



## AGENDA

CHINO HILLS PLANNING COMMISSION  
REGULAR MEETING  
TUESDAY, SEPTEMBER 19, 2023

6:00 P.M. PUBLIC MEETING/PUBLIC HEARINGS

CIVIC CENTER, CITY COUNCIL CHAMBERS  
14000 CITY CENTER DRIVE, CHINO HILLS, CALIFORNIA

This agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda unless the Planning Commission makes a determination that an emergency exists or that a need to take immediate action on the item came to the attention of the City subsequent to the posting of the agenda. The Commission Secretary has on file copies of written documentation relating to each item of business on this Agenda available for public inspection in the Community Development Department, in the public binder located at the entrance to the Council Chambers while the meeting is in session, and on the City's website at [www.chinohills.org/Agendas](http://www.chinohills.org/Agendas). Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 14000 City Center Drive, Chino Hills, CA during normal business hours.

Speaker Cards - Those persons wishing to address the Planning Commission on any matter, whether or not it appears on the agenda, are requested to complete and submit to the Commission Secretary a "Request to Speak" form available at the entrance to the City Council Chambers. In accordance with the Public Records Act, any information you provide on this form is available to the public. **You are not required to provide personal information in order to speak, except to the extent necessary for the Commission Secretary to call upon you.** Comments will be limited to three minutes per speaker.

**Emails and documents submitted will be considered a public document subject to posting on the City's website and are subject to the Public Records Act.**

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in the Planning Commission meeting, please contact the Community Development Department, (909) 364-2740, at least 48 hours prior to the meeting to enable the City to make reasonable arrangements. [Click here](#) to view the City's Reasonable Accommodations Policy or contact the City Clerk's office to obtain a copy.

**PLEASE SILENCE ALL ELECTRONIC DEVICES WHILE COMMISSION IS IN SESSION.**  
Thank you.

### PLANNING COMMISSION MEMBERS

MICHAEL STOVER, CHAIR  
PETER PIRRITANO, VICE CHAIR  
JERRY L. BLUM  
SHERAN VOIGT

NICHOLAS LIGUORI, COMMUNITY DEVELOPMENT DIRECTOR  
ELIZABETH M. CALCIANO, ASSISTANT CITY ATTORNEY  
EMILY ORTIZ, SECRETARY

6:00 P.M. - CONVENE MEETING / ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PRESENTATIONS

1. **PUBLIC COMMENTS:** *At this time members of the public may address the Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission, whether or not the item appears on the agenda, except testimony on Public Hearing items must be provided during those hearings. Please complete and submit a speaker card to the Planning Commission Secretary. Comments will be limited to three minutes per speaker.*

**CONFLICT OF INTEREST / EX PARTE COMMUNICATION ANNOUNCEMENTS:**

*For conflicts of interest, Commissioner abstentions shall be stated at this time for recordation on the appropriate item. For ex parte communications, Commissioners shall state their intent to report on any ex parte communications applicable to public hearings on the current agenda.*

**CONSENT CALENDAR:** *All matters listed on the Consent Calendar are considered routine by the Planning Commission and may be enacted by one motion in the form listed below. There will be no separate discussion of these items unless, before the Planning Commission votes on the motion to adopt, Members of the Planning Commission or staff request the matter to be removed from the Consent Calendar for separate action. Removed consent items will be discussed immediately after the adoption of the balance of the Consent Calendar.*

2. **CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 5, 2023, REGULAR MEETING**

RECOMMENDED ACTION: APPROVE AS SUBMITTED

**DISCUSSION CALENDAR** - *This portion of the Planning Commission Agenda is for all matters where staff and public participation is anticipated. Please complete and submit a speaker card to the Planning Commission Secretary. Comments will be limited to three minutes per speaker.*

None.

**PUBLIC HEARING** - *This portion of the Planning Commission Agenda is for all matters that legally require an opportunity for public input. Please complete and submit a speaker card to the Planning Commission Secretary. Comments will be limited to three minutes per speaker.*

3. **WIRELESS CONDITIONAL USE PERMIT 22WCUP02 -- AT&T WIRELESS COMMUNICATIONS FACILITY IN CITY-OWNED OPEN SPACE ADJACENT TO RIDGEVIEW TRAIL BETWEEN EUCALYPTUS AVENUE AND NORDIC AVENUE**

RECOMMENDED ACTION: Staff recommends that the Commission:

- Resume the public hearing, take public testimony, and
- Adopt the attached Resolution approving Wireless Conditional Use Permit 22WCUP02 -- AT&T Wireless Communications Facility, located at 1680 Ridgeview Drive, based on the findings of fact as listed in the attached Resolution and subject to the Conditions of Approval set forth in Exhibit "A"

***All Planning Commission decisions may be appealed to the City Council. An appeal of a Planning Commission decision must be filed with the City Clerk within ten (10) working days of the meeting. Please contact the City Clerk at (909) 364-2620 for further information about filing an appeal or obtaining an appeal application.***

STAFF INFORMATION AND AGENDA FORECAST

COMMISSION COMMENTS

ADJOURNMENT:



## PLANNING COMMISSION AGENDA STAFF REPORT

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TO: PLANNING COMMISSION      DATE: SEPTEMBER 19, 2023  
FROM:      ITEM NO: 2  
SUBJECT:

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RECOMMENDATION:

BACKGROUND/ANALYSIS:

ENVIRONMENTAL (CEQA) REVIEW:

FISCAL IMPACT:

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Attachments   Draft Meeting Minutes



## **MINUTES**

### **PLANNING COMMISSION CITY OF CHINO HILLS**

**SEPTEMBER 5, 2023  
REGULAR MEETING**

#### **CONVENE MEETING AND ROLL CALL**

Chair Stover called the Regular Meeting of the Planning Commission of the City of Chino Hills to order at 7:00 P.M. and requested Commission Secretary Siu to call roll.

**PRESENT COMMISSIONERS:** MICHAEL STOVER  
PETER PIRRITANO  
JERRY L. BLUM  
SEAN PHAN  
SHERAN VOIGT

**ALSO PRESENT:** BENJAMIN MONTGOMERY, CITY MANAGER  
NICHOLAS LIGUORI, COMMUNITY DEVELOPMENT DIRECTOR  
ELIZABETH M. CALCIANO, ASSISTANT CITY ATTORNEY  
RYAN GACKSTETTER, SENIOR PLANNER  
MARLENE SIU, COMMISSION SECRETARY

#### **PLEDGE OF ALLEGIANCE TO THE FLAG**

Led by Commissioner Phan.

#### **1. PUBLIC COMMENTS**

Vellano Residents Barry Jamieson, William Lee, Eddie Yeung, Tien Wang, Peter Relich, and Mike Konrad, spoke in opposition to modifications of landscaping and hardscaping at 16737 Catena Drive in the Vellano residential development.

Paul Yeh, Chino Hills resident, spoke in opposition to the AT&T cell facility near Madrugada Trail previously approved by the Planning Commission.

#### **CONFLICT OF INTEREST / EX PARTE ANNOUNCEMENTS**

Commissioner Blum announced that he would recuse himself from agenda item number 3 regarding the Shady View Residential project, as he lives within 500 feet of the project.

#### **CONSENT CALENDAR**

#### **2. CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 5, 2023, REGULAR MEETING**

Chair Stover requested an amendment to page 5, section 6a of the minutes to more accurately reflect a broader scope of the agreed upon fire safety workshop related to

development in Carbon Canyon. Commission determined the minutes should read “After discussion, Commission agreed to prioritize a workshop on fire safety, in general, in Carbon Canyon.”

Motion was made by Commissioner Blum and seconded by Commissioner Voigt to approve the meeting minutes, as amended.

Motion carried by electronic vote as follows:

AYES: COMMISSIONERS: STOVER, PIRRITANO, BLUM, PHAN, VOIGT

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

### **DISCUSSION CALENDAR**

#### **3. SHADY VIEW RESIDENTIAL PROJECT – ADDENDUM NO. 1 TO THE FINAL ENVIRONMENTAL IMPACT REPORT**

Commissioner Blum exited the chambers during the discussion of this item.

Ryan Gackstetter, Senior Planner, briefed the Commission on the staff report which is on file in the Community Development Department.

Tom, Chino Hills resident, expressed concern about the effects of the oil tank to the community and the environment.

Motion was made by Commissioner Voigt and seconded by Commissioner Phan to adopt a Resolution entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO HILLS ADOPTING ADDENDUM NO. 1 TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR THE SHADY VIEW RESIDENTIAL PROJECT (SCH NO. 2021060576).

Motion carried by electronic vote as follows:

AYES: COMMISSIONERS: STOVER, PHAN, PIRRITANO, VOIGT

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

RECUSAL: COMMISSIONERS: BLUM

#### 4. FISCAL YEAR 2023-24 ADOPTED BUDGET PRESENTATION

City Manager Montgomery briefed the Commission on the PowerPoint presentation which is on file in the Community Development Department.

The City Manager addressed questions raised by the Commission on the following topics:

- Restricted funds
- Allocation of property taxes
- Landscape and Lighting fund imbalance
- Taxpayer Protection And Government Accountability Act
- Community Development department expenditure increase compared to other departments

#### **PUBLIC HEARING**

None.

#### **STAFF INFORMATION AND AGENDA FORECAST**

September 19

- 6 pm start time commences
- Continued AT&T wireless facility @ Ridgeview Trail

October

- Golftec training facility

November

- New Fire Station

#### **COMMISSION COMMENTS**

Chair Stover said that he will be absent at the October 17, 2023 meeting.

Commissioner Blum asked about the General Plan update. Director Liguori stated that staff is modifying the traffic analysis and will bring it to Commission once it is complete. Commissioner Blum asked if the update will be brought to Commission as a community workshop. Director Liguori said that staff is deciding on the best approach since momentum was lost as a result of the change in leadership in the department.

Commissioner Phan informed the Commission that he submitted a letter of resignation to Mayor Rogers and is stepping down due to his increased family responsibility. He thanked Mayor Rogers for the opportunity to serve and said that it was an honor to be a part of the Planning Commission. He recommended that staff develop a standard set of ADU plans to help offset the cost of building ADUs, which will help provide affordable housing.

Chair Stover thanked Commissioner Phan for his contribution to the Planning Commission.

Commissioner Blum also thanked Commissioner Phan for serving on the Planning Commission.

Chair Stover requested staff review the historic minutes of the Planning Commission and City Council to clarify how it was determined that wireless facilities are allowed to be built on protected ridgelines. He also requested the scope and limitations of aesthetic views of wireless facilities, specifically, clarifying what an adjacent use is since the required finding is that the project does not adversely affect or be detrimental to adjacent uses. Chair Stover also questioned the change in shopping center parking spaces to curbside pick-up designations, which began at the start of the pandemic and are no longer being utilized, leaving shoppers to find parking farther away. Commissioner Blum elaborated and questioned other types of parking designations for other specific uses and asked if parking spot designations can be regulated.

Commissioner Voigt requested an update on the issues at the Vellano development that public commenters expressed once staff are allowed to comment on it.

Commissioner Blum questioned the revised agenda formatting. Director Liguori stated that the agenda formatting has been modified to be consistent with City Council and other commissions.

#### **ADJOURNMENT**

Chair Stover adjourned the meeting at 9:00 p.m.

Respectfully submitted,

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Emily Ortiz, Secretary



## PLANNING COMMISSION AGENDA STAFF REPORT

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TO: PLANNING COMMISSION      DATE: SEPTEMBER 19, 2023  
FROM:      ITEM NO: 3  
SUBJECT:

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RECOMMENDATION:

BACKGROUND/ANALYSIS:

ENVIRONMENTAL (CEQA) REVIEW:

FISCAL IMPACT:

□      □

Attachments   Staff Report  
                 Resolution  
                 Exhibit "A" - Conditions of Approval  
                 Exhibit "B" - Ordinance 121  
                 Exhibit "C" - Ridgeline Map  
                 Exhibit "D" - Letter of Intent  
                 Exhibit "E" - Propagation Maps  
                 Exhibit "F" - Public Comments



## PLANNING COMMISSION AGENDA STAFF REPORT

Meeting Date: September 19, 2023

Public Hearing: ☒  
Discussion Item: ☐  
Consent Item: ☐

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Agenda Item No.: 3

TO: CHAIR AND PLANNING COMMISSIONERS

FROM: NICHOLAS LIGUORI, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: WIRELESS CONDITIONAL USE PERMIT 22WCUP02 – AT&T WIRELESS COMMUNICATIONS FACILITY IN CITY-OWNED OPEN SPACE ADJACENT TO RIDGEVIEW TRAIL BETWEEN EUCALYPTUS AVENUE AND NORDIC AVENUE

### **EXECUTIVE SUMMARY**

On September 19, 2023, the Planning Commission discussed Wireless Conditional Use Permit No. 22WCUP02. The applicant, Jermaine Taylor, on behalf of AT&T Wireless, submitted an application to construct a wireless communications facility and install associated landscaping within City-owned open space located adjacent to Ridgeview Trail between Eucalyptus Avenue and Nordic Avenue. The wireless communications facility will consist of 15 panel antennas, 36 remote radio units (RRUs), six surge suppressors, one microwave antenna, and 16 DC power trunks mounted inside a 30-foot-tall tower disguised as a faux water tank. The equipment enclosure will include the tower, one walk-up cabinet on a concrete pad, a 20-kilowatt compact generator with a 105-gallon diesel fuel tank, four DC 12 surge suppression units, four fiber winder boxes, one telco box and ciena box mounted on an H-frame, one step-up transformer with disconnect switch, one step-down transformer with disconnect switch, one electric meter, and one fiber meet-me-point pullbox. The equipment enclosure is a 30'x30'x8' high green wrought iron fence that includes green decorative privacy panels.

The recommendation of approval for the wireless Conditional Use Permit is based on the project's compliance with the provisions of Section 16.44.060 – Major Facilities of the Chino Hills Municipal Code. This section establishes the required findings, location, and design criteria for major wireless facilities.

### **RECOMMENDATION**

Staff recommends that the Commission resume the public hearing, take public testimony, and adopt the attached Resolution approving Wireless Conditional Use Permit 22WCUP02 – AT&T Wireless Communications Facility, located at 1680 Ridgeview Drive, based on the findings of fact as listed in the attached Resolution and subject to the Conditions of Approval set forth in Exhibit "A".

### **BACKGROUND**

At its meeting on August 15, 2023, staff presented to the Planning Commission a request from the applicant for the approval of Wireless Conditional Use Permit No. 22WCUP02 to construct a wireless communications facility and install associated landscaping within City-owned open space located adjacent to Ridgeview Trail between Eucalyptus Avenue and Nordic Avenue.

Jermaine Taylor, the project applicant; Alisha Strasheim, a representative for AT&T; and William Hammet, a radio frequency (RF) engineering consultant for the applicant were in attendance and addressed questions and comments from the Planning Commission and public speakers.

The Commission discussed the following aspects of the project with staff and the applicant:

- Requested propagation maps to be included as part of the staff report and presentation;
- Requested the approximate square footage of the area shown on the propagation maps;
- The trees and foliage surrounding the project;
- The facility's equipment; and
- The location of the project in relation to prominent ridgelines and residential properties.

The public comments during the meeting were generally in objection to the project. Five members of the public asked questions and provided testimony regarding the following topics:

- Aesthetics;
- Proliferation of towers along trails;
- Potential fire hazard from the proposed diesel generator;
- Safety of the children that walk along the Ridgeview Trail to attend Hidden Trails Elementary;
- Maintenance of the proposed landscaping; and
- Health concerns relative to the radio emissions from the proposed tower.

Alisha Strasheim, the representative for AT&T, provided detailed information regarding the site selection process, design of the facility, fire safety review of the proposed generator, and the inclusion of precautionary notes to advise maintenance crews to be aware of the potential presence of children on the trail and within the area of the facility.

The Commission asked whether the facility would be sited on a prominent ridgeline or knoll as protected by City ordinance, requested that staff explore the viability of relocating the facility approximately 200' feet to the east or west of the proposed project location and provide clarification regarding the applicability of ridgeline protections to wireless facilities.

## **ANALYSIS**

### **Relocation Analysis**

Staff worked with the applicant to explore eleven (11) alternative locations as identified on the map below, which is included as part of Exhibit "D" – Letter of intent.



Note: "X" – Proposed AT&T Wireless Facility Location

The following is a listing of the identified sites:

- Site 1 - Deer Haven Drive (Dudley Street) – City owned property. Location proposed is on a hill close to the Laband Reservoir.
- Site 2 – Reservoir No. 15 (Laband Reservoir Tank) - City owned property. Location proposed is next to existing water tank.
- Site 3 – Hidden Hills Park – City owned property.
- Site 4 – Gordon Ranch (McDonalds) - Existing faux water tank.
- Site 5 – Sunset Park – City owned property.
- Site 6 – SCE Tower 1 – City owned property near Vista Dorada Place.
- Site 7 – SCE Tower 2 – City owned property near Eucalyptus Avenue.
- Site 8 – Ridgeview Trail – Option 1- Approximately 800' west of the proposed project site.
- Site 9 – Ridgeview Trail – Option 2 – Approximately 300' east of the proposed project site.
- Site 10 – Ridgeview Trail – Option 3 – Approximately 1,100' east of the proposed project.
- Site 11 – Ridgeview Trail – Option 4 – Approximately 550' west of the cul-de-sac at the entrance to the Ridgeview Trail off of Ridgeview Drive.

Additionally, as shown on Exhibit "E" – Propagation Maps, the applicant has compared the coverage area for Sites 3 through 11 to the proposed project site.

As a result of the applicant's analysis for each of the alternative locations, staff concluded that the project as proposed would be the least impactful to the public use of the trail and the adjacent residential neighborhood, and gap coverage for consumers. The optional locations would result in either a taller tower or create an increased visual impact to the homes along Vista Dorada Place.



## **Ridgeline Protections**

In 1999, the City Council passed Ordinance No. 121 (Exhibit “B”), adopting regulations for hillside development. The purpose of the ordinance is to protect and enhance the unique visual resources of Chino Hills and to help ensure that the quality and image of the new residential development projects in the City’s hillside areas meet the community’s expectations. However, Section 16.08.020.C – General Design Regulations of the Chino Hills Municipal Code, which codifies the ridgeline regulations adopted in Ordinance No. 121, contains a number of exemptions from the ridgeline regulations. One of these exemptions exempts “projects undertaken in open space areas, including multi-purpose trails and projects involving maintenance, and subject to approval of the City.”

Dating back to 1998, four communications facilities have been installed and three have been approved on prominent ridgelines and knolls; staff mapped the locations of existing, approved, and proposed wireless facilities on the adopted Ridgeline Map (Exhibit “C”) for informational purposes. Many of the facilities are either collocated on existing structures or constructed as standalone towers on prominent ridgelines and knolls. City staff has consistently interpreted wireless communications facility projects located in open space to be exempt from ridgeline regulations.

As can be seen on Exhibit “C”, the proposed project is located on a ridgeline designated as prominent in Ordinance No. 121. As wireless communications facilities are not a type of residential development, are undertaken in open space areas, and require the City’s approval of a Conditional Use Permit (in the case of major facilities) pursuant to Chapter 16.44, wireless communications facility projects located in open space have been interpreted as being exempt from Ordinance 121.

## **Public Comments**

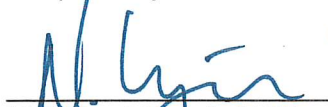
Notices of the public meeting regarding this project were mailed to the adjacent property owners within a 1,000-foot radius the project site on September 8, 2023. The description of the proposal and the hearing date were published in the Chino Hills Champion on September 9, 2023. As of the preparation of this report, staff has received four (4) letters in opposition for the facility and one letter requesting further mitigation, which is attached to this report as Exhibit “F”.

## **Environmental Assessment**

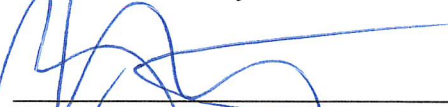
The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because the project proposes the installation and operation of a new wireless communications facility within City-owned and maintained public open space. The proposed project will occupy 900 square feet of a 130.75-acre open space parcel. The proposed project does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt from further CEQA review under Cal. Code Regs. §§ 15061.b.3 (the common sense exemption that CEQA applies only to projects which do not have the potential for causing a significant effect on the environment), and 15303 (Class 3 New Construction or Conversion of Small Structure). None of the exceptions set forth in Section 15300.2 are applicable to the proposed project.

SUBJECT: Wireless Conditional Use Permit No. 22WCUP02 – Ridgeview Trail

Respectfully submitted,

  
\_\_\_\_\_  
Nicholas Ligupri, AICP  
Community Development Director

Recommended by:

  
\_\_\_\_\_  
Yvette Brunetto  
Senior Planning Analyst

Attachments:

1. Resolution
2. Exhibit "A" – Conditions of Approval (Revised)
3. Exhibit "B" – Ordinance 121 Hillside Regulations
4. Exhibit "C" – Ridgeline Map and Wireless Facilities location
5. Exhibit "D" – Letter of Intent (revised)
6. Exhibit "E" – Propagation Maps
7. Exhibit "F" – Public Comments Received after August 15, 2023
8. Affidavit of Mailing & Notification Letter

RESOLUTION NO. PC 2023 – \_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO HILLS APPROVING: (1) WIRELESS CONDITIONAL USE PERMIT NO. 22WCUP02 FOR THE DEVELOPMENT OF AN AT&T WIRELESS COMMUNICATIONS FACILITY IN CITY-OWNED OPEN SPACE ADJACENT TO RIDGEVIEW TRAIL BETWEEN EUCALYPTUS AVENUE AND NORDIC AVENUE; AND (2) DETERMINING THAT THE PROJECT IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF CHINO HILLS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission does hereby make the following findings of fact:

- A. The applicant, Jermaine Taylor with Smartlink, on behalf of AT&T Wireless, has requested the approval of Wireless Conditional Use Permit No. 22WCUP02 to allow the development of a wireless communications facility within City-owned open space located adjacent to Ridgeview Trail between Eucalyptus Avenue and Nordic Avenue.
- B. The project is located within City-owned open space adjacent to Ridgeview Trail between Eucalyptus Avenue and Nordic Avenue approximately 880 feet south of rear property line of residential parcels on Nordic Avenue and 1,350 feet east of the rear property line of residential parcels at the terminus of Vista Dorada Place. It is identified as Assessor's Parcel Number (APN) 1032-521-03, as shown in the latest records of the Office of the Tax Assessor of the County of San Bernardino.
- C. The project site has a General Plan designation of Public Open Space and is zoned Public Open Space.
- D. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because the project proposes the installation and operation of a new wireless communications facility within City-owned and maintained public open space. The proposed project will occupy 900 square feet of a 130.75-acre open space parcel. The proposed project does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt from further CEQA review under Cal. Code Regs. §§ 15061.b.3 (the common sense exemption that CEQA applies only to projects which do not have the potential for causing a significant effect on the environment), and 15303

(Class 3 New Construction or Conversion of Small Structure). None of the exceptions set forth in Section 15300.2 is applicable to the proposed project.

- E. Notices of the public hearing regarding this project were mailed to property owners within a 1,000-foot radius of the project site on August 3, 2023. The description of the proposal and the hearing date were published in the Chino Hills Champion on August 5, 2023.
- F. The Planning Commission of the City of Chino Hills held a duly noticed public hearing on August 15, 2023, to review and consider the staff report prepared for the project, receive public testimony, and review all correspondence received on the project, and continued the public hearing to the September 19, 2023, Planning Commission meeting.
- G. Notices of the public hearing regarding this project were mailed to property owners within a 1,000-foot radius of the project site on September 8, 2023. The description of the proposal and the hearing date were published in the Chino Hills Champion on September 9, 2023.
- H. The Planning Commission of the City of Chino Hills held a duly noticed public hearing on September 19, 2023, to review and consider the staff report prepared for the project, receive public testimony, and review all correspondence received on the project.

SECTION 2. Based upon oral and written testimony and other evidence received at the public hearing held for the project, and upon studies and investigations made by the Planning Commission and on its behalf, the Planning Commission does hereby make the following findings on Wireless Conditional Use Permit 22WCUP02 pursuant to Section 16.44.060 of the Municipal Code, as follows:

- A. FINDING: That the proposed conditional use is consistent with the General Plan.

FACTS: The project site is located within a property with a General Plan Land Use Map designation of Public Open Space and a zoning designation of Public Open Space. Pursuant to Chapter 16.44 Wireless Communications Facilities, the development of a major wireless communications facility is subject to the review and approval of a Conditional Use Permit. As further discussed in the subsequent findings, the proposed project conforms to the development standards and guidelines of the Municipal Code, a tool used to implement the General Plan. By designing the facility to minimize its potential visual impact, the project is consistent with General Plan Policy LU-2.3, which directs the City to ensure public land

uses and utilities blend with surrounding development. Considering all its aspects, the proposed project will further the objectives and policies of the General Plan and not obstruct their attainment.

- B. FINDING: That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the proposed use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures.

FACTS: The nature, condition, and development of adjacent uses, buildings, and structures have been considered and the proposed wireless communications facility use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures. The proposed facility has been designed to blend with the rural character of the surrounding open space and minimize potential visual impacts. The facility will not emit noise, vibration, light or glare, odors, or cause other conditions that could negatively impact surrounding uses or properties. The adjacent residential properties are approximately 880 feet South of rear property line of residential parcels on Nordic Avenue and 1,350 feet east of the rear property line of residential parcels at the terminus of Vista Dorada Place. Further, the project is conditioned to ensure that the project does not negatively impact adjoining land uses.

- C. FINDING: That the site for the proposed conditional use is of adequate size and shape to accommodate the use and buildings proposed.

FACTS: The proposed facility is located entirely within City-owned open space and will occupy approximately 900 square feet of a 130.75-acre open space parcel. Therefore, the project site is of adequate size and shape to accommodate the proposed facility.

- D. FINDING: That the proposed conditional use complies with all applicable development standards and the requirements of the zoning district.

FACTS: The proposed project meets all applicable development standards for Public Open Space and Chapter 16.44 Wireless Communications Facilities including setbacks, height, screening, and site selection. The facility shall not exceed a maximum height of 35 feet, shall be located a minimum of 200

feet from nearest residential property, and be visually screened. The proposed facility has a height of 30 feet, is located 880 feet from the nearest residential property and is disguised as a faux water tank for screening. Further, the proposed facility is exempt from compliance with the ridgeline regulations codified in Chapter 16.08 by Section 16.08.020.C.4 because it is a project undertaken in open space area, subject to approval of the City.

