.

## (4) Rental and Transfer

The ADU may be rented, subject to the limitations on short term rentals, but shall not be sold, transferred or assigned separately from the primary dwelling unit. The ADU shall not be used for rentals of less than thirty-one (31) consecutive days.

## (5) Covenant Required

Within thirty (30) days of the issuance of a Land Use Compliance Review or a building permit for an ADU pursuant to this section, the owner of record shall record a covenant, in a form satisfactory to the City Attorney, which shall place future buyers on notice of the maximum size of the ADU as set forth in this subsection (c), the required amount of off-street parking to be provided for the ADU, that the ADU may not be sold, transferred or assigned separately from the primary dwelling unit, that the ADU may not be used for short term rentals for less than thirty-one (31) consecutive days, and that such restrictions shall run with the land and be binding upon all future owners. The covenant shall be recorded in the official records of the County of San Bernardino, and a copy of the covenant shall be filed with the office of the City Clerk.

(6) Setbacks

No setback shall be required for an ADU that is constructed within an existing structure or within a structure constructed in the same location and dimensions as an existing structure. For all other ADUs, the required setback from side and rear lot lines shall be four feet.

(7) Utilities

The ADU shall have adequate water and sewer services. These services may be provided from the water and sewer points of connection for the primary dwelling unit and need not be a separate set of services. Approval must be obtained from the City's Building and Safety Department and the County of San Bernardino's Environmental Health Department when an ADU will be using a septic system rather than connecting to the public sewer system.

(8) Parking Requirement

- (A) One independent off-street parking space shall be provided, in addition to the parking spaces required for the primary dwelling unit, for an ADU.
- (B) The parking space(s) shall comply with all development standards set forth in Chapter 6 of Division 7 of the Development Code, except that the parking space(s) for the ADU may be located in setback areas or through tandem parking.
- (C) Notwithstanding the foregoing requirements, no additional parking space is required for an ADU that satisfies any of the following conditions:
  - (I) It is located within one-half mile walking distance of public transit;
  - (II) It is located within an architecturally and historically significant historic district;
  - (III) It is part of the proposed or existing primary residence or an existing accessory structure;

- (IV) It is located in an area where on-street parking permits are required but not offered to the ADU occupant; or
- (V) It is located within one block of a car share vehicle pick-up or drop-off location.

(9) Design

The ADU shall match the design of the primary unit in terms of landscaping, color, building materials, and exterior treatment, and any applicable City-wide design guidelines. Any detached ADU shall be located behind the primary dwelling unit such that the ADU shall not extend beyond the primary unit where such primary unit faces a right-of-way.

(10) Historic Resources

Any ADU that has the potential to adversely impact any historical resource listed on the National Register or the California Register of Historic Resources, shall be designed and constructed in accordance with the “Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings” found at 36 CFR 68.3, as amended from time to time.

(11) Fire Sprinklers

ADUs are required to provide fire sprinklers only if they are required for the Primary Dwelling Unit.

(12) Building Standards

ADUs shall comply with the California Building Standards Code, as amended by the City.”

**Section 3. CEQA**

The City Council finds and determines that the amendments set forth herein are exempt from environmental review under the California Environmental Quality Act, (California Public Resources Code §§ 21000, et seq., (“CEQA”) and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because this Ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from CEQA pursuant to Public Resources Code Section 21080.17 and California Code of Regulations Section 15282(h). To the extent that any provision of this Ordinance is not exempt pursuant to Section 15282(h), the amendments are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**Section 4. Submittal of Ordinance**

The Community Development Director, or his designee, shall submit a copy of the Ordinance to the Department of Housing and Community Development within 60 days after adoption of this Ordinance.

**Section 5. Internal Consistency**

Any provisions of the Municipal Code, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance are hereby repealed, and the City Clerk shall make any necessary changes to the Municipal Code for internal consistency.

**Section 6. Severability**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**Section 7. Effective Date**

This Ordinance shall take effect thirty (30) days after its final passage.

**PASSED, APPROVED and ADOPTED** on this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
David Avila, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Crawford, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David M. Snow, City Attorney