- E. FINDING: That the proposed use observes the spirit and intent of the Development Code.

FACTS: With approval of Wireless Conditional Use Permit 22WCUP02, the proposed use is consistent with the requirements of Chapter 16.44 Wireless Communications Facilities, which allows a major (wireless communications) facility within the open space zoning district subject to the approval of a Conditional Use Permit. Additionally, the Conditions of Approval, as referenced herein, are imposed on the project to ensure that the spirit and intent of the Development Code are observed.

- F. FINDING: The proposed facility meets all applicable standards and requirements set forth in this code.

FACTS: The project site is located within a property with a General Plan Land Use Map designation of Public Open Space and a zoning designation of Public Open Space. Pursuant to Chapter 16.44 Wireless Communications Facilities, the development of a major wireless communications facility is subject to the review and approval of a Conditional Use Permit. As further discussed elsewhere in these findings, the proposed project conforms to the development standards and guidelines of the Development Code, a tool used to implement the General Plan. By designing the facility to minimize its potential visual impact, the project is consistent with General Plan Policy LU-2.3, which directs the City to ensure public land uses and utilities blend with surrounding development. Therefore, the proposed project is consistent with the General Plan.

- G. FINDING: The proposed facility has been designed to minimize its visual and environmental impacts, including the utilization of stealth technology, when applicable.

FACTS: The proposed facility is located within a City-owned public open space which is an allowed use per Appendix A of the Chino Hills Municipal Code, subject to an approved Conditional Use Permit. The proposed facility is designed as a faux water tank to recall the City's rural heritage and will be screened by oak trees, which are native to Chino Hills. This is a stealth facility design and is intended to visually blend with the hillside. Disguising the facility as a faux water tank provides the illusion that the facility is utilized to maintain the vegetation in the area. The tower shall be treated to provide a weathered appearance to simulate an appearance of a long-standing water tank. To the extent feasible, all conduits, wiring, etc. shall be located within the tower support structure. The exterior of all conduits and any other component attached to the exterior of the tower shall be comprised of non-reflective material(s) and painted to match the color of the material to which it is attached. All ground-mounted equipment shall be installed within the equipment enclosure. The equipment enclosure is a decorative green wrought iron fence that is 8' high and 30'x30' long and wide. The enclosure shall be surrounded by vegetation subject to review and approval by the City. To provide additional visual screening to surrounding neighborhood and pedestrians along Ridgeview Trail, the applicant is proposing to plant four (4) live oak trees and shrubs to surround the equipment enclosure. The design of the proposed facility and the planting of the screening trees and shrubs is intended to minimize the potential visual impact of the facility in conformance with the site selection, screening, and design provisions of the Municipal Code.

H. FINDING: The proposed site has the appropriate zoning, dimensions, slope, design, and configuration for the development of a facility.

FACTS: The project site is located within a property with a General Plan Land Use Map designation of Public Open Space and a zoning designation of Public Open Space. Pursuant to Chapter 16.44 Wireless Communications Facilities, the development of a major wireless communications facility is subject to the review and approval of a Conditional Use Permit. As further discussed in the previous and subsequent findings, the proposed project conforms to the development standards and guidelines of the Municipal Code. The proposed facility is located entirely within City-owned open space and will occupy approximately 900 square feet of a 130.75 -acre open space parcel. Therefore, the project site is

of adequate size and shape to accommodate the proposed facility.

- I. FINDING: That general landscaping considerations, when applicable to the facility, have been complied with to complement the structures and antennae, provide an attractive environment, and preserve natural features and elements.

FACTS: The facility is designed as a stealth facility and is intended to visually blend with the hillside. Disguising the facility as a faux water tank provides the illusion that the facility is utilized to maintain the vegetation in the area. The tower shall be treated to provide a weathered appearance to simulate the appearance of a long-standing water tank. To further provide additional screening, the applicant is proposing to plant four (4) live oak trees and shrubs to surround the equipment enclosure. The design of the proposed facility and the planting of the screening trees and shrubs are intended to minimize the potential visual impact of the facility.

- J. FINDING: Based on information submitted, the proposed facility is in compliance with all FCC and California Public Utilities Commission (PUC) requirements.

FACTS: The applicant has submitted a Radio Frequency Safety Survey Report Prediction, which evaluated the project design and found that the project would operate in conformance with FCC regulations. Further, the project is conditioned to operate in compliance with all applicable FCC and PUC requirements.

- K. FINDING: The applicant has demonstrated and confirmed that the facility is necessary to close a significant gap in the provider's coverage and there is no less intrusive means to close that significant gap unless determined that the facility is a modification.

FACTS: The applicant has provided signal propagation maps demonstrating that there is a significant area of poor signal strength in the vicinity of the proposed facility. Given the topographical constraints and surrounding residential development, staff and the applicant have been unable to identify a less intrusive location or design than the proposed facility.

SECTION 3. Based on the findings and conclusions set forth above, the Planning Commission of the City of Chino Hills does hereby approve Conditional Use Permit



22WCUP02, subject to the Conditions of Approval dated August 15, 2023, labeled as Exhibit "A" and incorporated herein by this reference.

SECTION 4. The Secretary of the Chino Hills Planning Commission shall certify to the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of September 2023.

---

MICHAEL STOVER, CHAIR

ATTEST:

---

EMILY ORTIZ  
SECRETARY

APPROVED AS TO FORM:

---

ELIZABETH M. CALCIANO  
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA                     )  
COUNTY OF SAN BERNARDINO         )     ss.  
CITY OF CHINO HILLS                    )

I, Emily Ortiz, Secretary of the Chino Hills Planning Commission, DO HEREBY CERTIFY that the foregoing Resolution No. PC 2023-\_\_ was duly passed and adopted at a regular meeting of the Planning Commission of the City of Chino Hills held on the 19th day of September, by the following vote, to wit:

AYES:           COMMISSION MEMBERS:

NOES:           COMMISSION MEMBERS:

ABSENT:        COMMISSION MEMBERS:

---

EMILY ORTIZ  
SECRETARY



## **Wireless Conditional Use Permit 22WCUP02**

**Permitee: AT&T – Site ID CSL04332**

**Site Address: 1680 Ridgeview Drive**

**Assessor Parcel Number: 1032-521-03**

# **CONDITIONS OF APPROVAL**

## **GENERAL**

### **COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING AND BUILDING DIVISIONS**

1. This Conditional Use Permit (CUP) pursuant to Chino Hills Municipal Code Section 16.44.070(E) shall become null and void if all conditions of approval have not been complied with and the Permit is not used within one year of the date of approval. The Planning Commission may grant one extension of time for a period not to exceed one year, provided an application requesting the extension is filed with the Planning Division no less than 30 days prior to the expiration of the Permit. “Used” as referred to in this Condition means the commencement of substantial construction activity or any activity authorized by the approval. If an extension of time is not granted, the CUP shall expire, and a new application shall be required.
2. In addition to the City’s right to revoke or revise this Conditional Use Permit for violation of any of the conditions herein, pursuant to Section 16.58.080 of the Chino Hills Municipal Code, the City, its Planning Commission, and its City Council retain and reserve the rights and jurisdiction to review and modify all Conditional Use Permits approved by the City, including the conditions of approval, based on changed circumstances. Changed circumstances include, but are not limited to, the modification of the use, a change in scope, emphasis, size, or nature of the use, or the expansion, alteration, reconfiguration, or change of use. The reservation of right to review any permit granted or approved under Section 16.58.080 of the Chino Hills Development Code by the City, its Planning Commission, and City Council is in addition to, and not in lieu of, the right of the city, its Planning Commission, and City Council to review and revoke or modify any permit granted or approved under the Chino Hills Municipal Code for any violations of the conditions imposed on such permit.
3. The permittee or its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney’s fees and disbursements (collectively “Claims”) arising out of or in any way relating to this project, any discretionary approvals granted by the City related to the development of the project, or the environmental review conducted under California Environmental Quality Act, Public Resources Code § 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, all costs, including attorney’s fees, shall be paid for by the permittee.
4. The permittee shall comply with requirements of all Federal, State, County, and local agencies as are applicable to this project, including all applicable provisions of the Chino Hills Municipal Code (“CHMC”).
5. The project shall be in substantial conformance with all of these Conditions of Approval and the project plans labeled as Exhibit “B” and incorporated herein by this reference. No modification to the site plan, design plan, or the Conditions of Approval shall be

permitted without the Community Development Director or designee finding that the modification is in substantial conformance with the Conditions of Approval and project plans, as applicable. As shown on the project plans, approval of Conditional Use Permit 22WCUP02 allows for installation of a wireless communications facility consisting of 15 panel antennas, 36 remote radio units (RRUs), six surge suppressors, one microwave antenna, and 16 DC power trunks mounted inside a 30-foot-tall tower disguised as a faux water tank. The equipment enclosure will include one walk-up cabinet on proposed concrete pad, and a 20KW compact generator with a 105-gallon diesel fuel tank, four DC 12 surge suppression units, four fiber winder boxes, one telco box and ciena box mounted on H-frame, one step-up transformer with disconnect switch, one step-down transformer with disconnect switch, one electric meter mounted, and, one fiber meet-me-point pullbox. The equipment enclosure is comprised of a 30'x30'x 8' high decorative green wrought iron fence.

6. Construction hours and operations shall be as follows:
  - a. Construction shall be limited to the hours of 7:00 a.m. to 7:00 p.m. on Monday through Friday, 8:00 a.m. to 6:00 p.m. Saturday, and shall be prohibited on Sundays and City listed Federal holidays in order to minimize disruption to existing residential neighborhoods.
  - b. During construction, best efforts shall be made to locate stockpiling and/or vehicle staging areas as far as practicable from existing residential dwellings.
  - c. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling unit shall be equipped with properly operating and maintained mufflers.
7. Noise emanating from the project shall not exceed the noise standards as listed in CHMC Chapter 16.48 Performance Standards and shall be in compliance with all requirements as stated in the Municipal Code.
8. Except in cases of emergency, maintenance of the facility shall be performed within the permissible construction hours specified in Condition of Approval No. 6. This shall include the periodic testing and maintenance of the backup generator.
9. The tower shall be designed, constructed, and maintained to provide the appearance of a water tank in general conformance with the approved project plans and photo simulations attached as Exhibit "C" to the Planning Commission staff report prepared for this project. The tower shall be treated to provide a weathered appearance to simulate the appearance of a long-standing water tank. To the extent feasible, all conduits, wiring, etc. shall be located within the tower support structure. The exterior of all conduits and any other component attached to the exterior of the tower shall be comprised of non-reflective material(s) and painted to match the color of the material to which it is attached.
10. All ground-mounted equipment shall be installed within the equipment enclosure. The equipment enclosure shall be constructed of decorative green wrought iron fence. The wrought iron fence shall include dark green decorative privacy panels to blend with the surrounding landscape. The enclosure shall be surrounded by vegetation. The decorative privacy panels and vegetation shall be subject to review and approval by the Community Development Director or designee.
11. Access ladder shall be locked in the up position when not in use.

12. The entirety of the wireless communications facility shall be maintained at all times to provide a high-quality appearance consistent with the approved design and these Conditions of Approval.
13. The facility exterior shall be comprised of non-reflective material(s) and painted or camouflaged to blend with surrounding materials and colors, and consistent with Exhibit "B".
14. The facility shall not bear any advertising, signs, words, or symbols of any kind other than certification, warning, or other required seals or required signage set by applicable Federal, State, County, or local regulations.
15. Access to the facility shall be limited to the existing trail. Any requested access deviating from the existing, trail shall be subject to the review and approval of the City Community Development Director and Public Works Director, or designees, to ensure that it is necessary and minimizes any damage to the environment.
16. Any amounts of flammable or combustible liquids or any hazardous materials stored or used on the site must be reviewed and approved by the Chino Valley Fire District.
17. All areas within the project site shall be maintained in a condition free of trash, debris, and refuse.
18. Any graffiti shall be removed within 48 hours of being reported. Further, the permittee shall apply a coating to the equipment enclosure walls, retaining walls, and the base of the communications facility tower that facilitates the removal of any graffiti.
19. No wireless communications facility or accessory equipment installed or operated as part of the wireless facility shall interfere with any City emergency transmission, signal, or form of communications.
20. If the project (Conditional Use Permit 22WCUP02) is ever discontinued, abandoned, or no longer in operation, the owner and/or operator of the facility shall remove the wireless facility and return the project site to its original condition pursuant to Section 16.44.110 of the Chino Hills Municipal Code.
21. This project has been determined to be exempt from the California Environmental Quality Act pursuant to §§ 15303 of the CEQA Guidelines; a Notice of Exemption will be mailed to the County Clerk of the Board upon approval by the Planning Commission. Within two days of approval by the Planning Commission, the permittee shall submit to the Planning Division a check for the filing fee applicable to this notice in the amount of \$50.00, payable to the "Clerk of the Board".
22. Trust Deposit Account(s) shall show no deficits. If the Trust Deposit Account(s) associated with the project shows a negative balance, the project construction shall cease, including inspections, until such time as sufficient funds are deposited to return the account(s) to a positive balance.

#### **PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION**

23. During project construction, maintenance, operation, and/or removal, the permittee shall preserve and protect in place all public facilities and improvements, including, but not limited to paving, trails, irrigation systems, landscaping, and utilities. The permittee shall be responsible for repairing any damage to the public facilities and improvements caused by the construction, operation, maintenance, and/or removal of the proposed facility. All such repairs shall be subject to inspection and acceptance of the City.

24. All conduit installed within the paved street between curbs shall be installed by open cut trench method only. No horizontal directional drilling will be allowed. Trench in the street shall be backfilled and compacted per city standards and shall be 'T' cut and capped with 0.15' thick asphalt concrete to a minimum width of 5 feet when parallel to the curb line and 10 feet when perpendicular to curb line. Trench in the trail shall be backfilled with approved DG materials. The proposed restoration method shall be approved by the Engineering Division.

#### **CHINO VALLEY FIRE DISTRICT**

25. The permittee shall comply with the conditions in the transmittal from the Chino Valley Fire District for Permit 2022-00002493, dated September 15, 2022, a copy of which is attached hereto and incorporated into these Conditions of Approval by this reference.

#### **PRIOR TO THE ISSUANCE OF PERMITS**

#### **COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING AND BUILDING DIVISIONS**

26. If project clearing and construction will occur during the avian nesting season (February 1st to September 1st), a survey for endangered special status species nests must be conducted by a biologist, who must be approved by the Community Development Director on the basis that qualifications meet acceptable professional standards, one to two weeks prior to any ground or vegetation disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the project site. In the event that endangered special status species nests are discovered on-site, a suitable buffer or other protocols as determined by the qualified biologist shall be implemented and monitored until the qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. The results of the survey and monitoring shall be documented by the qualified biologist and filed with the Community Development Director on a weekly basis until all monitoring is complete. The permittee is responsible for all costs associated with this condition.
27. Prior to issuance of a grading permit, permittee shall submit grading plans, construction plans and a soils report for review and approval by the Building and Safety Division and obtain all required permits prior to the initiation of any activity or construction authorized by this approval.
28. The construction plans shall include all required attachment methods for all equipment/antennas to be installed on the tower.
29. Permittee shall submit detailed plans for the construction of the faux water tank, equipment enclosure, and other project improvements for review. Plans shall be subject to review and approval by the Community Development Director or designee for conformance with the approved plans and Conditions of Approval.
30. The permittee shall provide detailed specifications for the proposed backup generator to be located within the equipment enclosure, including noise levels generated during its operations. Manufacturer recommended noise attenuation equipment shall be utilized to minimize potential noise impacts to surrounding uses and properties.
31. Prior to issuance of grading permits, landscape and irrigation plans shall be submitted for review and approval. The landscape and irrigation plans shall be consistent with the

irrigation and planting plans contained in Exhibit “B”, except that the 24” box Live Oak tree will be increased to 36” box if deemed feasible and advisable by the City arborist.

32. A post-entitlement deposit shall be submitted in an amount equivalent to 10 hours of staff time based on the blended hourly rate in effect at that time.
33. The permittee shall enter into a license agreement with the City of Chino Hills for the installation and operation of the proposed wireless communications facility within City-owned property prior to any grading or construction permit issuance. In addition, maintenance cost and appropriate escalator clause associated with the installed landscaping shall be incorporated into the license agreement between the City and permittee.

#### **PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION**

34. No work shall begin within the public right-of-way or City-owned property until an encroachment permit has been issued by the Engineering Division and all necessary Public Works Inspection fees have been paid.
35. Prior to grading or construction permit issuance, construction plans shall be submitted showing the points of connection to existing utilities and facilities and detailing the location and design of such connection. All excavation shall be properly identified and repaired to City-standard; clearly identify any proposed excavation and paving within the public right-of-way.
36. Prior to grading or construction permit issuance, the permittee shall submit a complete, scaled field condition drawing and label all existing facilities on the drawing.
37. An Improvement Bond or cash deposit in the amount of 100% of the estimated value of work to be performed on City property or within the public right-of-way shall be required prior to issuance of any permit.
38. A Labor and Material Bond or cash deposit in the amount of 50% of the estimated value of work to be performed on City property or within the public right of way shall be required prior to issuance of any permit.

#### **PRIOR TO FINAL INSPECTION**

##### **COMMUNITY DEVELOPMENT DEPARTMENT**

39. All site electrical must be inspected and approved by the Building and Safety Division prior to the commencement of operations.
40. All required approvals from other City divisions/departments shall be obtained prior to commencement of operations.

##### **PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION**

41. As-built plans shall be provided prior to final inspection and approved prior to the release of remaining TDA funds.
42. All existing improvements within the public right-of-way and pedestrian pathway disturbed by the proposed construction shall be returned to preconstruction condition prior to final inspection.
43. Any meter or service pedestals required for the project shall not be located within a pedestrian pathway.

44. Final condition shall allow for clear ADA path of travel.

### **POST CONSTRUCTION**

#### **PUBLIC WORKS DEPARTMENT – LANDSCAPE DIVISION**

45. Landscaping and irrigation installed pursuant to this project shall be inspected and accepted by the City's Public Works Department. Once approved and accepted, the City and/or its contractors will maintain the landscaping at the permittee's sole cost. The maintenance cost and appropriate escalator clause shall be incorporated into the license agreement between the City and permittee.

#### **END OF SEQUENTIAL CONDITIONS**

**Project Manager: Yvette Brunetto**





# Chino Valley Fire District

14011 City Center Drive  
Chino Hills, CA 91709  
(909) 902-5260 Administration  
(909) 902-5280 Fire Prevention  
(909) 902-5250 Fax  
Chinovalleyfire.org

## **Board of Directors**

*Mike Kreeger*

*President*

*John DeMonaco*

*Vice President*

*Harvey Luth*

*Sarah Ramos-Evinger*

*Winn Williams*

## **Fire Chief**

*Dave Williams*

September 15, 2022

**2022-00002493**

AT&T Wireless  
1452 Edinger Avenue, 3<sup>rd</sup> Floor  
Tustin, CA 92780

Project Name: Cell Site – 22WCUP02  
Ridgeview Loop Open Space  
Project Address: APN 1032-521-03  
Chino Hills, CA 91709

It is a recommendation of the Fire District that the developer of every new construction project facilitate a preconstruction meeting. The meeting is to be scheduled with the Fire District Inspector for said project.

The following are the conditions of the above referenced permit/project. All conditions shall be adhered to, failure to comply with said conditions may result in the revocation of said permit and/or punitive fines as outlined in the Fire District fee schedule.

We look forward to a cooperative working relationship throughout the project. Should you have any questions regarding the project, including the the conditions as set forth herein, please feel free to contact our office at (909) 902-5280.

## **Fire Protection Requirements**

- 4.0 THE ITEMS BELOW ARE SPECIAL CONDITIONS OF APPROVAL AND ARE TO BE COMPLETED PRIOR TO FINAL SIGN OFF OF SAID PERMIT:
- 4.1 Equipment shall not interfere with Fire District 800 Mhz Radio Systems. Non-compliance will subject any permits to revocation.
- 4.2 A permit from Chino Valley Fire shall be obtained for the installation of the generator.

**Applicable Standards:**  
**NONE**

ORDINANCE NO. 121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO HILLS,  
CALIFORNIA, AMENDING TITLE 9 OF THE CHINO HILLS MUNICIPAL  
CODE, PLANNING AND ZONING, RELATING TO GENERAL HILLSIDE  
DESIGN REGULATIONS

THE CITY COUNCIL OF THE CITY OF CHINO HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Chino Hills does hereby find, determine, and declare that:

A. The revisions of the hillside design regulations, as set forth in the Ordinance (File No. 98DCA04), would help ensure that the quality and image of the new residential development projects in the City's hillside areas meet the community's expectations.

B. The Ordinance would strengthen the City's requirements relating to development of properties within the hillside areas over those that are currently in effect. Because of this, the project qualifies for the issuance of a Negative Declaration stating that adoption of the Ordinance will not have a significant effect on the environment.

C. At the duly noticed public meetings conducted as part of the Hillside Development Study, public input was solicited on the scope of the Study, the existing City regulations, and the scenic resources to be added, deleted, or modified on Figure 15-1 of the Chino Hills Development Code. Further, comments were received about the need for the City to add greater certainty about its expectations regarding the design and quality of new residential projects in the City's hillside areas.

E. The maintenance of the quality of life in the City of Chino Hills requires that revisions be made to the various provisions of the Chino Hills Municipal Code, Planning and Zoning, concerning hillside development projects, including: 1) Modification of Figure 15-1 to address the requests received for additions and deletions thereto, as well as to identify the Exceptionally Prominent and Prominent Ridgelines in the Southeast Quadrant of the City; 2) Revision of the provisions of Chapter 9.15 to correct internal inconsistencies, to add routine requirements for design of hillside projects which may have been inadvertently omitted, and to incorporate existing City policies into the Chino Hills Development Code.

SECTION 2. The City Council of the City of Chino Hills does further find, determine and declare that Chapter 9.15, General Design Regulations is hereby amended in its entirety to read as follows:

## **“CHAPTER 9.15**

### **GENERAL HILLSIDE DESIGN REGULATIONS**

<b>9.15.010</b>	<b>Intent and Purpose</b>
<b>9.15.015</b>	<b>Applicability</b>
<b>9.15.020</b>	<b>Important Visual Natural Resources Defined</b>
<b>9.15.030</b>	<b>Ridgeline Protection Requirements</b>
<b>9.15.040</b>	<b>Hillside Adaptive Development Standards for Development Affecting Ridgelines, Knolls, and the Carbon Canyon Area.</b>
<b>9.15.050</b>	<b>Architectural Guidelines for Development Affecting Ridgelines, Knolls, and the Carbon Canyon Area.</b>
<b>9.15.060</b>	<b>Open Space Requirements for Hillside Development</b>
<b>9.15.070</b>	<b>Economic Hardship Relief Process</b>
<b>9.15.080</b>	<b>Geotechnical Remediation</b>

#### **9.15.010 Intent and Purpose**

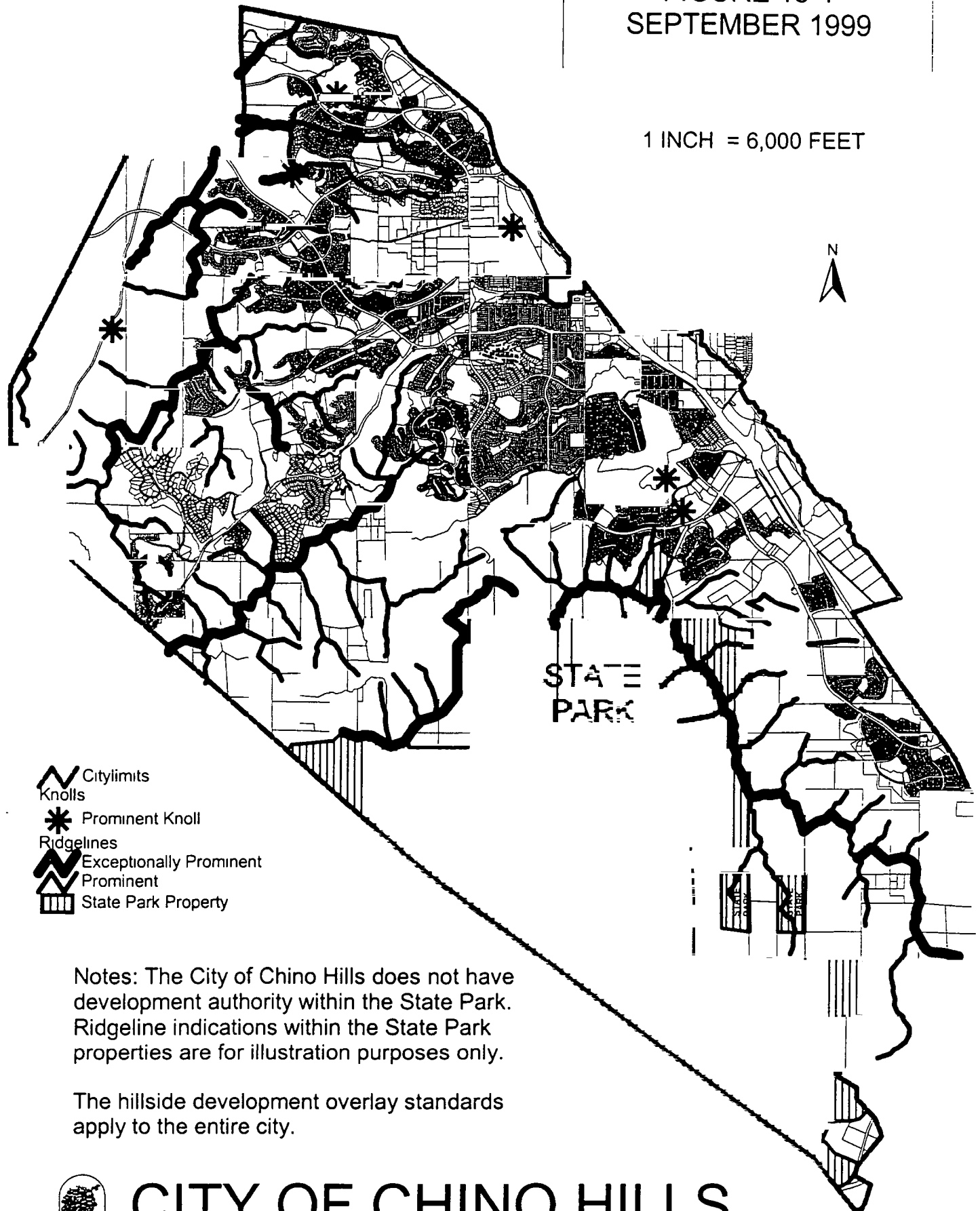
The City of Chino Hills derives much of its character from its hillside setting and its diverse topographic forms. The City's General Plan emphasizes preservation and enhancement of the natural features which contribute to the scenic qualities. The general hillside design regulations contained in this Chapter are to be used in conjunction with the grading regulations contained in Chapter 9.91 and in the City's Landscape Manual. The purpose of these regulations is to protect and enhance the unique visual resources of Chino Hills. This ordinance was completed with the best information available, but is not inclusive, and may be modified as appropriate with new information








#### **9.15.015 Applicability**

- (a) **General Provisions.** The provisions of this Chapter shall apply to all hillside areas within the City of Chino Hills, except as specifically exempted in Section 9.15.015 (c). For the purposes of this Chapter, “hillside area” shall mean all properties in the City which have a natural slope of fifteen (15%) on any existing or proposed parcel that is proposed for development. The provisions of this Chapter shall apply to the following development projects:
- (1) Approval of a tentative tract map or parcel map pursuant to the Division of Land Uses proceeding in Appendix D of this Code;
  - (2) Approval of a Preliminary Development Plan pursuant to Chapter 9.145 of this Code;
  - (3) Approval of a Final Development Plan pursuant to Chapter 9.145 of this Code;

FIGURE 15-1  
SEPTEMBER 1999

1 INCH = 6,000 FEET



-  City limits
-  Knolls
-  Prominent Knoll
-  Ridgelines
-  Exceptionally Prominent
-  Prominent
-  State Park Property

Notes: The City of Chino Hills does not have development authority within the State Park. Ridgeline indications within the State Park properties are for illustration purposes only.

The hillside development overlay standards apply to the entire city.



# CITY OF CHINO HILLS

- (4) Approval of grading permits pursuant to Chapter 9.91 of this Code;
  - (5) Submittal of architectural plans for the issuance of building permits; and
  - (6) Applications for approval of General Plan Amendments, Development Code and Zoning Map Amendments, Specific Plans, Conditional Use Permits, Variances, Site Plans, and Temporary Use Permits.
- (b) **Interpretation.** The provisions of this Chapter shall be in addition to the applicable standards set forth in Chapter 9.91 of this Development Code and in the City's Landscape Manual. Further, whenever any provision contained elsewhere in this Development Code differs from those in this Chapter, the more restrictive provision shall apply, subject to the reasonable interpretation of the City.
- (c) **Exemptions.** The following are exempt from the provisions of this Chapter:
- (1) Previously-approved projects. Any pre-existing approval of a development project application, including projects within a Planned Development, projects with approved Tentative Tract Maps, and projects with Recorded Final Maps are exempt.
  - (2) Modifications to existing structures. Any modification of an existing structure shall be exempt from the provisions of this Chapter, subject to approval of the City, including projects involving the maintenance of oil wells, utilities, water reservoirs, and roads.
  - (3) Fences. Fences may be permitted, subject to approval of the City.
  - (4) Projects undertaken in open space areas, including multi-purpose trails and projects involving maintenance, subject to approval of the City.
  - (5) Road Construction Projects. Grading and construction of a roadway identified in the Circulation Element of the Chino Hills General Plan or other roadway as determined necessary by the City to protect the public health, safety, and welfare may encroach into a designated ridgeline or knoll, subject to the approval of the Reviewing Authority for the project.
  - (6) Roadways, providing they are designed to minimize the impact on the ridgeline.
  - (7) Grading for geotechnical purposes.
  - (8) Water reservoirs.

**Important Visual Resources Defined**

Figure 15-1 highlights the important visual resources in Chino Hills. These resources generally are visible at important gateways into the City, from its major transportation corridors/thoroughfares (SR 71, SR 142, arterials, and collector streets). The resources shown on Figure 15-1 are not considered to be more important than other viewpoints, but rather they are the locations from which a large number of people will visually interpret the City. In many cases, the major transportation corridors/thoroughfares provide the only access to significant views. The important visual resources are defined as follows:

- (a) **Exceptionally Prominent Ridgelines:** Ridgelines that, by virtue of their scale, mass, and visual presence form the limits of the most exceptional viewsheds of the City of Chino Hills, and are typically 400 feet above their Associated Primary View Point(s). Those that provide the City with its distinct image and serve as the City's most recognizable skyline backdrop when viewed from the following transportation corridors/thoroughfares:
  - Chino Valley Freeway (SR 71);
  - Carbon Canyon Road (SR 142);
  - Butterfield Ranch Road;
  - Soquel Canyon Parkway;
  - Chino Hills Parkway;
  - Peyton Drive;
  - Woodview Road;
  - Eucalyptus Avenue;
  - Tonner Canyon Road; and,
  - Grand Avenue.
- (b) **Prominent Ridgelines:** Ridgelines that form the limits of significant viewsheds and provide a natural backdrop when viewed from Primary View Point(s). Although they vary considerably in scale, width, scope, length, alignment, accessibility, and relationship to adjacent land uses, they are typically 200 feet above their Associated Primary View Point(s).
- (c) **Prominent Knolls:** A highly visible hill or hilltop which provides a point of orientation or reference for the observer. It is generally a feature of significance within an area, rather than one of community-wide importance.
- (d) **Associated Primary View Point:** A specifically designated location from which a specific Ridgeline may be viewed. Primary View Points for any given Ridgeline are selected as points from which large numbers of people are likely to be able to view the Ridgeline.

## (a) Areas Where Development is Prohibited

- (1) **Exceptionally Prominent Ridgelines.** (Fig. 15-1.a) The exceptionally prominent ridgelines identified on Figure 15-1 shall not be developed. A minimum separation of 100 vertical feet shall be provided from the crest of the ridgeline to the area where development is to be allowed (the "crest" is defined as the top of the ridgeline). The exceptionally prominent ridgelines shall be retained in a natural, undisturbed condition. No construction activity, except grading for geotechnical purposes or roadways, shall be allowed to occur within 100 vertical feet of the crest of any exceptionally prominent ridgeline.

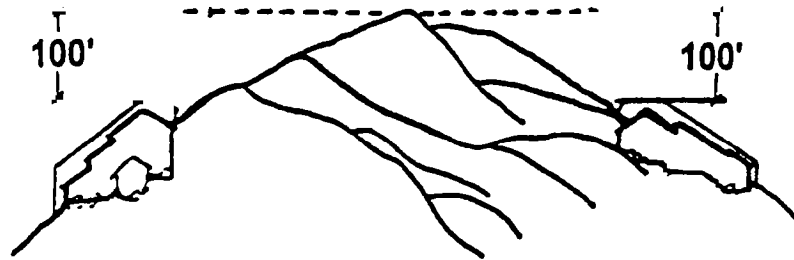


Figure 15-1.a

- (2) **Prominent Ridgelines.** (Fig. 15-1.b) The prominent ridgelines identified on Figure 15-1 shall not be developed. No construction activity, except grading for geotechnical purposes or roadways, shall be allowed to occur within 100 horizontal feet of both sides of the crest of a Prominent Ridgeline (The "crest" is defined as the top of the ridgeline). In addition to this 100 foot horizontal setback on both sides of the ridgeline, no construction activity, except grading for geotechnical purposes or roadways, or the building envelope, shall be allowed to occur within 35 vertical feet from the crest of the ridgeline.

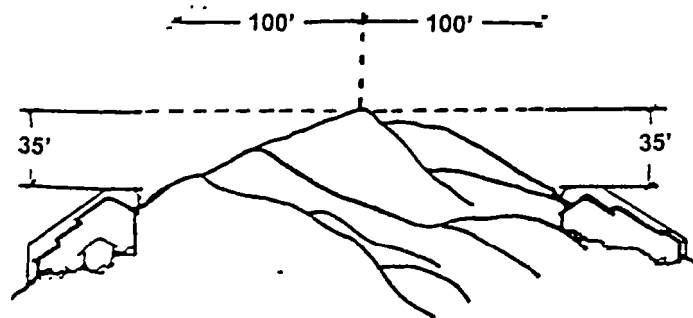


Figure 15-1.b

- (3) **Prominent Knolls.** The prominent knolls identified on Figure 15-1 shall not be developed. No construction activity, except grading for geotechnical purposes and roadways, shall be allowed to occur within 100 horizontal feet of the crest of the Prominent Knoll and 35 vertical feet from the crest.

9.15.040

**Hillside Adaptive Development Standards.**

Chino Hills' Ridgelines, Knolls, and the unique character of its hillside areas, are integral to the creation of the City's rural and aesthetic character, and are subject to the following requirements in these areas:

- (a) As set forth in Section 9.15.030(a)(1), the Exceptionally Prominent Ridgelines mapped in Figure 15-1 shall not be developed. They shall be retained in their natural undisturbed condition.



- (b) As set forth in Section 9.15.030(a)(2), the Prominent Ridgelines mapped in Figure 15-1 shall not be developed. They shall be retained in their natural, undisturbed condition.
- (c) As set forth in Section 9.15.030(a)(3), the Prominent Knolls mapped in Figure 15-1 shall not be developed. They shall be retained in their natural, undisturbed condition.
- (d) All lands within six hundred feet (600'), of the Centerline of Carbon Canyon Road
- (e) The Canon Lane area, including:  
Tract 1913  
Tract 1945
- (f) The Sleepy Hollow area, including:  
Tract 1868  
Tract 2037  
Tract 2211  
Tract 2358  
The "Carbon Canyon Tract"  
The "Sleepy Hollow Tract"

Development in areas referenced in Section 9.15.040(d) shall conform to the following hillside adaptive development standards.

- (1) Projects shall incorporate clustering, variable setbacks, multiple orientations, and other site planning techniques to avoid the appearance of a solid line of development.
- (2) All buildings shall be hillside adaptive, meaning that the basic structure shall conform to the natural topography. The Development Code requirement of a 15' usable rear yard may be waived by the Community Development Director on a case by case basis.
- (3) Development shall not be terraced to accommodate flat-pad construction in areas where the line slope of the existing, natural terrain exceeds fifteen percent (15%).
- (4) Retaining walls, a maximum of thirty-six inches (36") above the natural or rough grade, may be used to create usable yard space in the side and rear yard. Retaining walls in the exposed side and downhill portions of a lot shall be screened with appropriate landscaping materials (i.e., fire resistive, erosion- controlling, or decorative).
- (5) Local and restricted local street standards shall be utilized where safety and circulation considerations permit. Elimination of sidewalks, use of common driveways, slope encroachments into the right-of-way, flexible

centerline gradients, and other techniques to minimize landform alteration should be considered.

(6) The building envelope for all structures shall be as follows:

- A. **Downhill Lots:** A ten foot (10') minimum front setback; twelve foot (12') height at setback extending up and towards the rear of the lot at forty-five degrees (45°) to twenty-five feet (25') total height; thirty foot (30') height limit over sloping portions measured from finish grade; and fifteen foot (15') minimum rear setback. Figure 15-2, illustrates the building envelope for downhill lots.

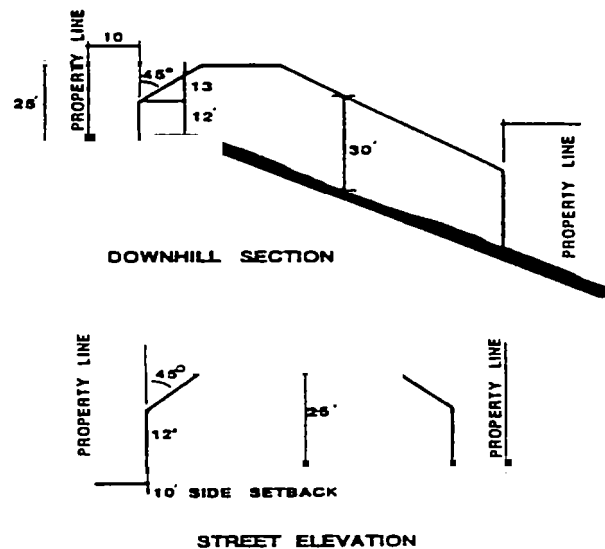


FIGURE 15-2

- B. **Uphill Lots:** A ten foot (10') minimum front setback; twelve foot (12') height at setback extending up and towards the rear of the lot at forty-five degrees (45°) to a maximum height of thirty-five feet (35') measured from finish grade; and fifteen foot (15') minimum rear setback.

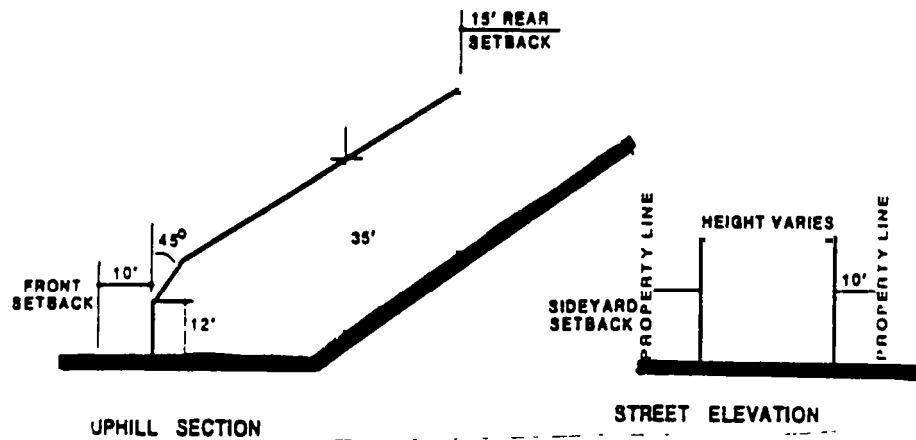


FIGURE 15-3

- C. **Cross Slope Lots:** Similar requirements as for uphill and downhill lots, except that height at front setback may be averaged across frontage inside the side yard setbacks.

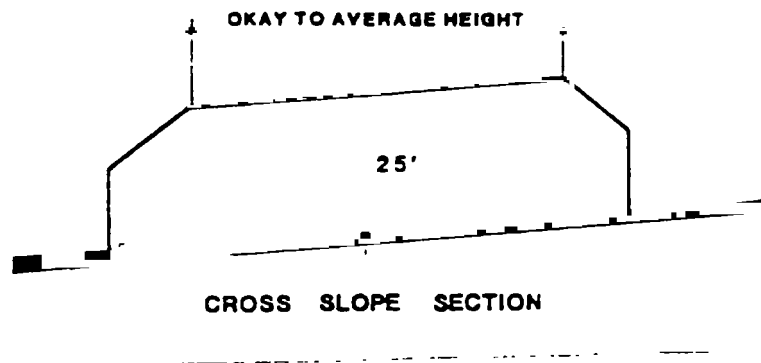
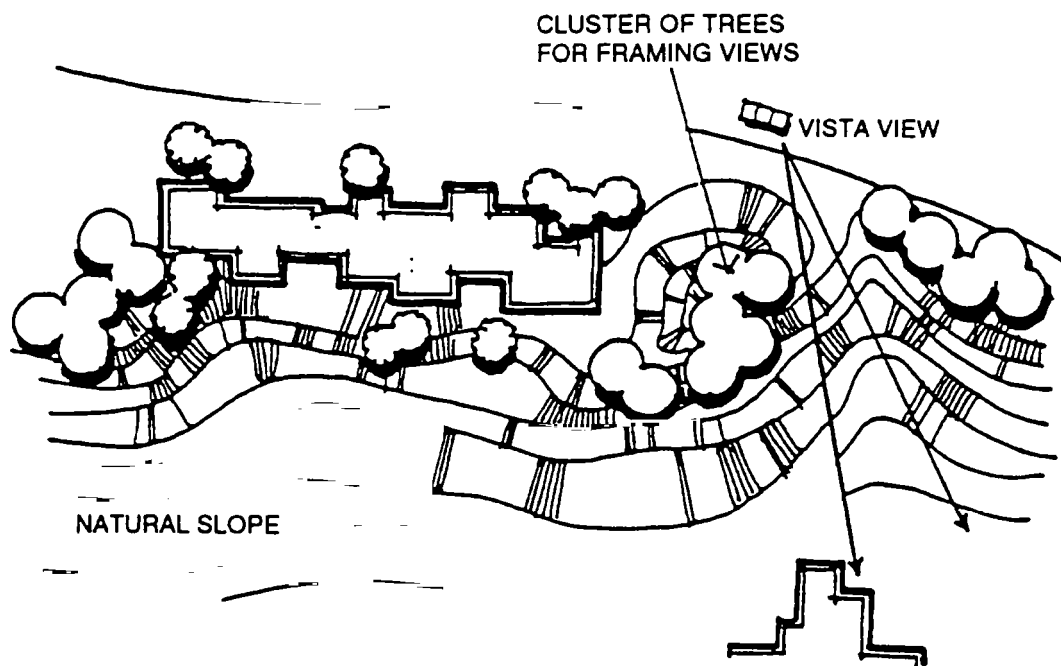


FIGURE 15-4

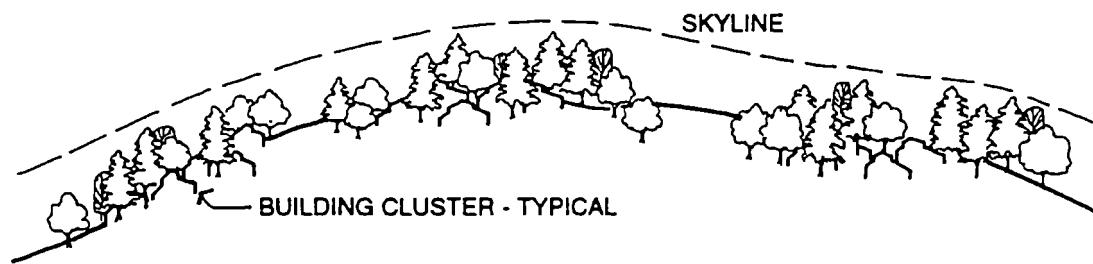
- D. **Sideyard Exception:** A zero (0) setback is permitted where dwellings on contiguous lots are attached.
- E. **Exceptions:** Where attached clustered housing is being developed, building height limitations may be increased. For uphill and downhill lots, the maximum height is twelve feet (12') at the setback, extending up and towards the rear of the lot at forty-five degrees (45°) to twenty-eight feet (28') of total height, with a thirty-five foot (35') height limit over sloping portions measured from finish grade.

F. Facade Treatment: Where attached clustered housing is being developed, the facade extending up or down the slope shall not appear as a single, rigid vertical element but shall include variations in roof lines and elevations, using variable architectural detail to soften large vertical surfaces.

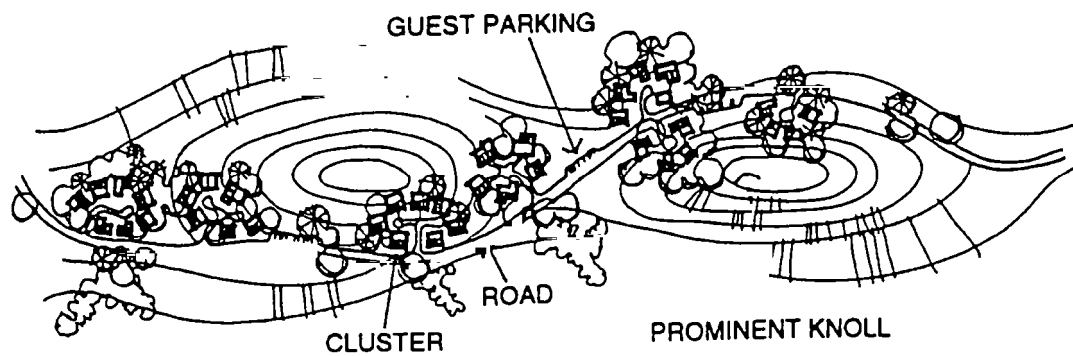
(7) Figures 15-5 through 15-16 illustrate the intent of these Hillside Adaptive Standards.



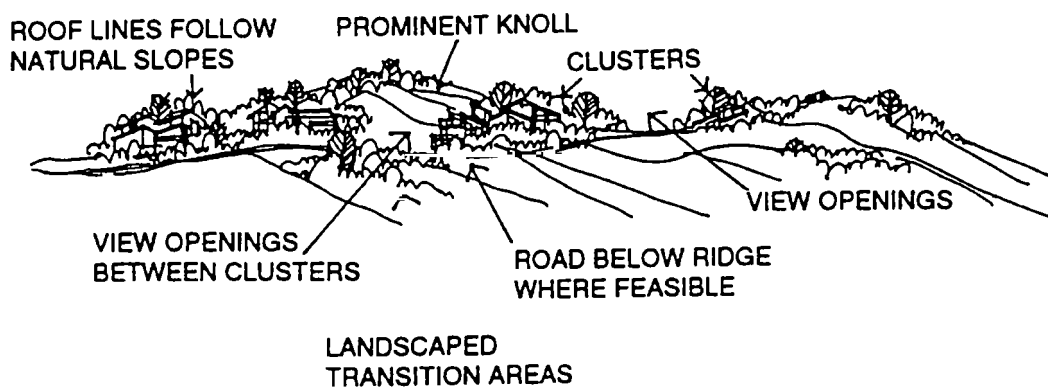
**FIGURE 15-5 Landscape Edge Treatment**



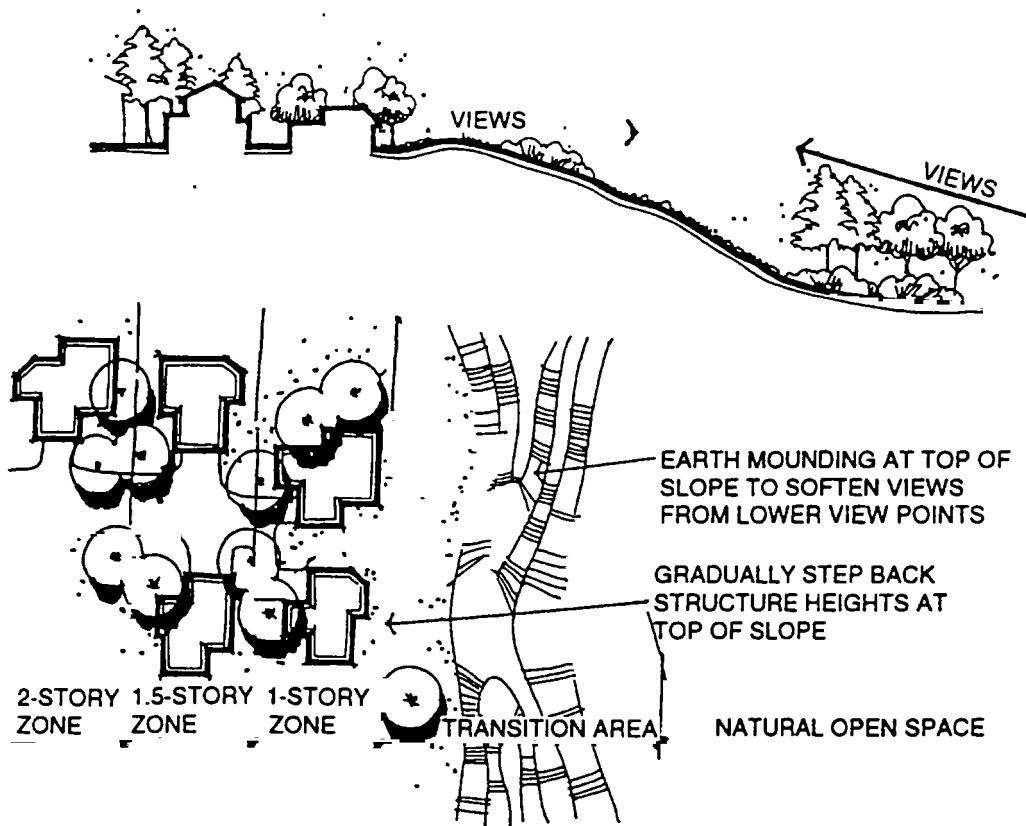
**FIGURE 15-6 Skyline Planting**



#### CLUSTER BELOW RIDGE

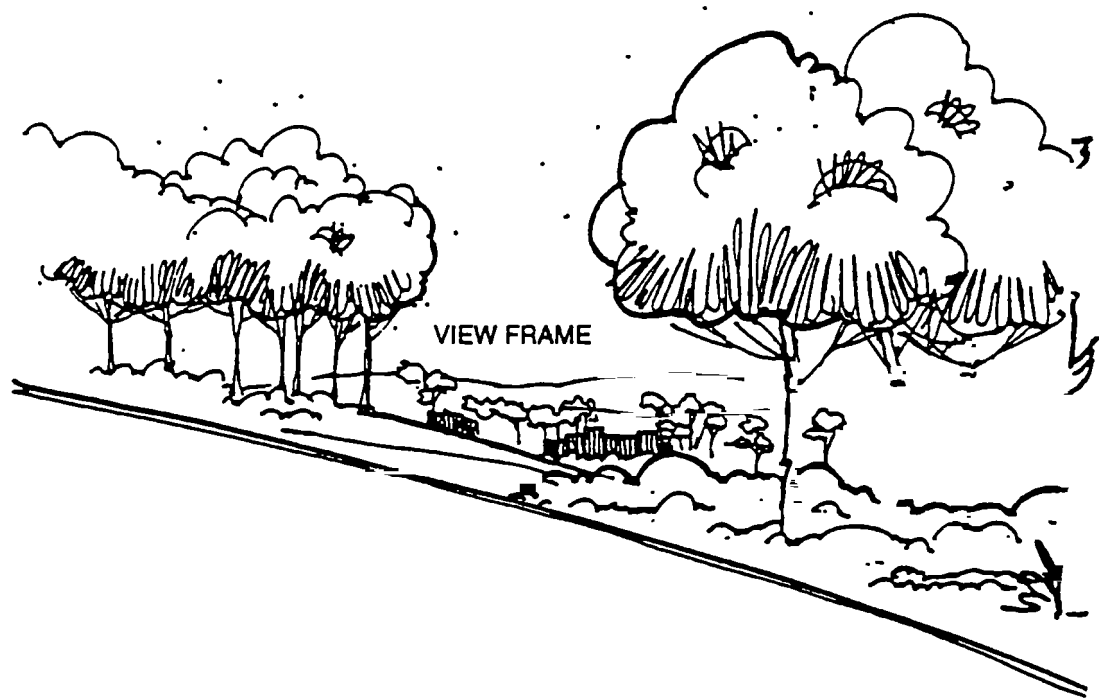


**FIGURE 15-7 Site Design**



**FIGURE 15-8 Landscape Transition**

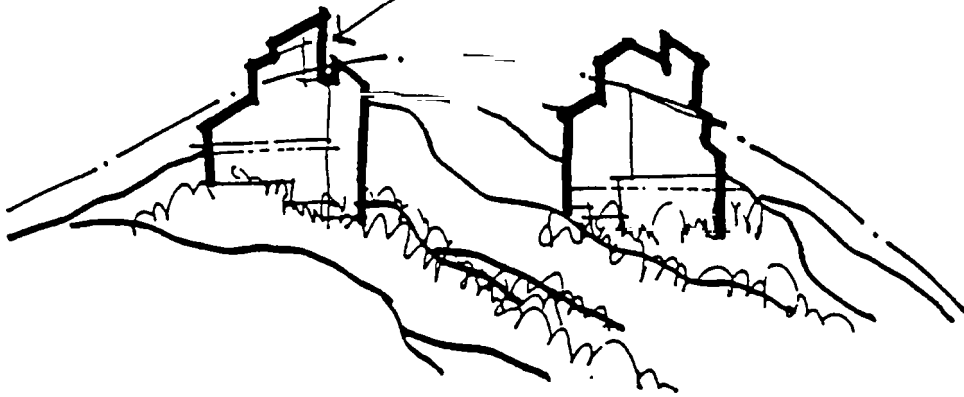




**FIGURE 15-9 Landscape View Framing**

**Instead of this...**

OVER-EMPHASIZED  
VERTICAL STRUCTURES  
DISRUPT NATURAL SILHOUETTE



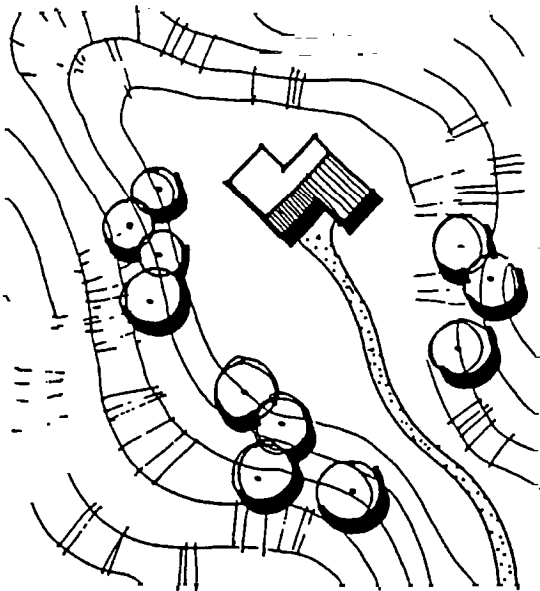
**Do this**

RETAIN INTEGRITY  
OF NATURAL SLOPE

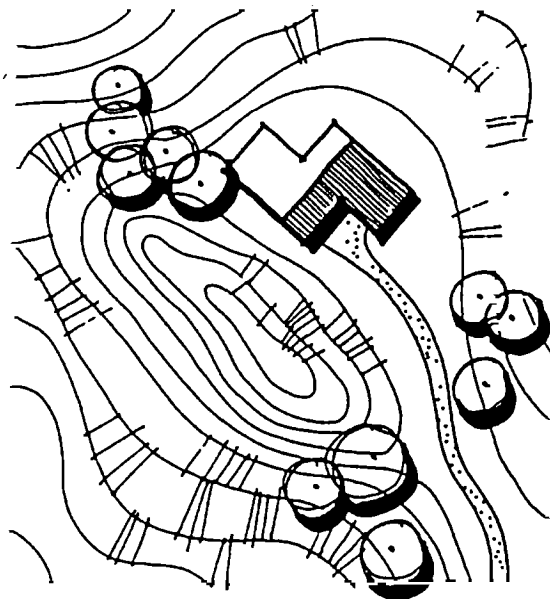


**FIGURE 15-10 Ridgeline Architecture**

STRUCTURES SHALL RELATE TO THE NATURAL TERRAIN AND MINIMIZE GRADING

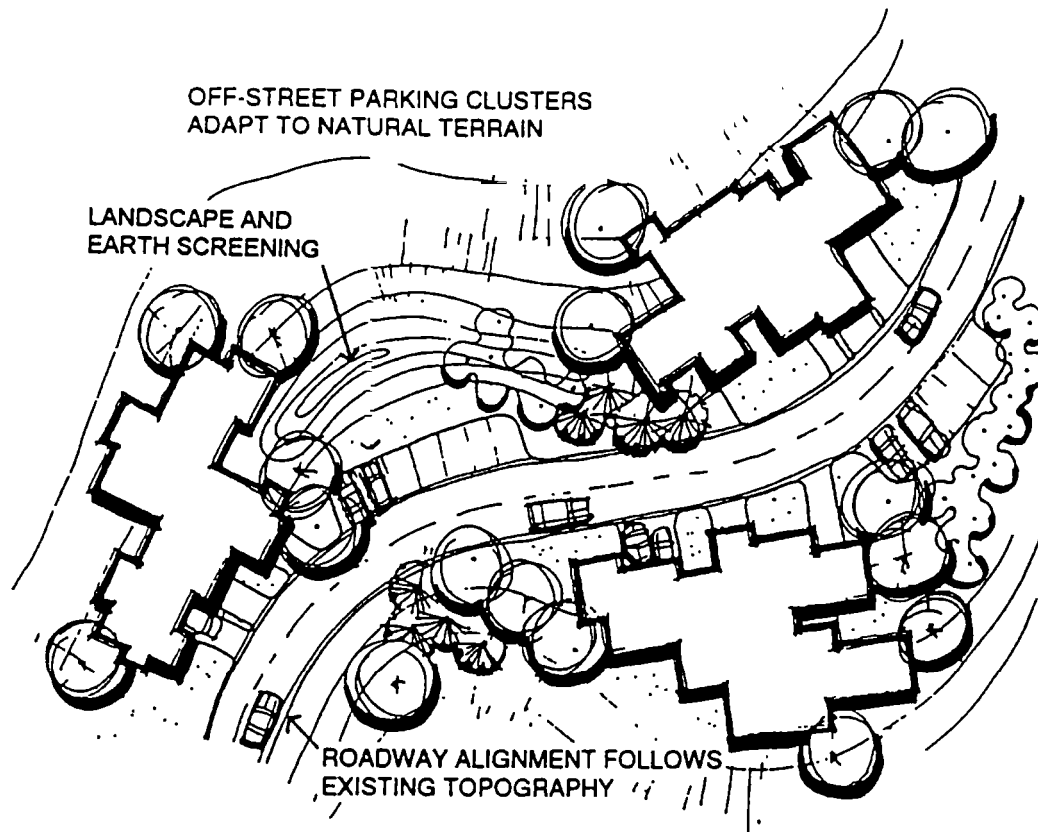


Instead of this...

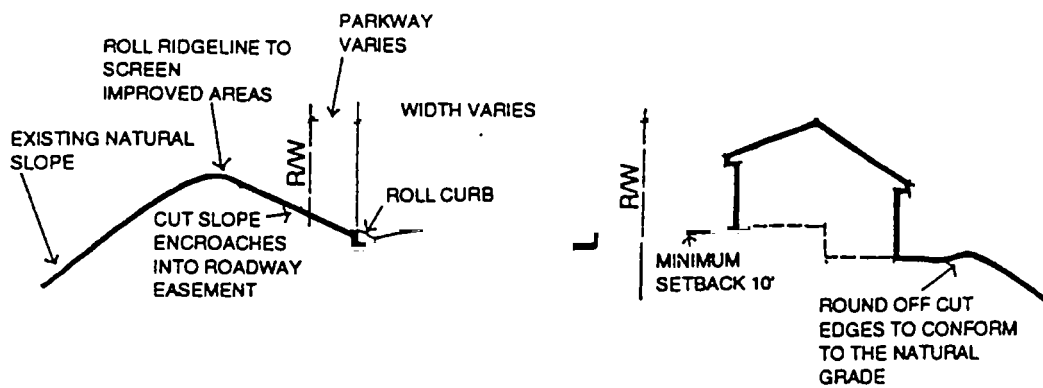


Do this

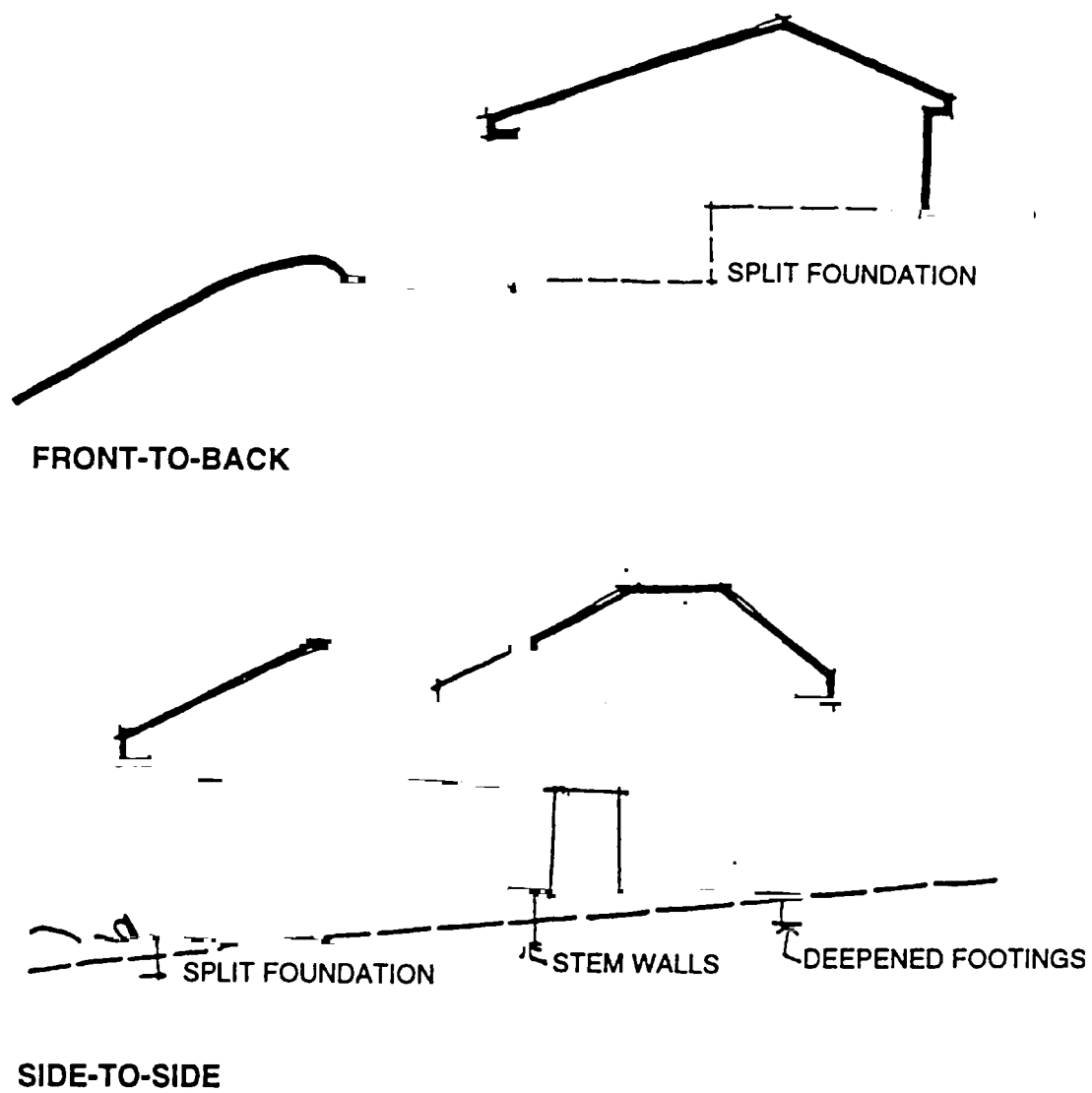
FIGURE 15-11 Siting Structures



**FIGURE 15-12 Ridgeline Roadway**



**FIGURE 15-13 Roadway Grading**



**FIGURE 15-14 Architecture/Grading**

**9.15.050**

**Architectural Guidelines for Hillside Development**

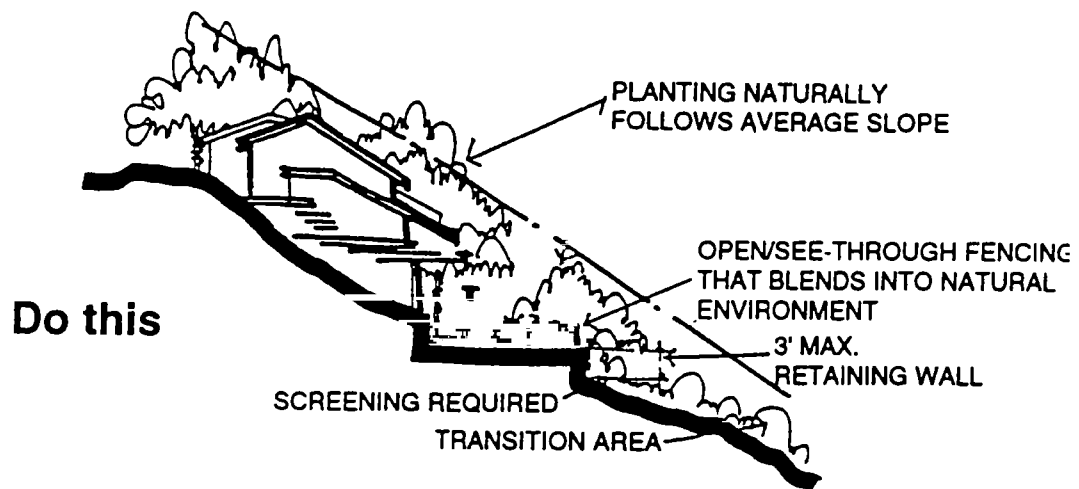
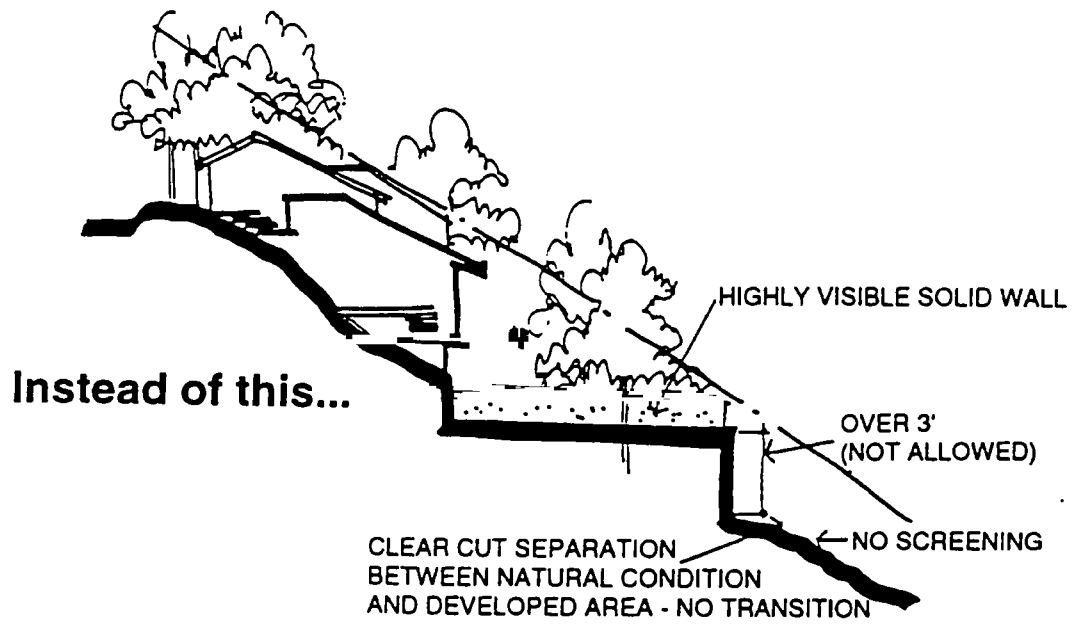
The following architectural guidelines shall apply to all structures and development located in the areas defined in Section 9.15.040 of this Chapter.

- (a) The form, mass, and profile of the individual buildings and architectural features shall be designed to blend with the natural terrain and preserve the character and profile of the ridgeline or knoll. Some techniques which should be considered include:
  - (1) Split pads, stepped footings, and grade separations to permit dwellings to cascade down or step up the natural slope.
  - (2) Detaching parts of a dwelling such as the garage.
  - (3) Low profiles or flat rooflines oriented in the same direction as the natural slope.

Figures 15-15 and 15-16 illustrate these techniques.

- (b) Building materials and color schemes shall blend with the natural landscape. Treated wood or material of a wood-like appearance, having the necessary fire retardant characteristics (consistent with the requirements of the applicable Fire Overlay Zone), are encouraged for exterior surfaces. Where exterior stucco is used, it shall have a final coat of integrated color in a muted earth tone. Contrast color accents shall be kept to a minimum, particularly on the view side. Roof colors shall also be earth tones.

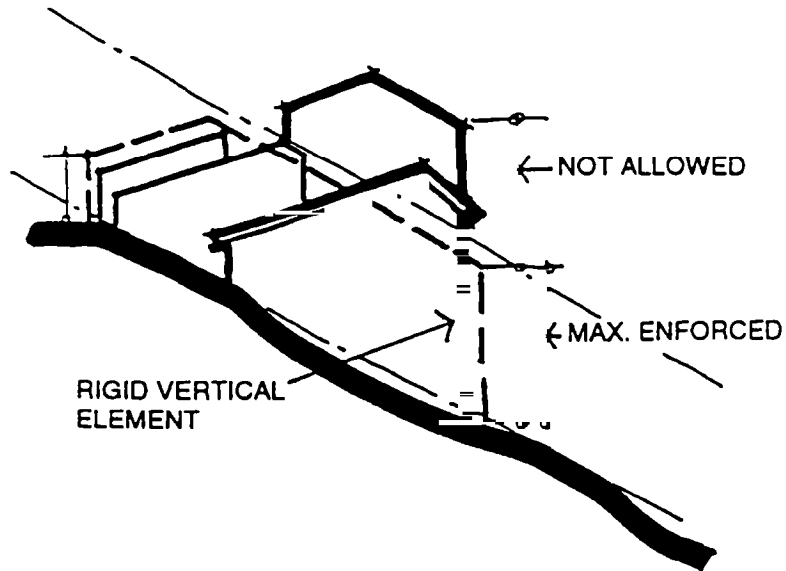
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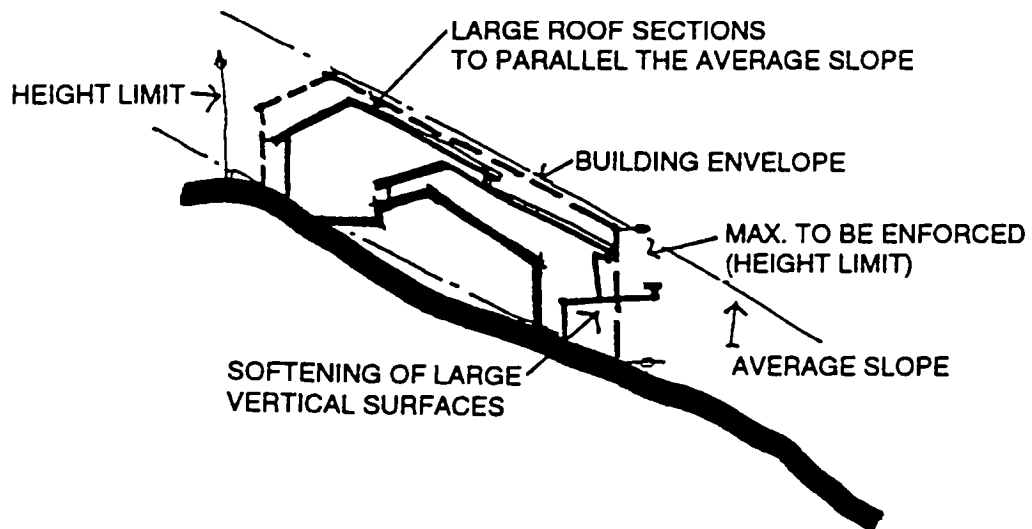
**FIGURE 15-15 Hillside Adaptive Architecture**



**Instead of this...**



**Do this**



**FIGURE 15-16 Downhill Sections Architecture**

**9.15.060****Open Space Requirements**

In order to preserve important open space areas and maintain the desired rural character of Chino Hills, a portion of each project is required to be set aside as open space. Table 15-1, below, defines the amount of land which is required to be set aside as open space; the area to be set aside as open space varies based on the slope of the land.

In the following table, "Natural" open space may, at the discretion of the City, be either land which is unchanged from its natural state or land which is shaped and/or planted to recreate natural conditions.

**TABLE 15-1  
REQUIRED OPEN SPACE AREAS**

<b>Slope Category</b>	<b>"A" Minimum To Be Retained As Open Space</b>	<b>Minimum of "A" To Be Retained As Natural Open Space</b>
0-10%	15%	0%
10-12.5%	20%	0%
12.6-15%	25%	0%
15.1-17.5%	35%	25%
17.6-20%	40%	40%
20.1-22.5%	50%	50%
22.6-25%	60%	60%
25.1-27%	65%	70%
27.1-30%	70%	80%
>30%	80%	85%

Lands set aside as open space shall be shown as lettered lots for open space uses only, and shall be either offered for dedication to the City or retained in ownership by a homeowners association or similar entity.

## 9.15.070

### Economic Hardship Relief Process

(a) Economic Hardship Relief Petition. Application Required.

An application is required to initiate an Economic Hardship Relief petition per the provisions of Section 9.100.020 (Application Procedures) of the Development Code. Any applicant of a development project proposing to develop a site within the hillside areas of the City shall, after a final decision has been made by the City on the development project, and prior to filing a legal action against the City based upon the application of this Chapter, file a petition seeking relief from the General Hillside Design Regulations of this Chapter on the basis that the denial of the development project application has created a substantial economic hardship, depriving the applicant of all reasonable use of the property.

(b) Affected Property Interest.

The Economic Hardship Relief petition shall provide information sufficient for the City to determine whether the petitioner possesses a protectable interest in the property under the Fifth Amendment to the United States Constitution. The Community Development Director and the City Attorney shall determine whether the petition includes sufficient information to make such a determination.

(c) Economic Hardship Standard.

For purposes of this Chapter, a substantial economic hardship shall be defined as a denial of all reasonable use of the property. Upon a finding that the denial of the development project application has resulted in a denial of all reasonable use of the property, the City Council may provide the petitioner with relief from the General Hillside Design Regulations of this Chapter.

(d) Application of the Economic Hardship Standard.

In applying the economic hardship standard identified in Section 9.15.070 (c), the City Council shall, among other items, consider the following information or evidence:

- (1) The petition itself and the information included as part of the application;
- (2) Any evidence presented at the public hearing on the petition, any other information provided by staff, and/or any other information requested by staff or the City Council to aid in assessing the claimed "Economic Hardship";
- (3) Any estimates from contractors, architects, real estate analysts, qualified developers, or other competent and qualified real estate professionals concerning the feasibility or lack thereof, of construction or development on the property as of the date of the action taken by the City on the development project application itself and/or the date that the application for the petition was accepted as complete;

- (4) Any evidence or testimony concerning the appraised value of the property both considering and disregarding the General Hillside Design Regulations of this Chapter; and
- (5) Any evidence or testimony concerning the value or benefit to the petitioner resulting from a potential alternative layout and design of the proposed development of the property, including the use of clustering techniques.

(e) **Time Limits for Action.**

- (1) Filing of the Notice of Petition and Petition.

No later than 10 calendar days from the date that the City took action on the development project application, the applicant shall file a Notice of Petition in writing with the City Clerk. Within 120 days of filing a Notice of Petition, the applicant shall file a Hardship Relief Petition with the City Clerk.

- (i) Information to be Submitted with Hardship Relief Petition.

The Hardship Relief Petition is to be submitted on a form prepared by the Community Development Director, and it is to be accompanied, at a minimum, by the established fee and the following information:

- (1) Name of petitioner;
- (2) Name and address of the current owner of the property, form of ownership (whether sole proprietorship, not-for-profit corporation, partnership, joint venture or other), and if owned by a corporation, partnership, or joint venture, the name and address of all principal shareholders or partners;
- (3) The current owner's financial investment in the property, including the price paid and other terms of the sale of the property, the date of purchase, and the name of the party from whom purchased, including the relationship, if any, between the petitioner and the party from whom the property was acquired;
- (4) The nature of the protectable interest claimed to be affected, such as, but in no way limited to, fee simple ownership or leasehold interest;
- (5) The terms (including sales price of the property or leasehold interest) of any previous purchase or sale of a

full or partial interest in the property for a period of three (3) years prior to the date that a final decision was made by the City on the development project application;

- (6) All appraisals of the property prepared for any purpose, including financing, offering for sale, or ad valorem taxation, within the three (3) years prior to the date that a final decision was made by the City on the development project application;
- (7) The assessed value of and the ad valorem taxes on the property for the previous three (3) years;
- (8) All information concerning current mortgages or other loans secured by the property, including name of the mortgagee or lender, current interest rate, remaining loan balance and term of the loan and other significant provisions, including, but in no way limited to, right of purchasers to assume the loan;
- (9) All listings of the property for sale or rent, price asked and offers received, if any, within the previous three (3) years;
- (10) All studies commissioned by the petitioner or agents of the petitioner within the previous three (3) years concerning the feasibility of developing or using the property;
- (11) For income producing property, itemized income and expense statements from the property for the previous three (3) years; and
- (12) Information from a title policy or other reputable source showing all recorded liens or encumbrances affecting the property.

(ii) Failure to Submit Information.

In the event that any of the information required to be submitted by the petitioner is not reasonably available, the petitioner shall file a written statement along with the application, describing the reasons why such information is unavailable and including a statement that the required information cannot be obtained.

(iii) Burden of Proof.

The petitioner shall have the burden of proving that the denial of the development project application creates a substantial economic hardship as defined in Section 9.15.070 (c).

(iv) Preliminary Determination of Substantial Economic Hardship.

(1) Review of Petition for Completeness.

Not later than 30 days after submittal of an application petitioning for Economic Hardship Relief from the General Hillside Design Regulations of this Chapter, the Community Development Director shall notify the applicant, in writing, if the petition is not complete and if the petitioner has failed to submit sufficient evidence to allow staff to make a preliminary determination, as set forth in Section 9.15.070(b), that the petitioner possesses a protectable interest in the property.

(2) Preliminary Staff Determination of Substantial Economic Hardship.

Not later than 30 days after an application has been accepted as complete, the Community Development Director shall make a preliminary staff determination whether the applicant has made a prima facie case that the subject property has suffered a serious diminution of value or a denial of all reasonable use that amounts to a substantial economic hardship. After this preliminary staff determination has been made, the petition shall be scheduled for the next available City Council meeting following completion of the required legal notice. At a minimum, the same type of legal notice shall be provided for the petition as was provided for the public hearings held by the City on the development project application.

(2) City Council Determination. The City Council shall take action to approve or deny a petition for Economic Hardship Relief within sixty (60) days after the preliminary staff determination has been made on the claim of substantial economic hardship.

(f) **City Council Action.** The City Council shall hold a public hearing on the petition at which time the Council shall review and consider the evidence and testimony regarding the factors identified below. At the conclusion of the public hearing, the City Council shall determine whether the applicant has been denied all reasonable use of the property. The City Council shall consider the following factors in making its determination:

(1) Factors to Consider.

- (i) Whether the petitioner has complied with the requirements for presenting the information to be submitted with the Economic Hardship Relief petition;
- (ii) Whether the petitioner has a protectable interest in the property;
- (iii) The appraised value of the property considering the General Hillside Design Regulations;
- (iv) The appraised value of the property disregarding the General Hillside Design Regulations;
- (v) The appraised value of, or the benefit accruing from, opportunities to cluster development on the property;
- (vi) Whether it was feasible to undertake construction on, or development of, the property as of the date that action was taken on the development project application itself and/or the date when the petition was accepted by the City as complete, or in the reasonably near future thereafter;
- (vii) Whether the denial of the petition for Economic Hardship Relief would create a substantial economic hardship as defined in Section 9.15.070 (c).

(2) Required Findings.

In acting to grant or deny the petition for Economic Hardship Relief, the City Council shall make written findings citing the reasons for its decision. In accordance with Chapter 2.50 and Section 2.04.130 (d) of the Chino Hills Municipal Code, within 30 calendar days following the rendering of City Council's decision on the petition, a copy of the decision and the findings associated with that decision shall be mailed to the petitioner at the address shown on the application.

(3) Economic Hardship Relief Provisions.

If the City Council determines that the Hardship Relief petition should be approved, the City Council may adopt any incentive reasonably necessary to offset any substantial economic hardship as defined in Section 9.15.070 (c) and may condition such incentives upon approval of a specific development plan for the property. The types of incentives that the City Council may consider include, but are not limited to, the following:

- (i) A waiver of City fees for processing of the development project application;

- (ii) Acquisition of all or a portion of the property at its appraised value;
- (iii) Clustering of development on the hillside property;
- (iv) Financial assistance for developing property elsewhere in the City, not in the hillside area; and/or
- (v) Relief from the requirements of Section 9.15.030 of this Chapter that would otherwise apply to the petitioner's property and relief from the setback requirements of the Chino Hills Development Code, including, but in no way limited to, those set forth in Chapter 9.10 (General Development Standards), Chapter 9.20 (Residential Districts), and Chapter 9.45 (Planned Development).

**9.15.080 Geotechnical Remediation**

Geotechnical Investigation / Exploratory Excavations. Permit Required.

The following considerations shall be provided to eliminate and prevent accelerated erosion and re-establish vegetative growth compatible with the area.

- (a) Identify areas that will be disturbed by access and exploratory activity.
- (b) Show preservative measures for existing streams and drainage courses in the natural condition in order to retain their ability to accommodate runoff.
- (c) Clearly show all appropriate measures that will detain and filter runoff.
- (d) Show effective planting with hydroseed mix an/or mulching for all disturbed areas.

Additional measures, beyond those specified in any soil erosion and sediment control plan, may be required by the Building Official as deemed necessary to control erosion after project completion."

SECTION 3. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance and each and every provision hereof, irrespective of the fact that any one or more of said sections, subsections, sentences, clauses, phrases or words may be declared invalid.



SECTION 4. The City Clerk shall certify to the passage of this Ordinance by not less than a four-fifths vote of the City Council; shall enter the same in the book of original Ordinances of the City; shall make a minute of the passage and adoption thereof in the record of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption hereof, cause the same to be published in the Chino Hills Champion, a newspaper of general circulation, as defined in Government Code Section 6008, for the City of Chino Hills.

PASSED, APPROVED, AND ADOPTED this 14<sup>th</sup> day of December, 1999.



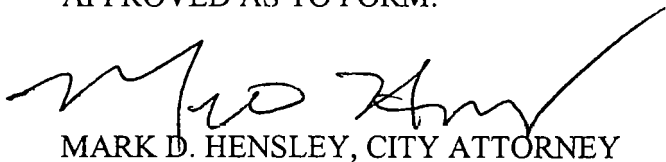
Michael G. Wickman, MAYOR

ATTEST:



LINDA D. RUTH, CITY CLERK

APPROVED AS TO FORM:



MARK D. HENSLEY, CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss.  
CITY OF CHINO HILLS )

I, LINDA D. RUTH, City Clerk of the City of Chino Hills, DO HEREBY CERTIFY that the foregoing Ordinance No. 121 was duly introduced for first reading at a regular meeting of the City Council of the City of Chino Hills held on the 23rd day of November, 1999, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the 14th day of December, 1999, by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: WICKMAN, GRAHAM, LARSON, NORTON-PERRY,  
AND THALMAN

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

*for Mary M. McDuffee*  
LINDA D. RUTH, CITY CLERK

(SEAL)

The foregoing is the original of Ordinance No. 121 duly passed and adopted by the Chino Hills City Council at their regular meeting held on December 14, 1999.

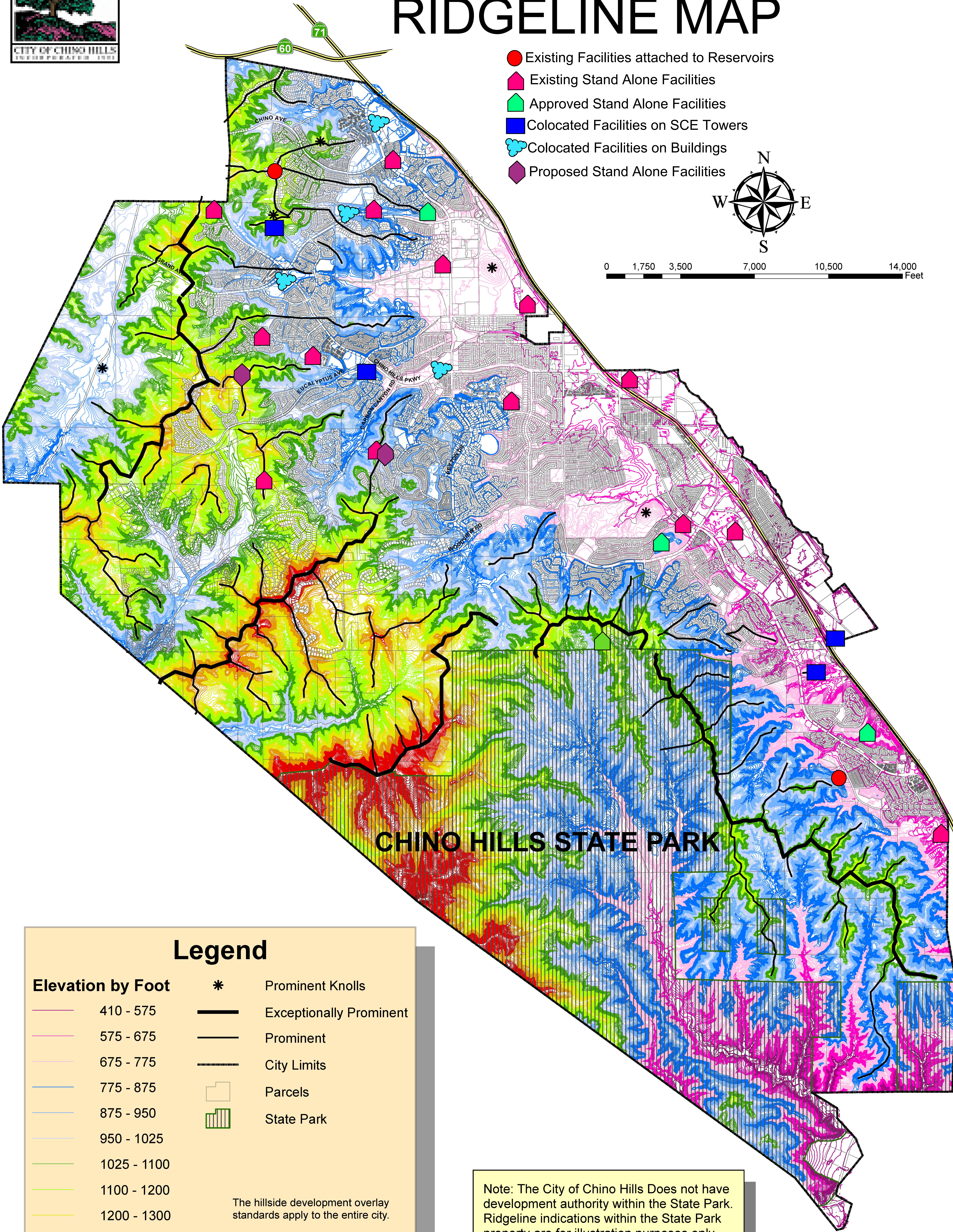
*for Mary M. McDuffee*  
LINDA D. RUTH, CITY CLERK

-(SEAL)

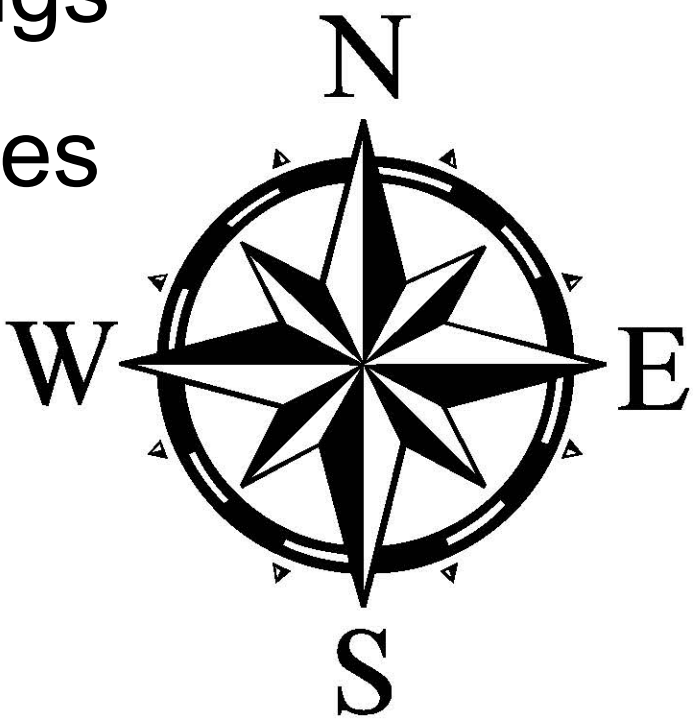


# CITY OF CHINO HILLS

## RIDGELINE MAP



- Existing Facilities attached to Reservoirs
- Existing Stand Alone Facilities
- Approved Stand Alone Facilities
- Colocated Facilities on SCE Towers
- Colocated Facilities on Buildings
- Proposed Stand Alone Facilities



0 1,750 3,500 7,000 10,500 14,000 Feet

### Legend

Elevation by Foot	*	Prominent Knolls
410 - 575	—	Exceptionally Prominent
575 - 675	—	Prominent
675 - 775	—	City Limits
775 - 875		Parcels
875 - 950		State Park
950 - 1025		
1025 - 1100		
1100 - 1200		
1200 - 1300		
1300 - 1400		
1400 - 1675		
1675 - 1780		

The hillside development overlay standards apply to the entire city.

Note: The City of Chino Hills Does not have development authority within the State Park. Ridgeline indications within the State Park property are for illustration purposes only.





On Behalf of



**Jermaine Taylor**  
101 W. Mission Blvd Suite 110-324  
Pomona, CA 91766  
**909-917-1727**  
jttelecoms@gmail.com

AT&T Project Number: CSL04332  
AT&T Project Name: Ridgeview Loop

**City of Chino Hills**  
**Application for a Conditional Use Permit**  
*Project Information and Justification*

AT&T Mobility (AT&T) is requesting approval for a Conditional Use Permit application to develop and operate a new Wireless Telecommunications Facility, and the following project information is listed below for your consideration:

**Project Location**

Address: 2250 Ridgeview Dr., Chino Hills, CA 91709  
APN: 103-252-103  
Zoning: Institutional – Public  
Land Use: Institutional – Public Facility

**Project Representative**

Jermaine Taylor  
Smartlink, LLC o/b/o AT&T Mobility  
101 W. Mission Blvd Suite 110-324  
Pomona, CA 91766  
Mobile: (909) 917-1727 cellular  
E-mail: jttelecoms@gmail.com

**AT&T Mobility Contact**

Christie Asari-Price, Senior Tech Vendor Management  
1452 Edinger Ave  
Tustin, CA 92780  
Office: (714) 476-3479  
E-mail: ch0897@att.com

**Project Description**

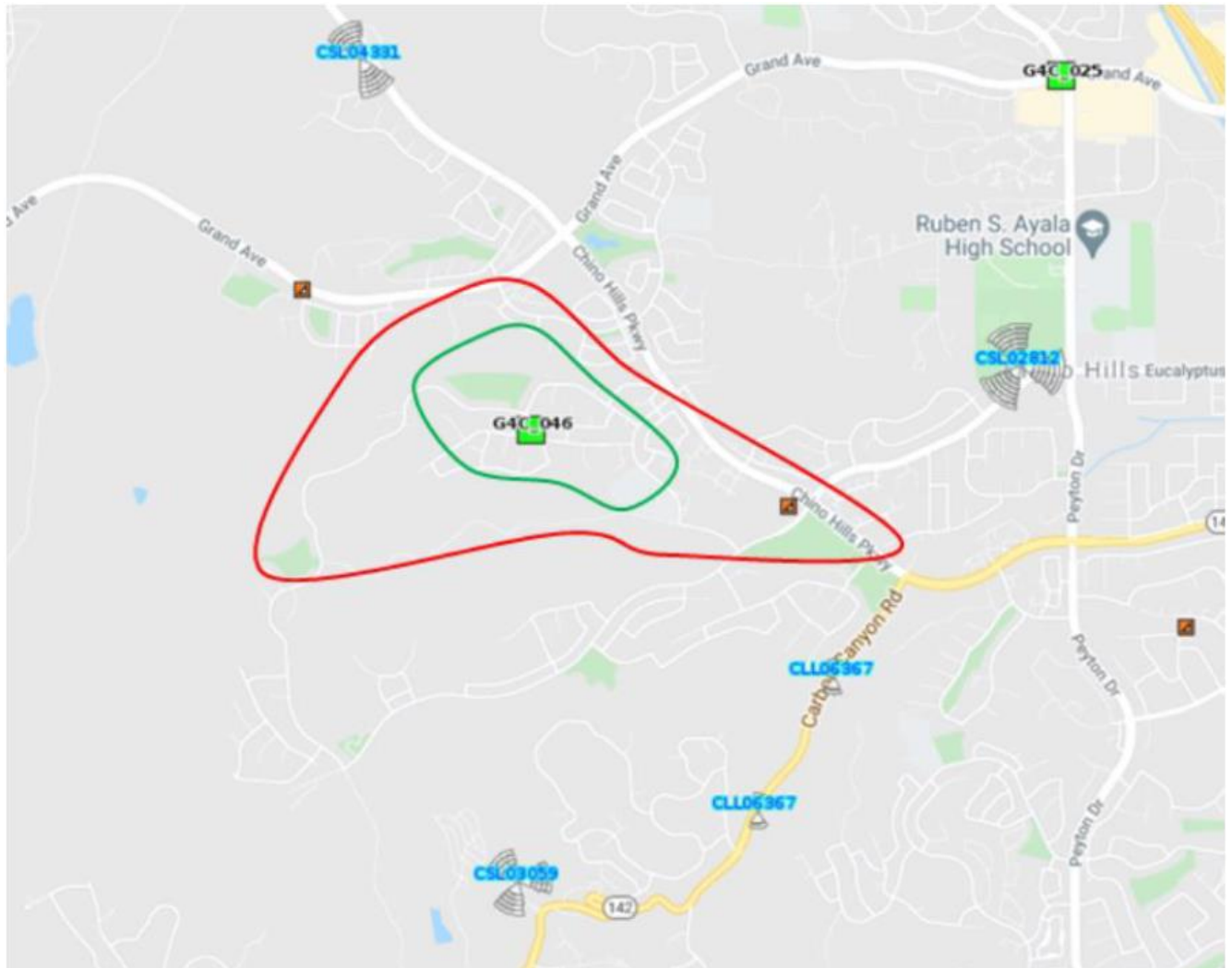
AT&T proposes to develop an unmanned Wireless Telecommunications Facility (WTF) consisting of a 30' Faux Water Tank with (15) antennas, RRU's, Surge Suppressors and (1) 4' Microwave Dish within a 30'x30' Equipment enclosure up on the Hill. The antennas and RRU's will be concealed within the faux water tank which would blend nicely within the hillside and nearby hillsides within the vicinity. All associated equipment, such as the equipment cabinets and generator, would be installed on a concrete pad housed within its wrought iron fence enclosure and leased space area. Connections for power and telco will be determined at a later date. AT&T will work with the City of Chino Hills and the local community to install a state-of-the-art stealth and concealed faux water tank which would provide benefits to residents and visitors.

## 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 (3G 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 for the vicinity of Ridgeview Loop in Chino Hills, CA and the surrounding community as demonstrated on the enclosed radio-signal propagation maps.





**Alternative Site Analysis and other locations that were investigated are listed below:**

Due to the Topography, limitations of the surrounding area, and the City of Chino Hills being open for the Wireless Facility on City owned property, this location works the best for AT&T.

**Alternative Sites that were investigated are listed below:**

Yellow X: Currently where we are proposed to going on the Ridgeview Loop Trail

1 - Dudley Street – City owned property. Location proposed is on a hill close to the Laband Reservoir. Lower elevation would require higher tower height. Also significantly closer to homes;

2 - Lalaband Reservoir Tank – City owned property. Location proposed is next to existing water tank; It has a lower elevation and is closer to homes; Limited space for tower and equipment.

3 - Hidden Hills Park – City owned property. Walked initially with City, but would require a faux tree over 80ft tall to meet the significant gap in coverage and that would not be approved by the City of Chino Hills.

4 - McDonalds – Available location is on roof or in faux water tank. Very low antenna height that would not meet the significant gap in coverage;

5 - Sunset Park – Although it is a high elevation, it is significantly closer to homes and is unlikely to make the setback requirements; also due to being at the extreme corner of the ring, it does not fill the significant gap in coverage.

6 – SCE Tower 1 – It is located outside of the ring and on the other side of the ridgeline and doesn't provide coverage to a majority of the area

7 – SCE Tower 2 – It is located outside of the ring and on the other side of the ridgeline and doesn't provide coverage to a majority of the area

8 – Option 1 on Ridgeview Trail – Due to the location to the East, it doesn't cover the southeast of the ring

9 – Option 2 on Ridgeview Trail – This location will still meet the coverage gap, but seems to be located in another rest spot for hikers and is not less visually obtrusive than our current candidate

10 – Option 3 on Ridgeview Trail - This location will still meet the coverage gap, but seems to be located in another rest spot for hikers and is not less visually obtrusive than our current candidate

11 – Option 4 on Ridgeview Trail – Location has a lower elevation and starts to be blocked by the higher elevations of the hill. It therefore lowers the coverage on Grand Ave. Additionally, it is closer to the Elementary School

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

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

AT&T is proposing a faux water tank design for this project which is considered a stealth and concealed approach in accordance with City of Chino Hills Municipal Code. The requested height of the faux water tank is the minimum height needed to fill the significant gap in coverage for this area. AT&T uses the most advanced technology and design materials for constructing a faux water tank so that it blends with the surrounding community, its landscaping, and thereby minimizes 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 project site is proposed along the hillside of a city-owned parcel that is currently used for outdoor active recreation such as walking or hiking trails. There are adequate access routes directly to the proposed facility. All the roadways and access ways within the facility are compliant 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 is proposed within a Planned Development (PD-24-145) zone and would not have an adverse effect upon adjacent or abutting properties as it is a stealth and concealed design that would blend naturally with the subject property and surrounding community. The project will provide a public benefit of better wireless telecommunications and data services to the surrounding commercial establishments, neighborhoods, and community.

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

The need for a new wireless telecommunications facility is in high demand from local residents and visitors of City of Chino Hills. 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. 50% 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 application has been compiled for your review, analysis, and consideration. AT&T requests a favorable determination and approval of this CUP application to build this proposed wireless telecommunications facility. Please contact me at (909) 917-1727 or [jttelecoms@gmail.com](mailto:jttelecoms@gmail.com) if you have any questions or comments.

Thank you,

A handwritten signature in black ink, appearing to read 'Jermaine Taylor', with a stylized flourish at the end.

Jermaine Taylor  
Authorized Agent for AT&T Mobility

# Site Justification Coverage Maps

**Market Name** : Southern California Market

**Site ID** : CSL04332

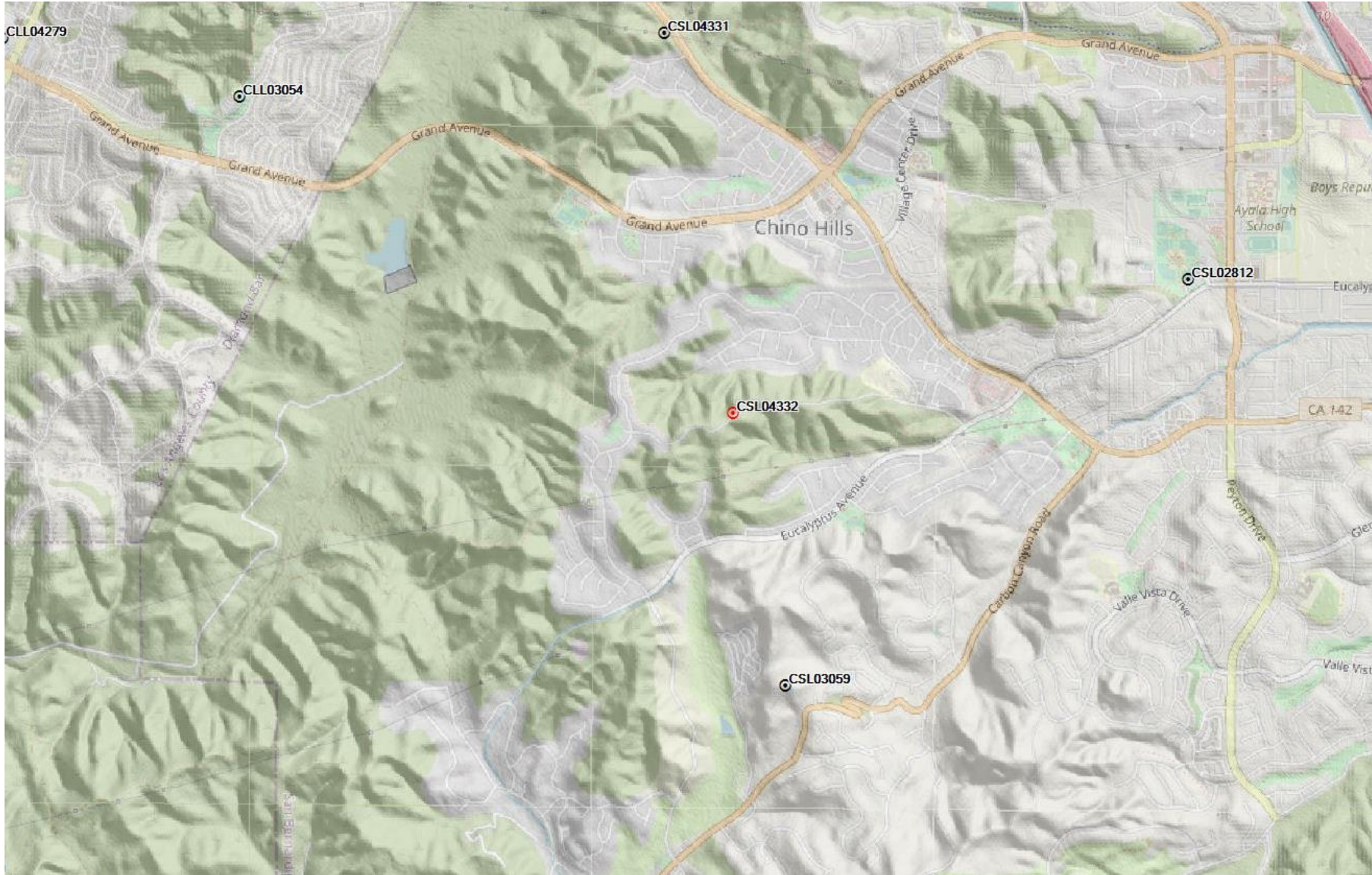
**Site Address** : 2250 Ridgeview Dr., Chino Hills, CA 91709

**ATOLL Completion Date**: August 22nd, 2023

# Assumptions

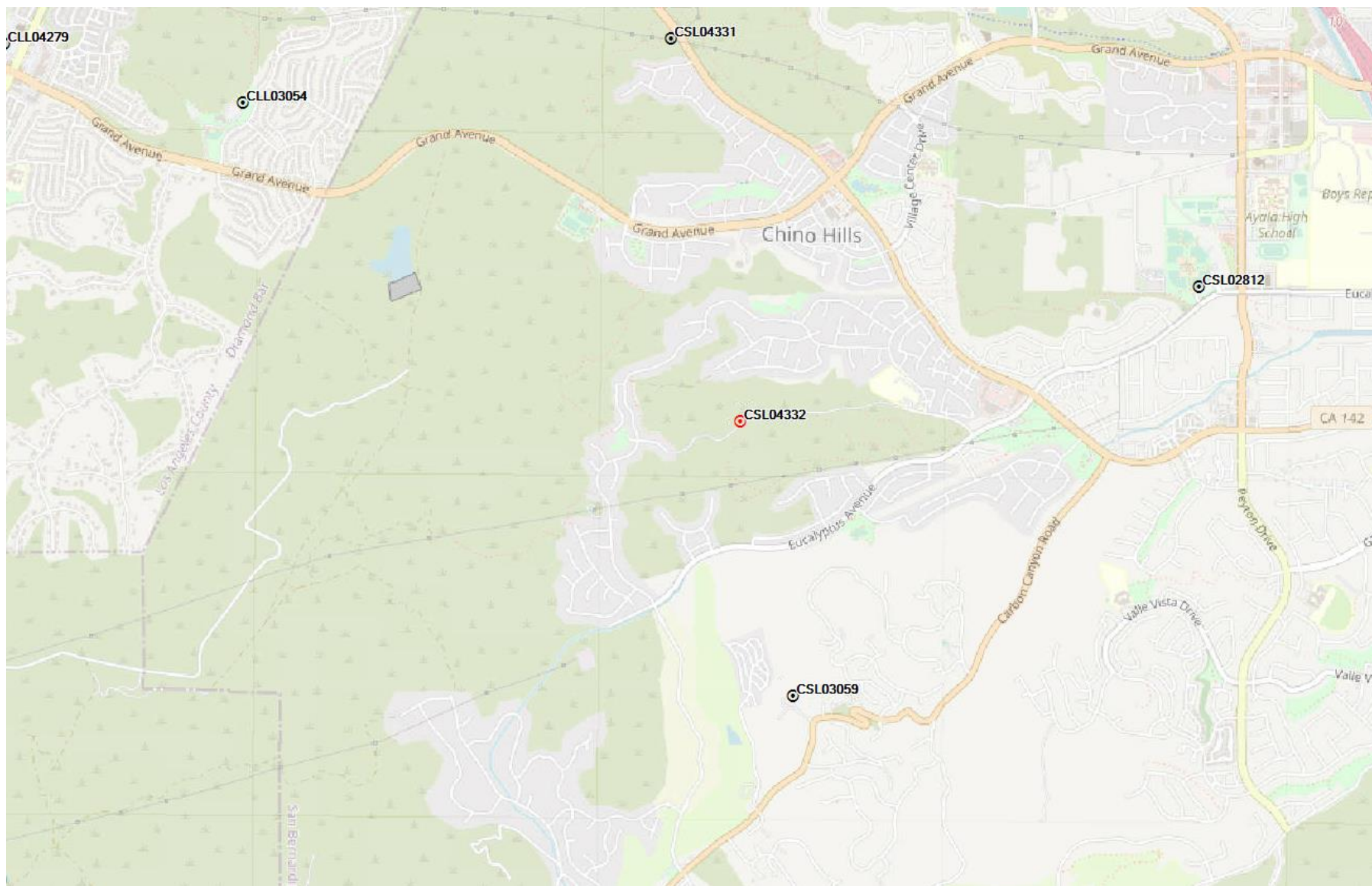
- ❖ Propagation of the Site Coverage Plots are based on our current Atoll RF Design Tool that shows the preferred design of the AT&T 4G-LTE Network Coverage.
- ❖ The propagation referenced in this package is based on Proposed LTE Coverage of AT&T users in the surrounding buildings, in-vehicles and at-street level.
- ❖ For your reference, the scale shown ranges from Good to Poor Coverage with gradual changes in coverage showing Best Coverage to Marginal and Poor Signal Levels.
- ❖ The Coverage Plots shown in the following slides are based on the following criteria:
  - Existing LTE Coverage Before the Referenced 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.
  - Planned LTE Coverage With the Referenced Site: Assuming all the planned neighboring sites along with the Referenced Site are now approved by the jurisdiction and now On-Air, the propagation is displayed with the legends provided.
  - Standalone Coverage of the Referenced Site: Assuming all the planned neighboring sites approved by the jurisdiction are Off-Air and only the Referenced Site is On-Air, the propagation is displayed with the legends provided.

# CSL04332 (Terrain Map)





# CSL04332 (Aerial Map)



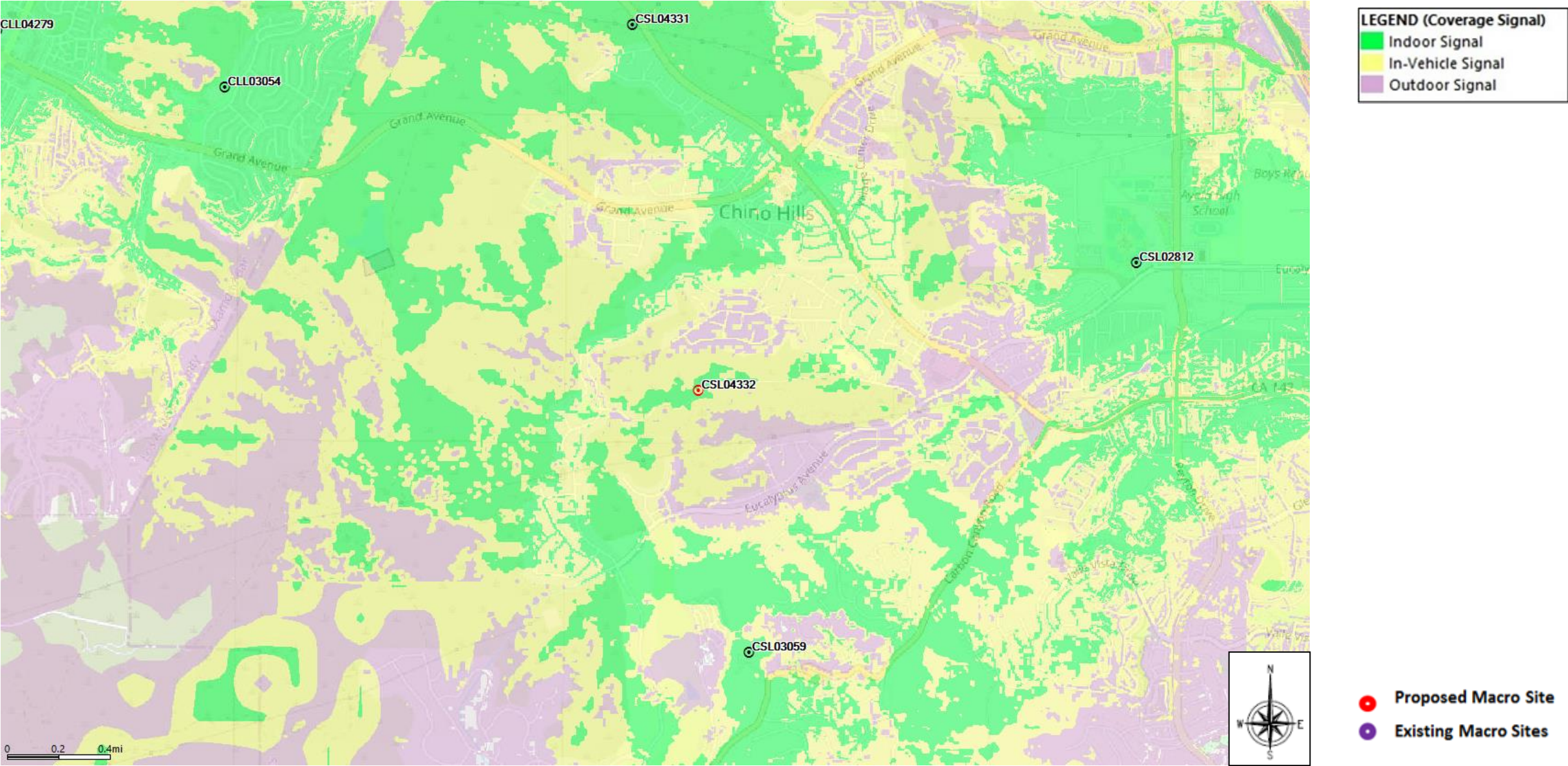


# CSL04332 (Alternate Locations)



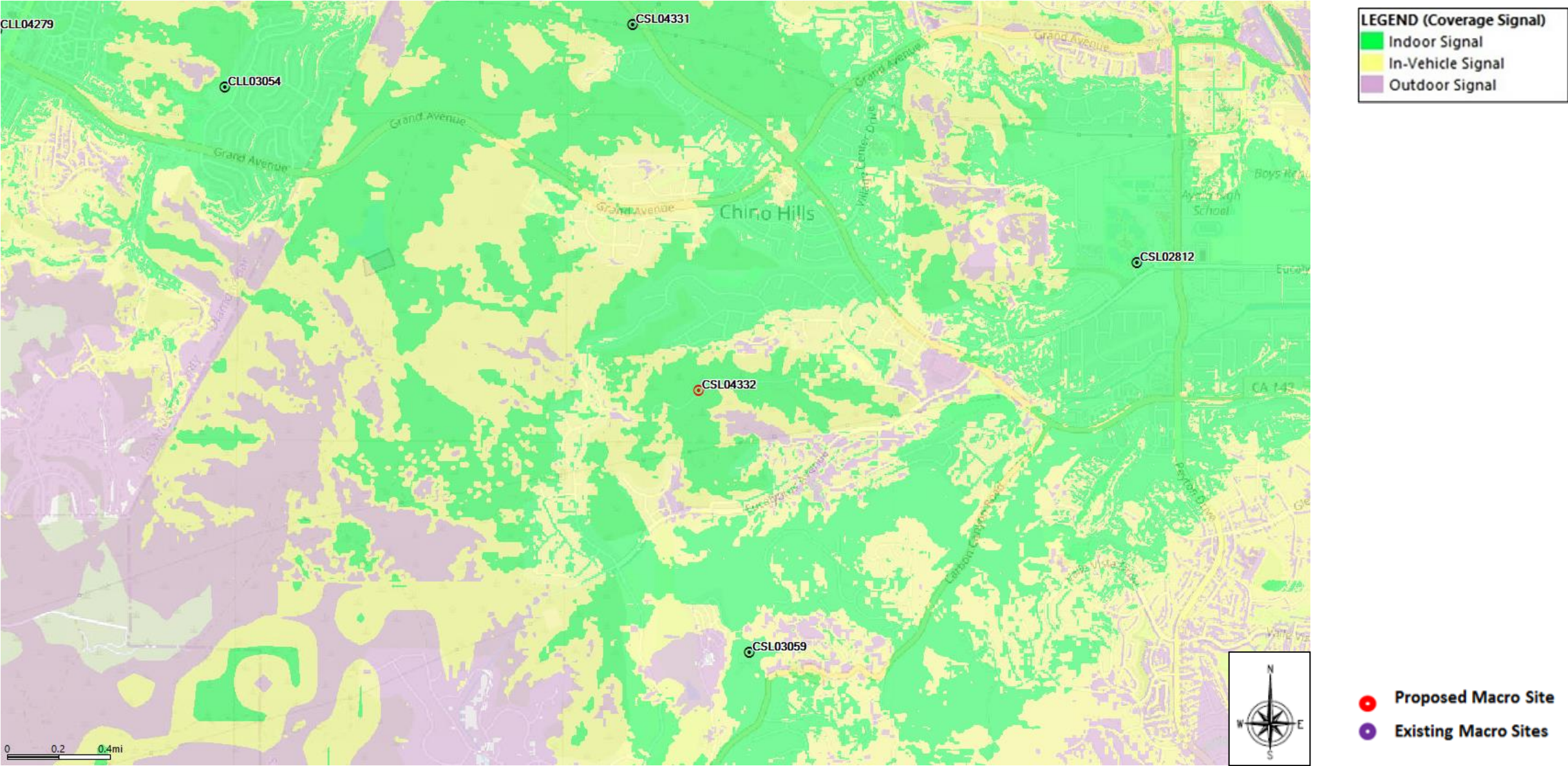


# LTE Coverage Before site CSL04332



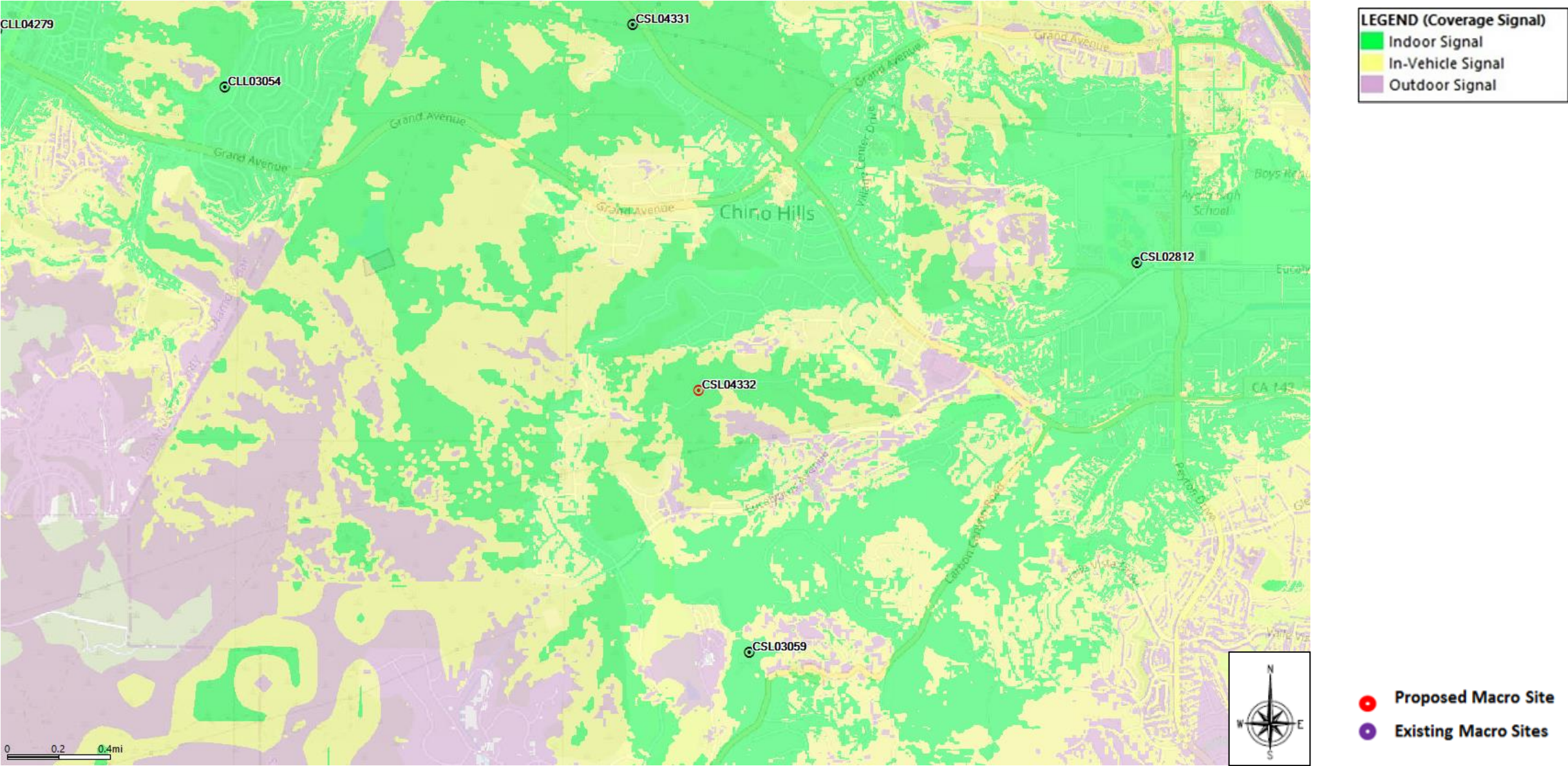


# LTE Coverage After site CSL04332 (proposed location)



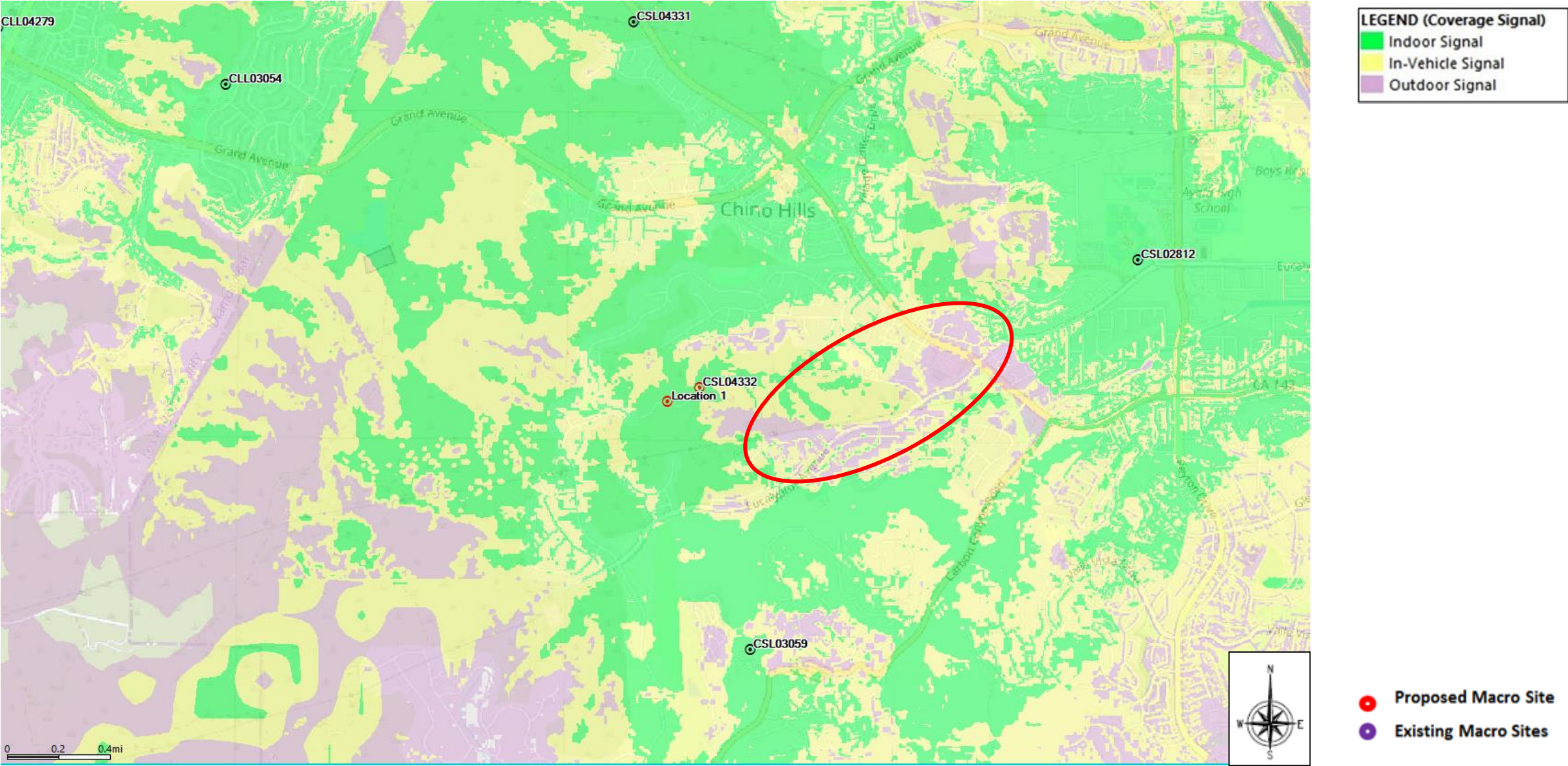


# LTE Coverage After site CSL04332 (proposed location) Aerial



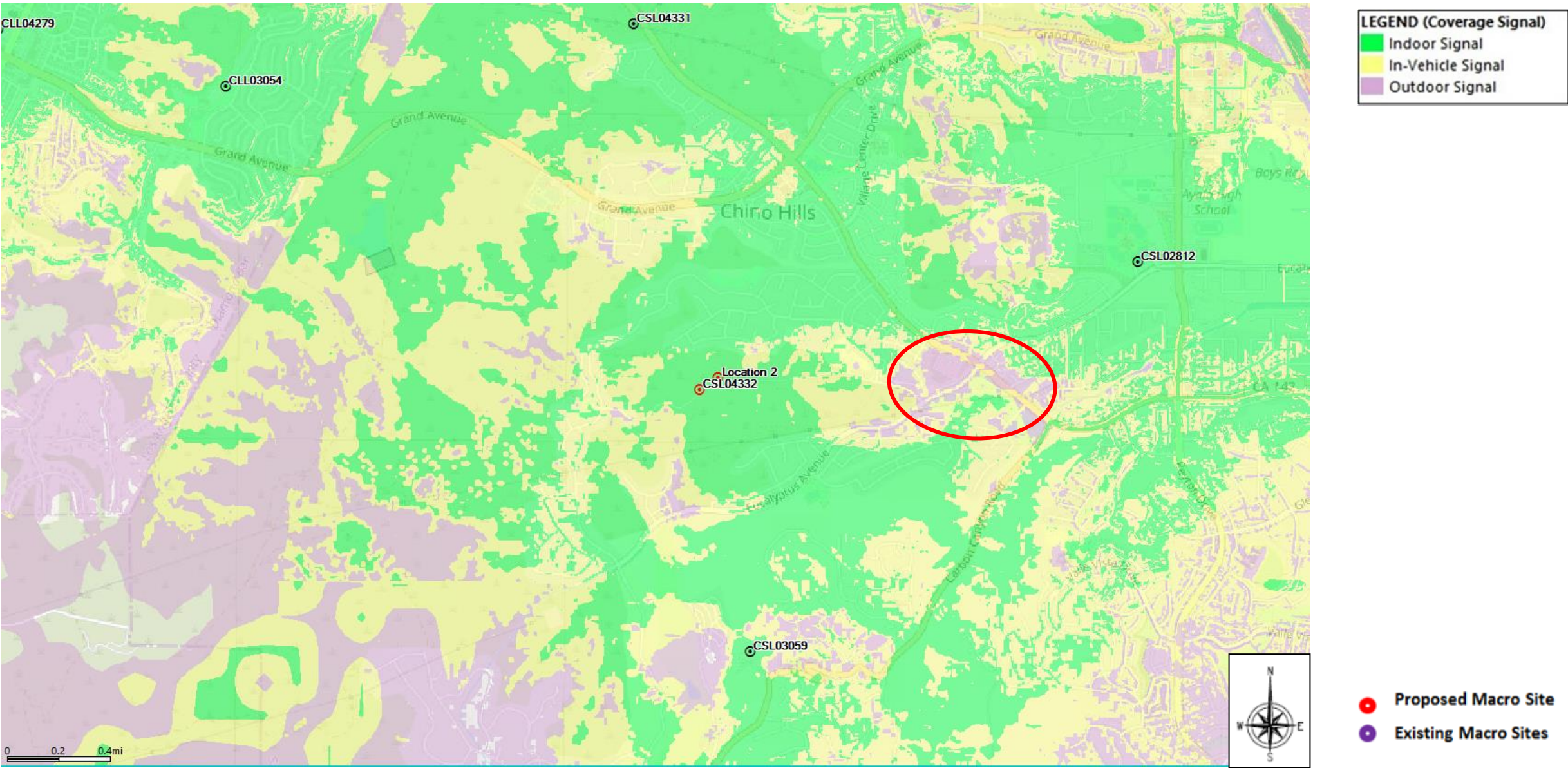


# LTE Coverage After site Location 1



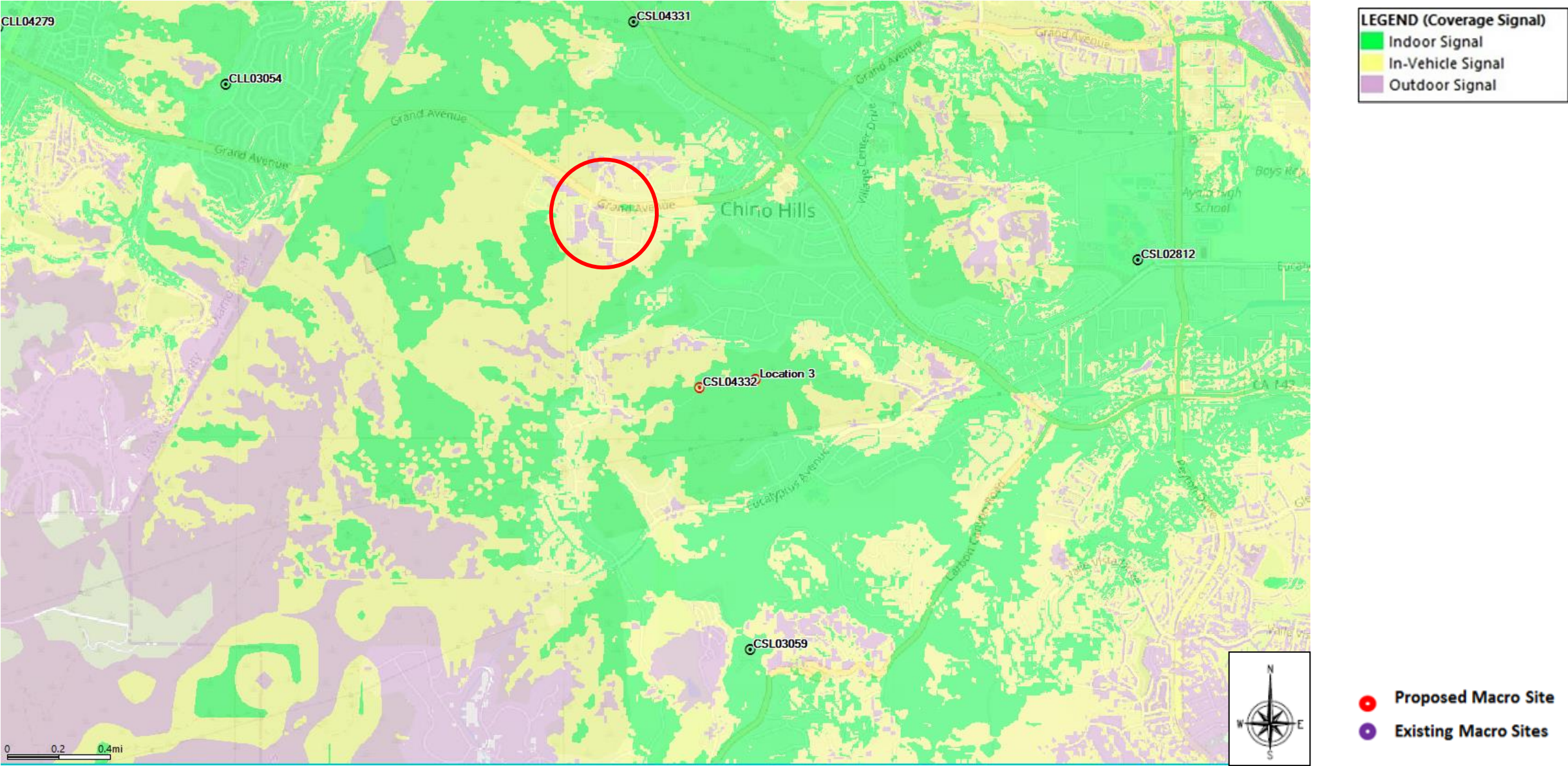


# LTE Coverage After site Location 2



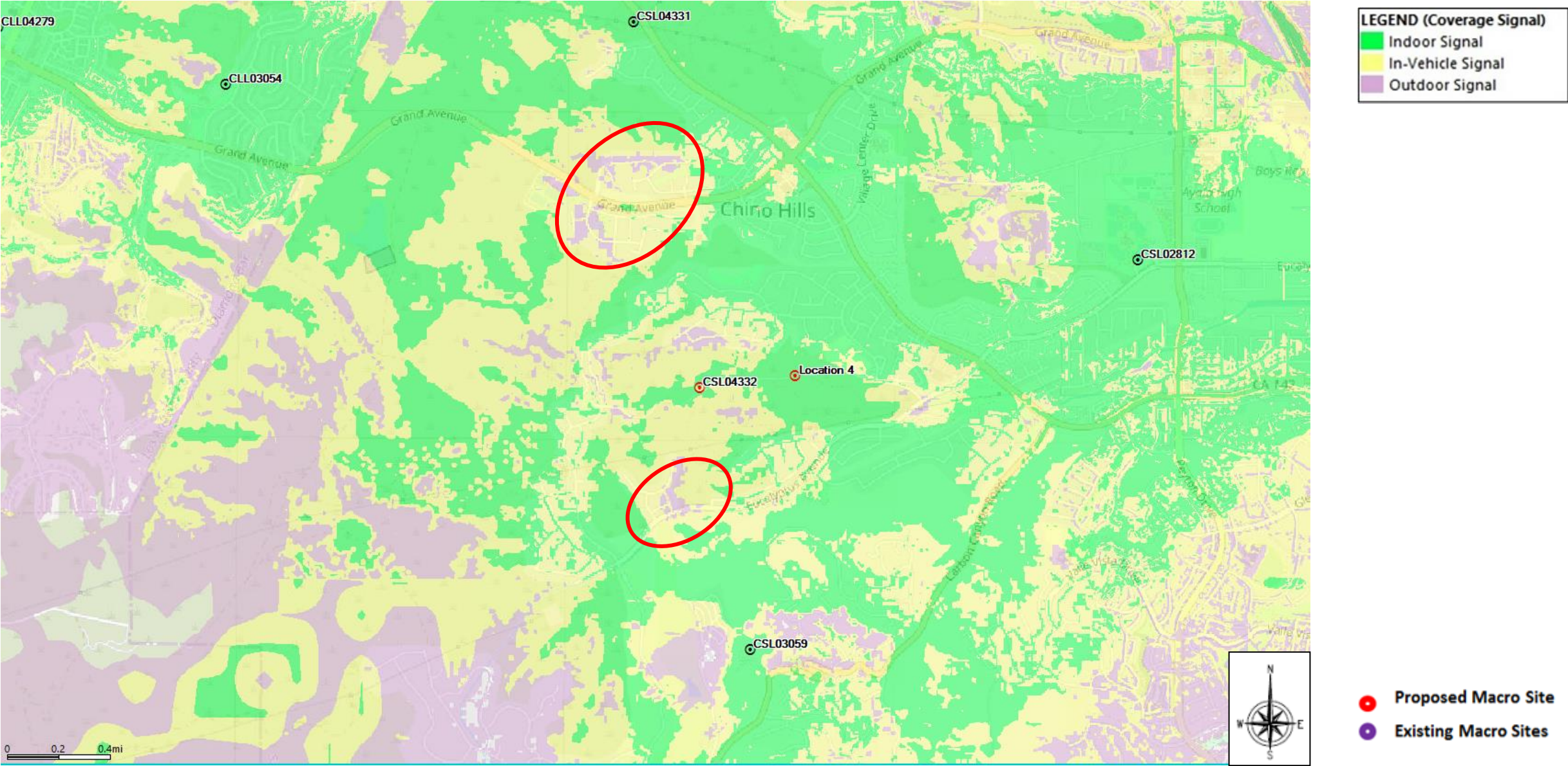


# LTE Coverage After site Location 3



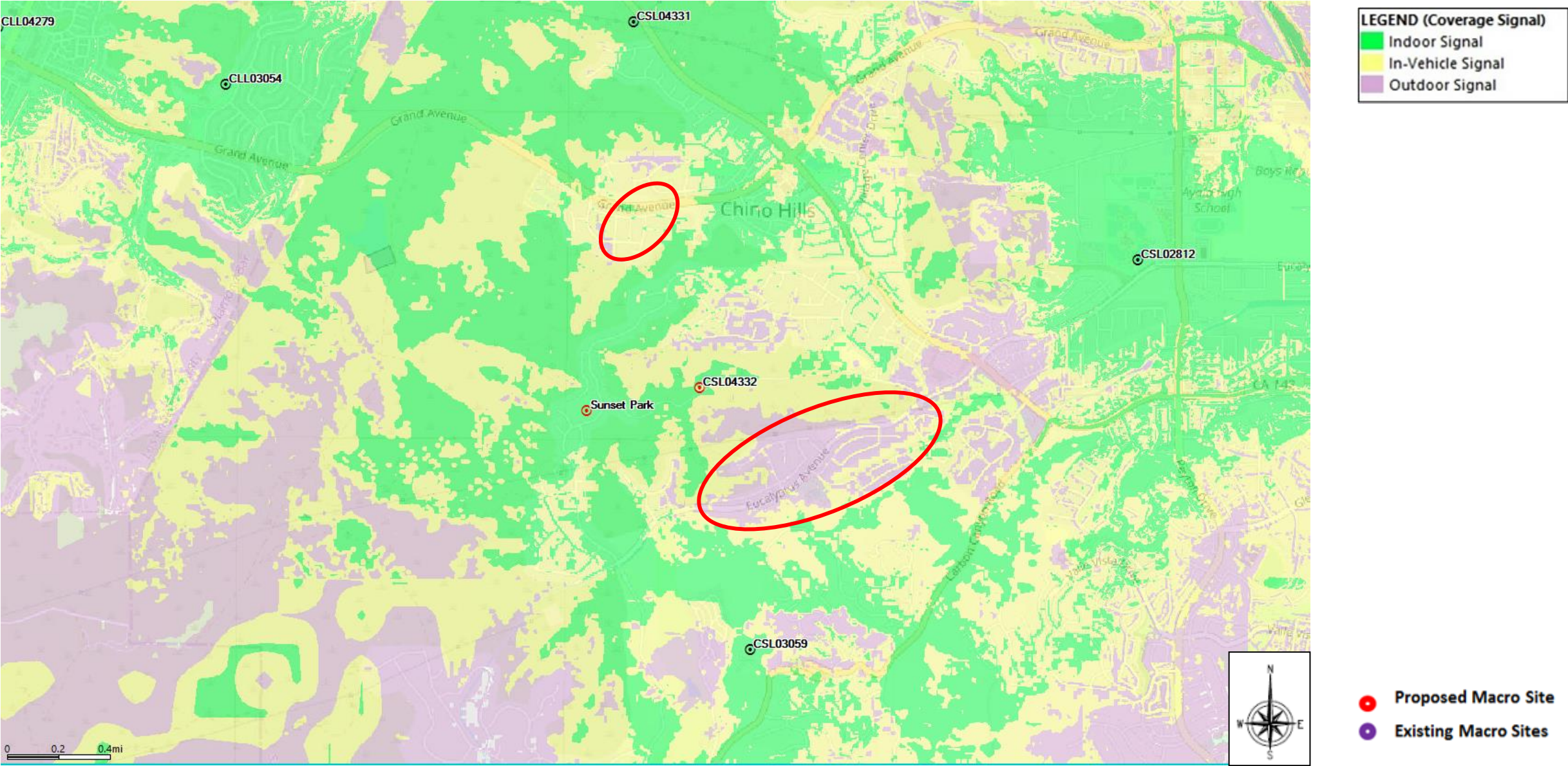


# LTE Coverage After site Location 4



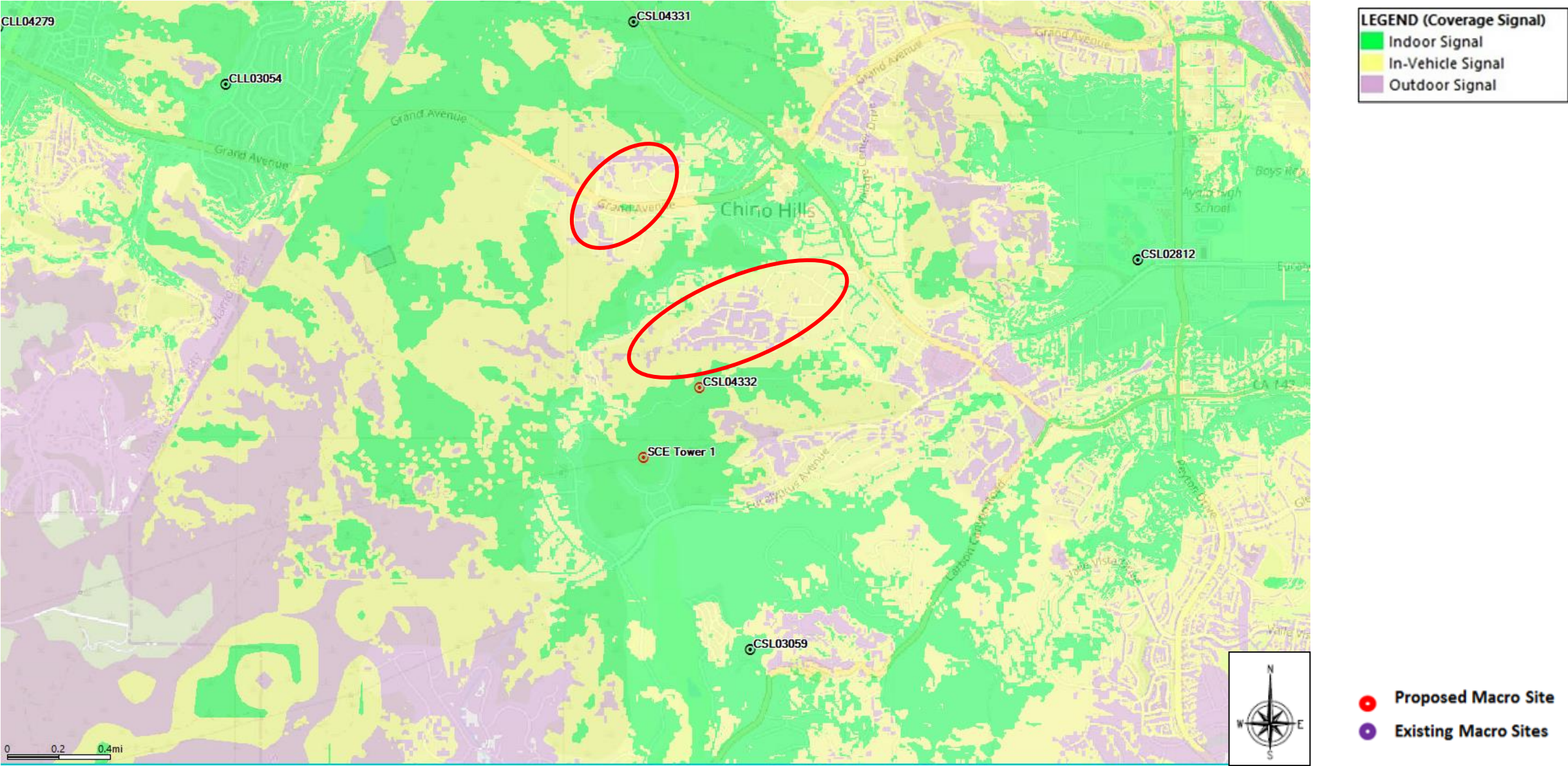


# LTE Coverage After site Sunset Park



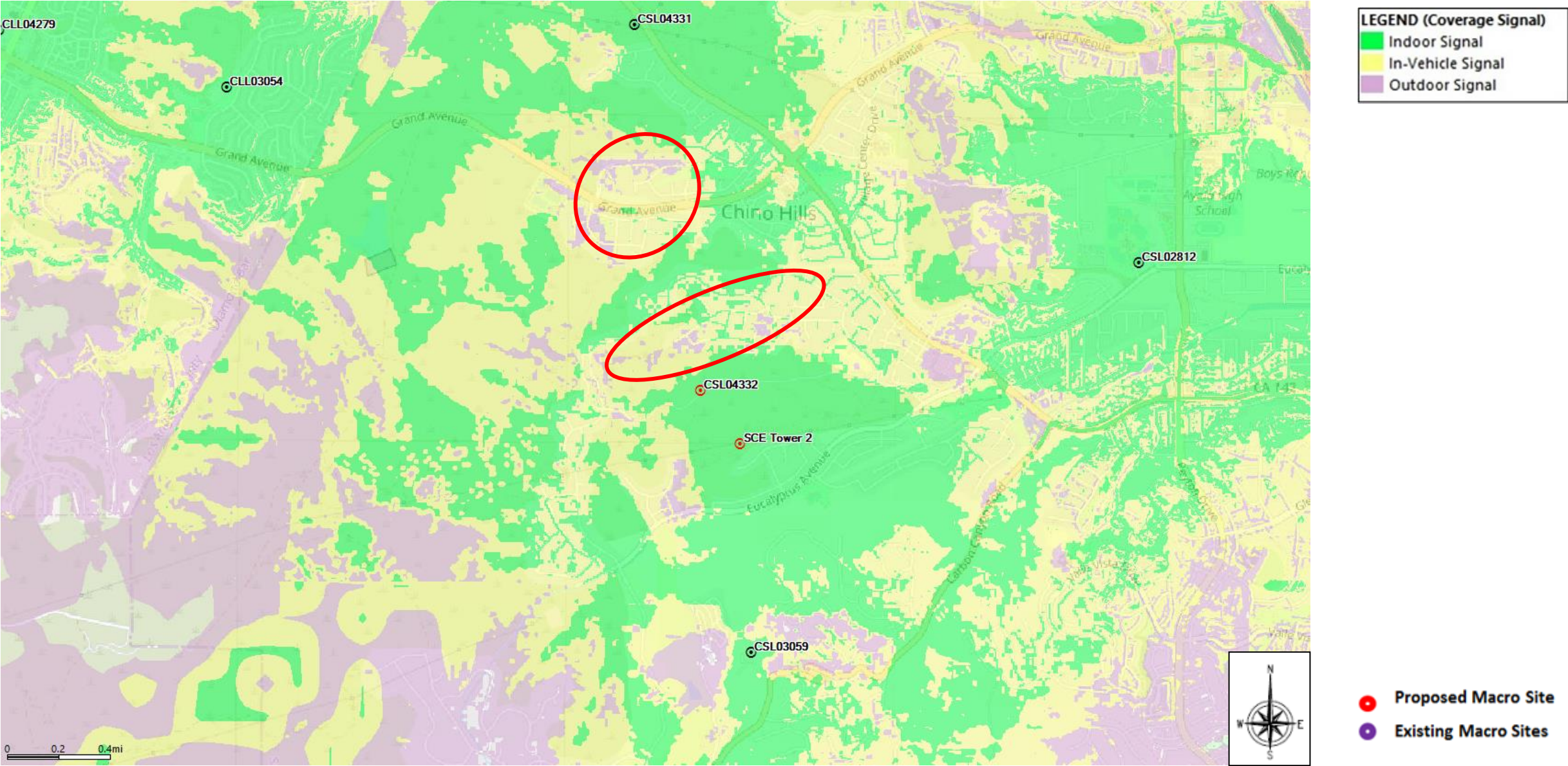


# LTE Coverage After site SCE Tower 1



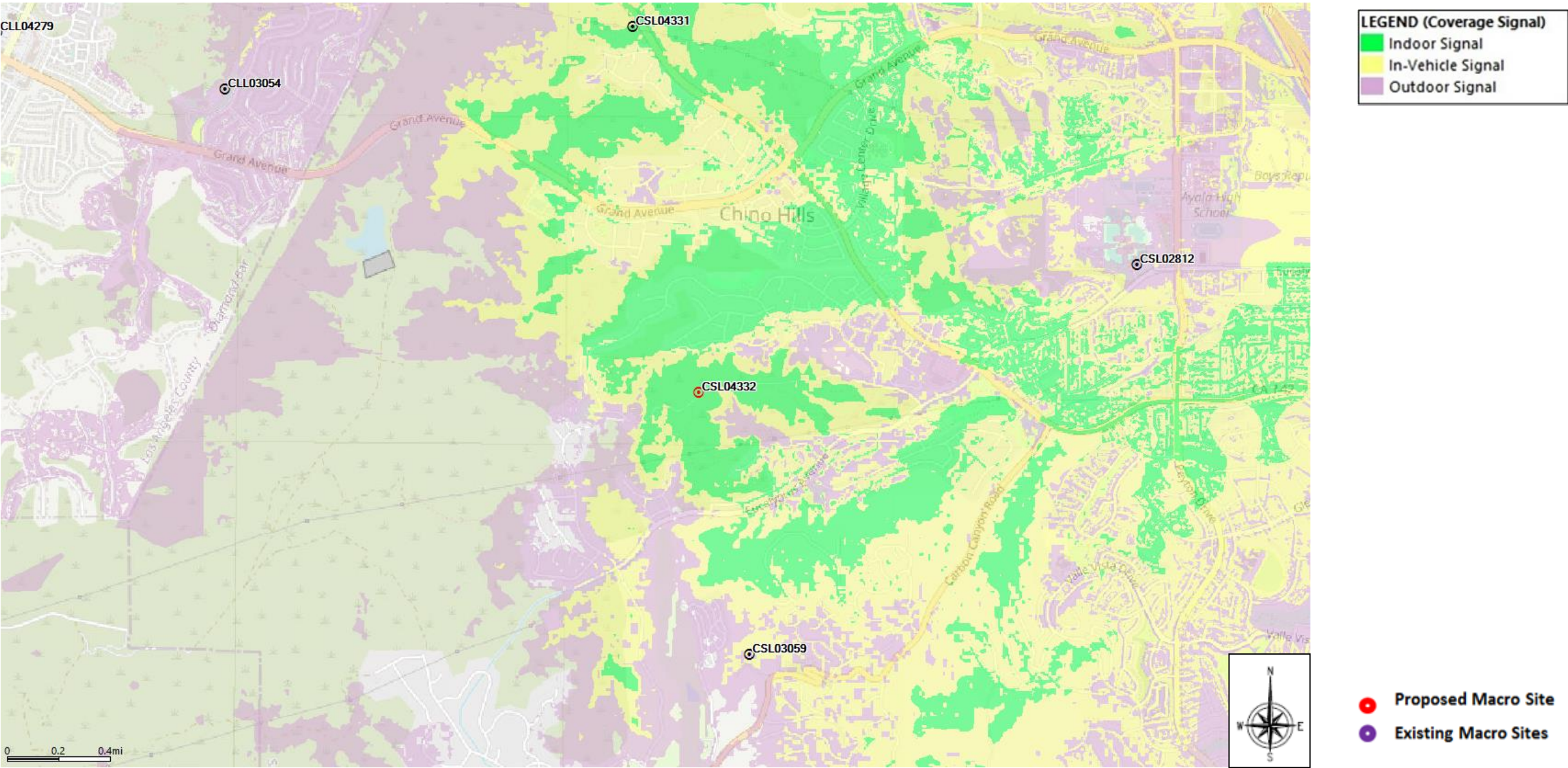


# LTE Coverage After site SCE Tower 2



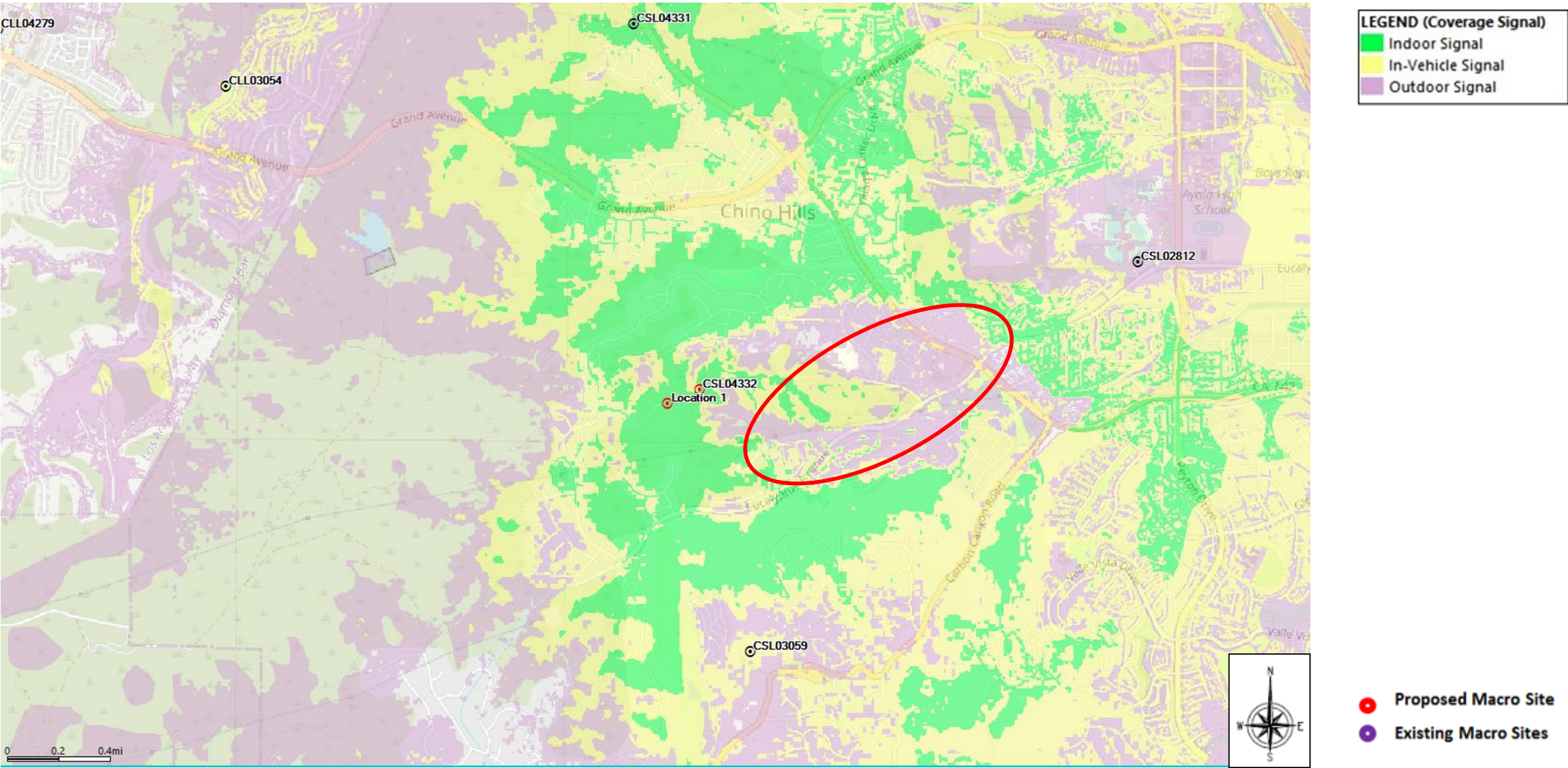


# LTE Coverage standalone site CSL04332 (Proposed Location)



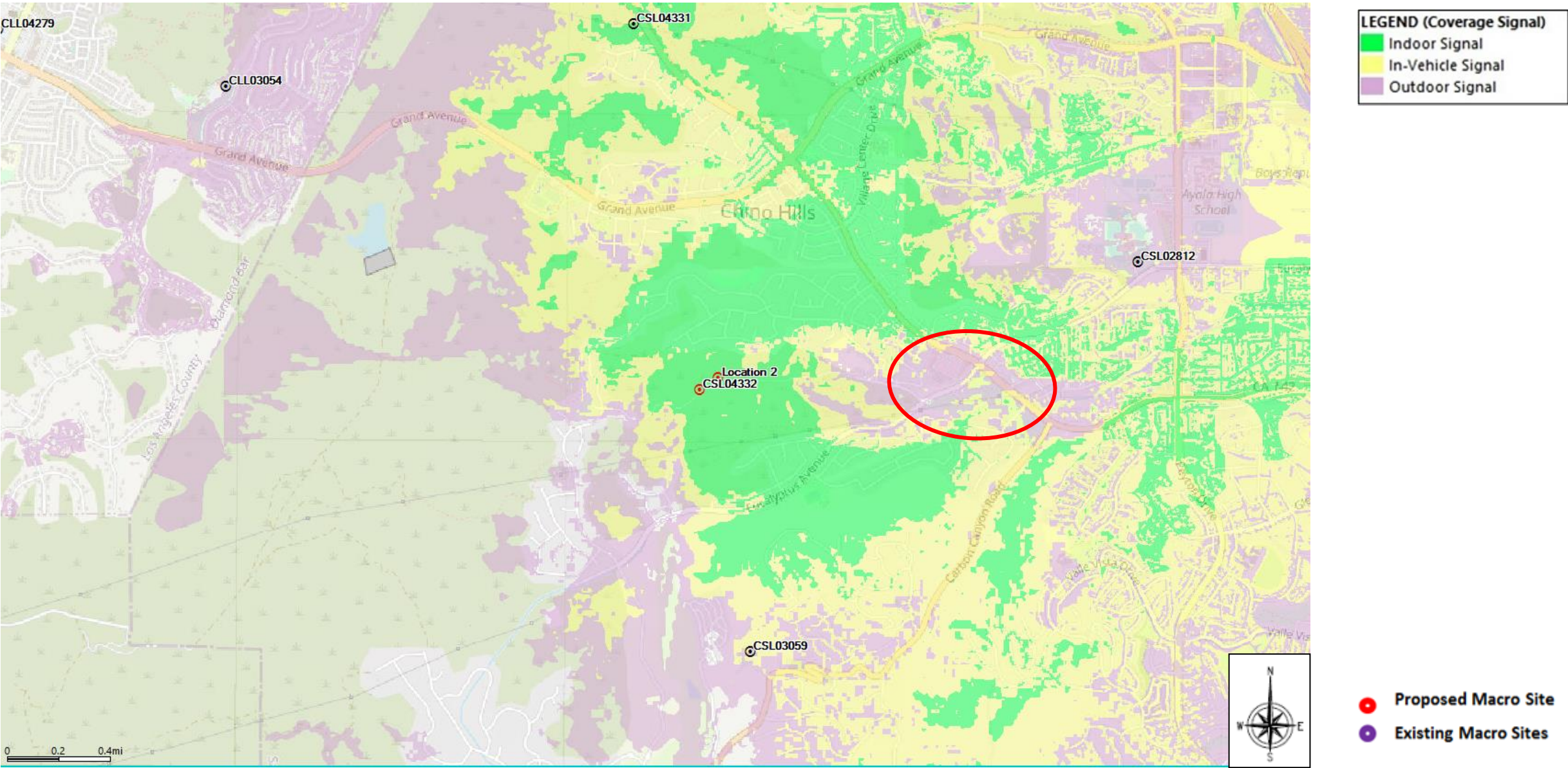


# LTE Coverage standalone site Location 1



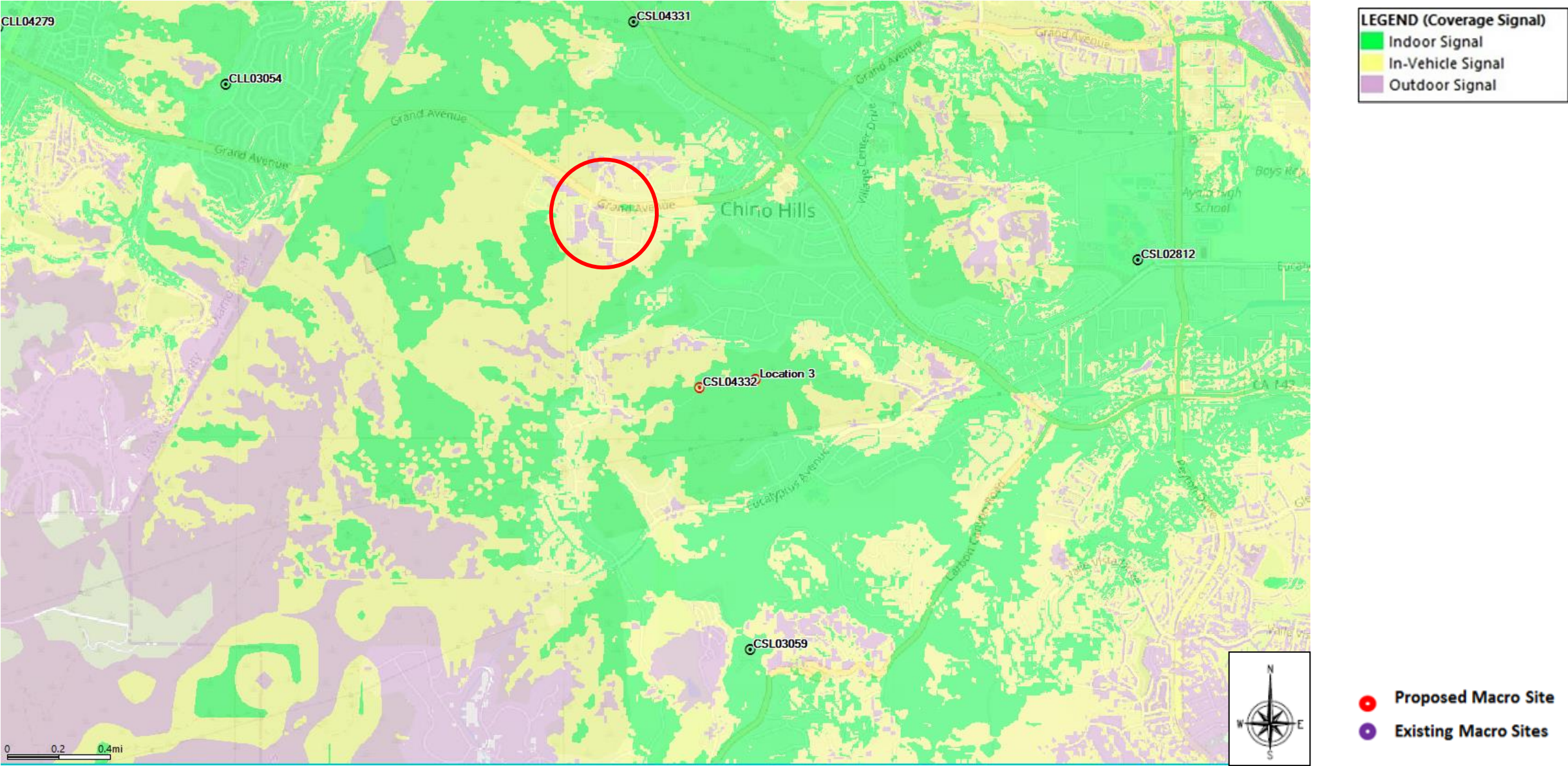


# LTE Coverage standalone site Location 2



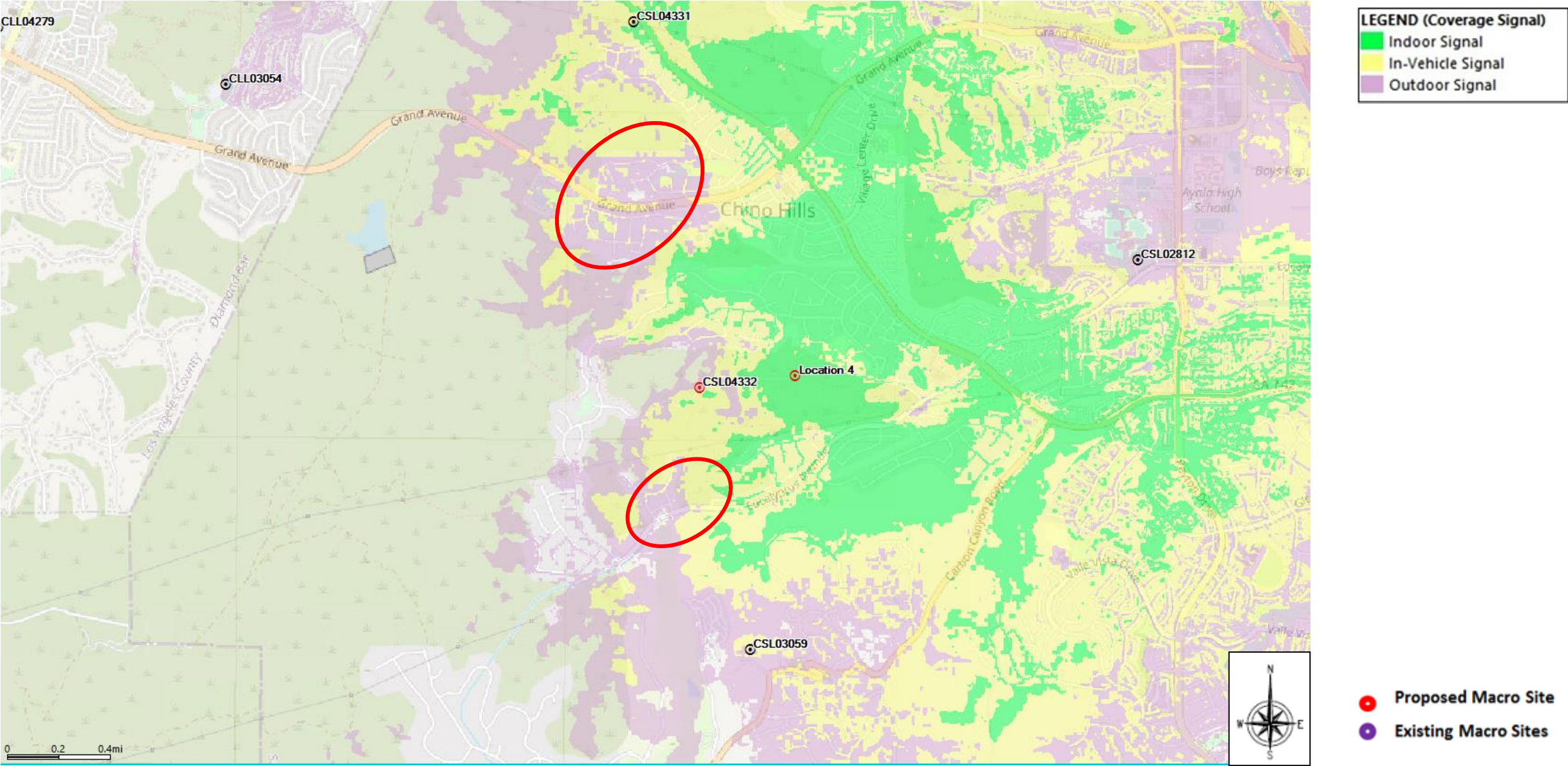


# LTE Coverage standalone site Location 3



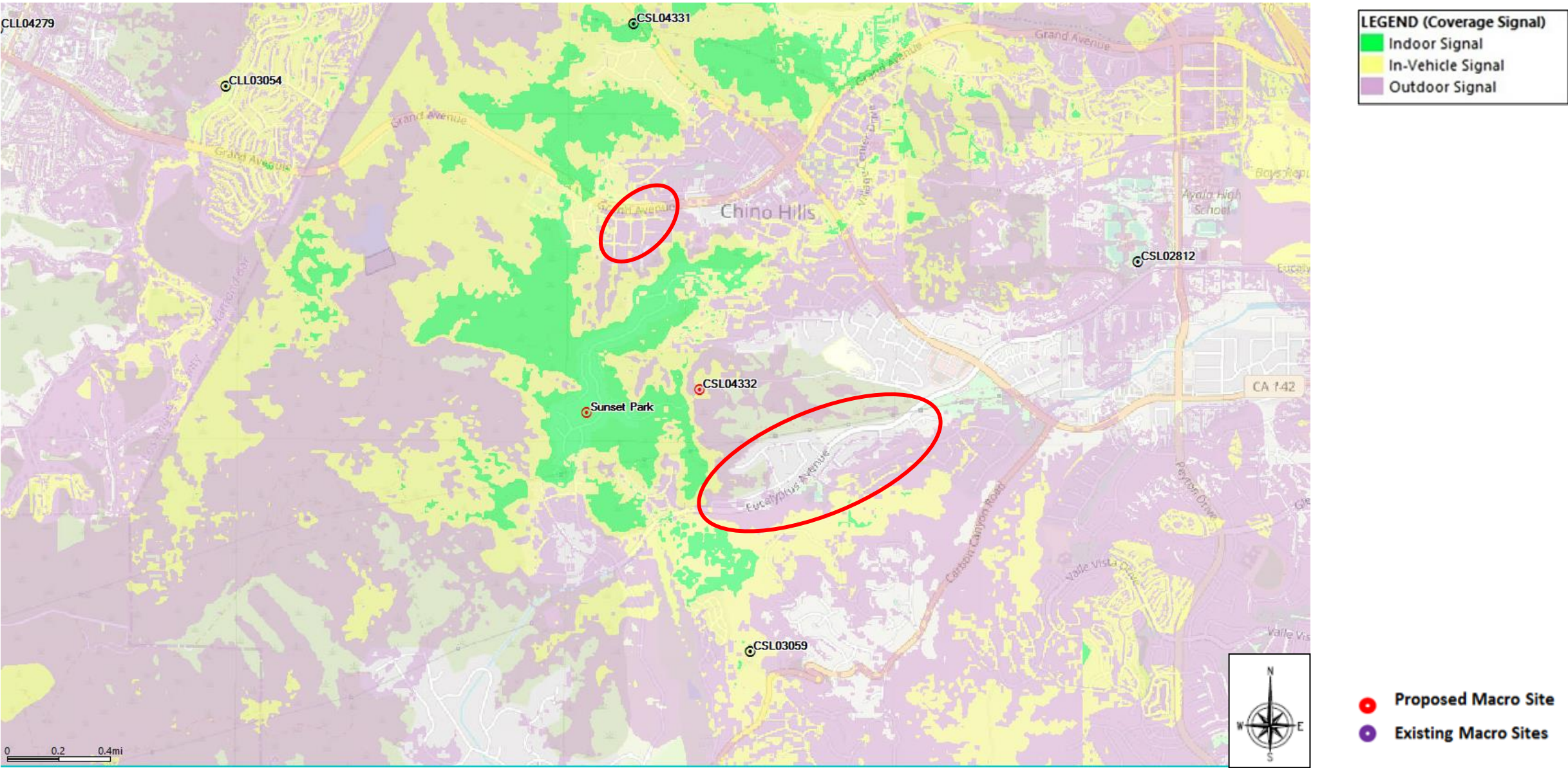


# LTE Coverage standalone site Location 4



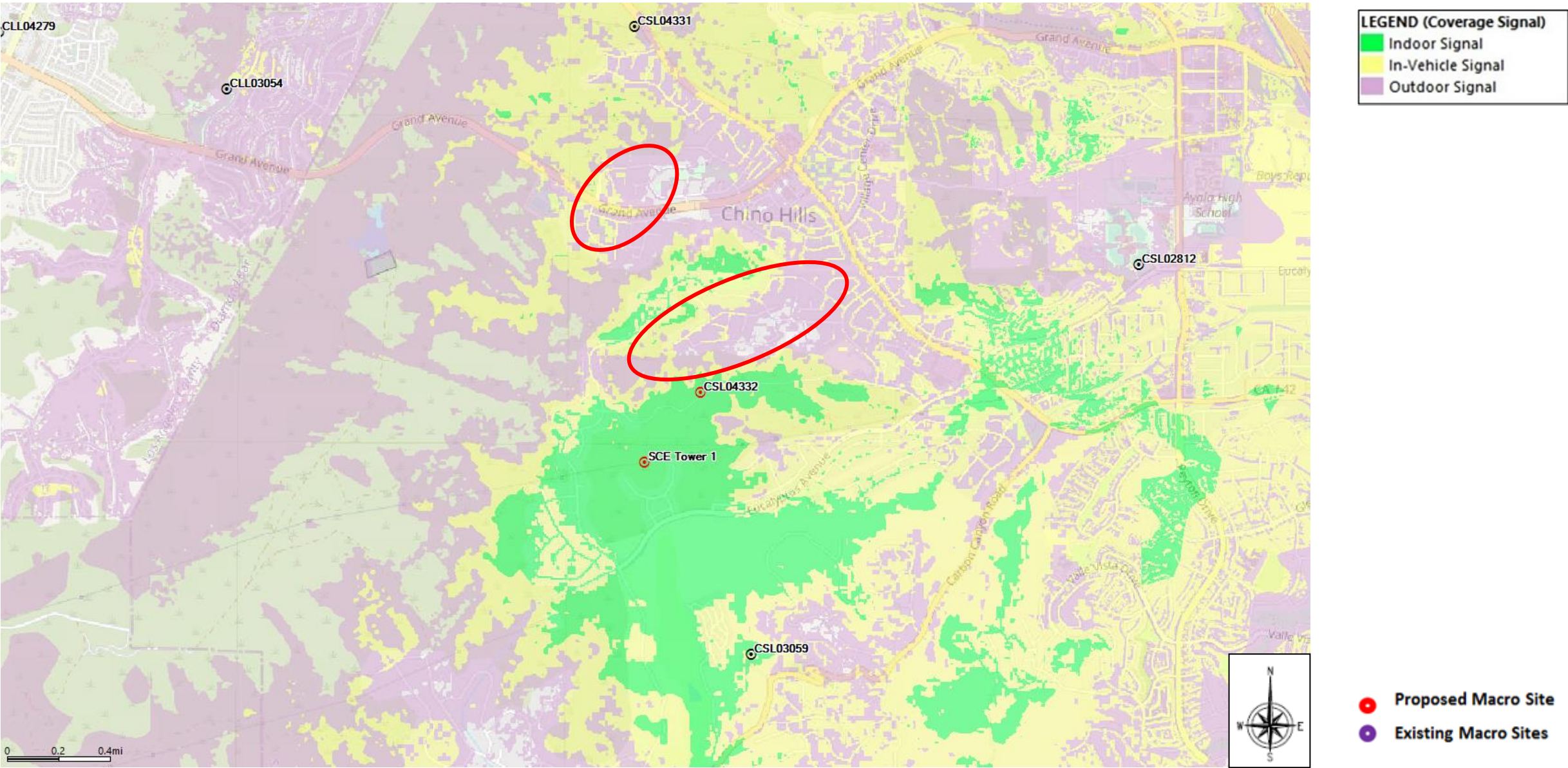


# LTE Coverage standalone site Sunset Park



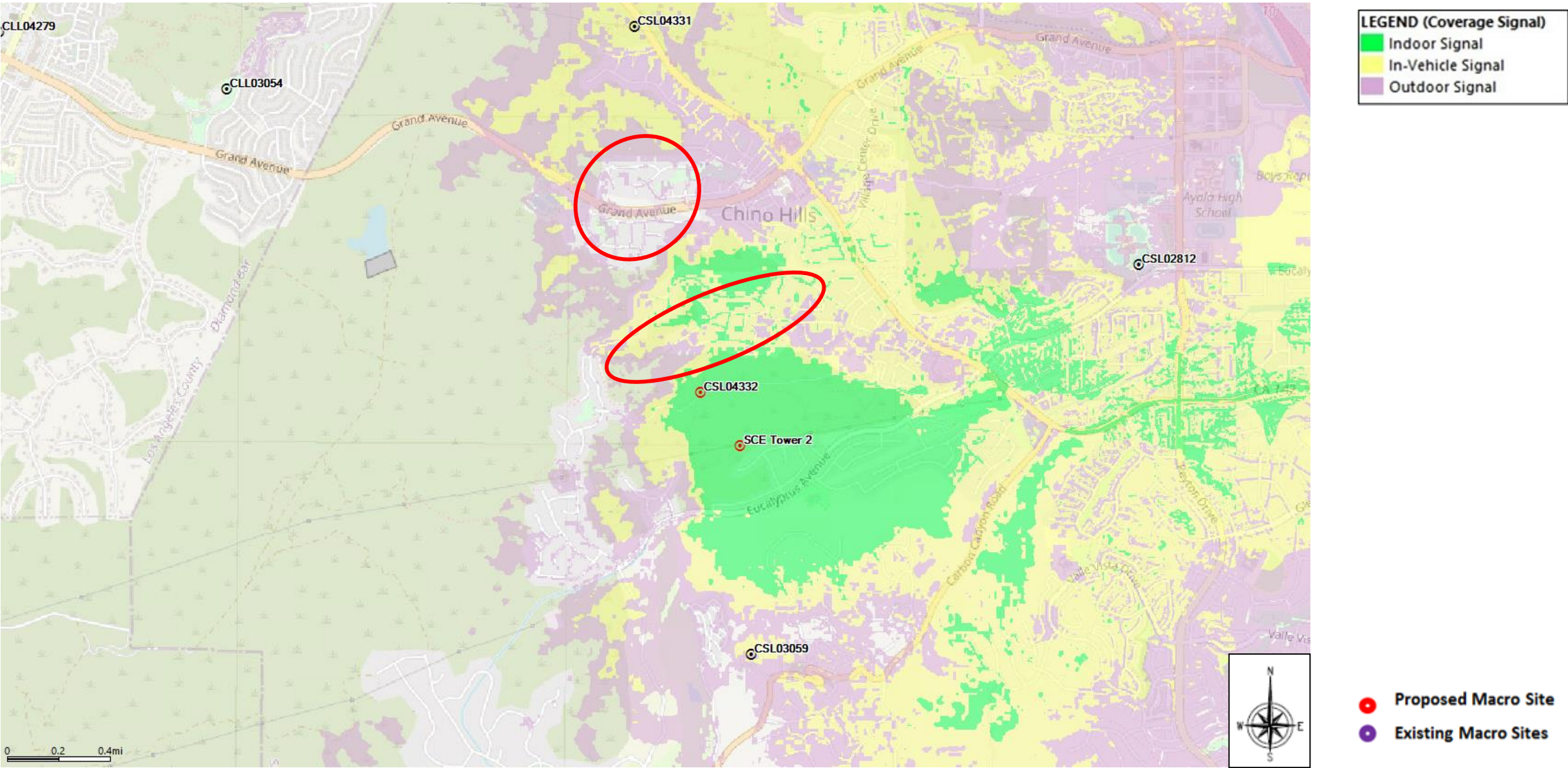


# LTE Coverage standalone site SCE Tower 1





# LTE Coverage standalone site SCE Tower 2





# Coverage Legend

**Indoor Signal:** 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-Vehicle Signal:** 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 Signal:** 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 indoor signal coverage.



**AT&T**

---

**From:** Yushengxia2020 [REDACTED]  
**Sent:** Sunday, August 20, 2023 1:24 PM  
**To:** Yvette Brunetto <ybrunetto@chinohills.org>  
**Subject:** Concerned Resident: Wireless Conditional Use Permit 22WCUP02 - AT&T

Hello,

I am writing to express my disapproval and extreme concern around the proposed minor development project of installing a high faux water tank and wireless facility in Chino Hills at 1680 Ridgeview Drive. This location is **directly located right by an elementary school**, exposing young children to cell tower radiation, not to mention the levels of distraction construction of the project will have on the learnings. Even the idea of such a proposal seeing any form of consideration is **a gross misdirection of focus the city is having over allowing the gains of corporations to take priority over the health, safety, and long term wellbeing of the future generation.**

In addition, the area surrounding the tower is of grave fire hazard due to the current drought environment and such a project, even with any form of safety precaution, does nothing but continue to add stress and danger to the risks of wildfires ravaging the land and endangering the community. We only have to see what recently happened in Hawaii to understand the dangers, and this is not something to gloss over. I strongly urge the city to **disengage any form of consideration on the project and prevent it from happening.**

Best regards,  
Yusheng Xia, Concerned Resident of Chino Hills

**Yvette Brunetto**

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**From:** Salina [REDACTED]  
**Sent:** Tuesday, September 5, 2023 9:13 AM  
**To:** Yvette Brunetto  
**Subject:** Case No. 22WCUP02 Ridgeview AT&T comments  
**Attachments:** IMG\_20230905\_082556.jpg; PXL\_20230226\_160052279.jpg; PXL\_20230313\_005459900.jpg

Dear Planning Commission,

AT&T proposal to install a stealth wireless facility goes against the city's vision and values of protecting our ridgeline views. The proposed facility will be placed on a hilltop that looks like our Chino Hills city logo. Please find the attached pictures to see the beauty of the ridgeline view. Please do not approve AT&T's application.

Thank you for your consideration.

Warm regards,  
Salina Yip



**From:** Alex Gratzer <[REDACTED]>

**Sent:** Monday, September 11, 2023 10:52 AM

**To:** Yvette Brunetto <ybrunetto@chinohills.org>

**Subject:** Case No. 22WCUP02

Dear Yvette,

To understand the reasoning behind the exemption from CEQA review under 15061.b.3 of the Cal. Code Regs. the following questions arise:

1. Will there be energy routed to the proposed wireless facility, through wires or cables, above or below ground level.
2. Will there be transformers, radio frequency generators, or other devices that contain hazardous materials.
3. Are there plans in this development to mitigate energy release in case of high winds, earthquakes, or other natural causes.

Answers to these three questions will be most helpful.

Thank you,

Alex

Sent from Proton Mail for iOS

## Emily Ortiz

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**From:** JIM SHEFFLER <[REDACTED]>  
**Sent:** Wednesday, September 13, 2023 12:45 AM  
**To:** Yvette Brunetto  
**Cc:** Ben Montgomery; Nicholas Liguori; Michael Hofflinger; Emily Ortiz; Cynthia Moran  
**Subject:** RE: Proposed cell tower above Nordic

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Yvette,

Thanks for responding.

Since this email has the following disclaimer attached to the end of this email:

### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

What information in this email is considered confidential so I know what I can share with others? It seem to me that all of this info is already public information.

Out of curiosity, what other similar facilities have been constructed or approval on prominent knolls and ridgelines in the Chino Hills? Why were these facilities approved over the ridgeline protection ordinance?

Also, is it possible for a citizen to use the projector system at the planning meeting and if so, how would one gain access to test the system prior to the meeting since public comment only allows 3 minutes and don't want to waste any of this time learning how to set it up and use it.

Thanks,

Jim

Sent from [Mail](#) for Windows

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**From:** [Yvette Brunetto](#)  
**Sent:** Tuesday, September 12, 2023 11:15 AM  
**To:** [JIM SHEFFLER](#)  
**Cc:** [Ben Montgomery](#); [Nicholas Liguori](#); [Michael Hofflinger](#); [Emily Ortiz](#); [Cynthia Moran](#)  
**Subject:** RE: Proposed cell tower above Nordic

Good morning Mr. Sheffler,

The proposed facility is located on a prominent ridgeline illustrated on the City of Chino hills Ridgelines & Knolls Map. Similar facilities have either been constructed or approved on prominent

knolls and ridgelines in the City. An analysis will be included with the staff report which will discuss wireless facilities on prominent ridgelines/knolls in open space and will be published on Thursday.

Please feel free to contact us with any further questions.

Thanks,

**Yvette Brunetto** | Senior Planning Analyst

Direct: (909) 364-2783

Community Development Department

City of Chino Hills

\*\*\*Please help us in maintaining the health and safety of our staff and customers by scheduling an appointment at [www.chinohills.org/CDEcounter](http://www.chinohills.org/CDEcounter).\*\*\*

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**From:** JIM SHEFFLER <[REDACTED]>

**Sent:** Friday, September 8, 2023 9:18 AM

**To:** Yvette Brunetto <ybrunetto@chinohills.org>

**Cc:** Ben Montgomery <bmontgomery@chinohills.org>; Nicholas Liguori <nliguori@chinohills.org>; Michael Hofflinger <mhofflinger@chinohills.org>; Emily Ortiz <eortiz@chinohills.org>; Cynthia Moran <cmoran@chinohills.org>

**Subject:** RE: Proposed cell tower above Nordic

Thanks for the information Ms. Brunetto.

It was very informative and I have learned how to add myself to the E-Notify system. Thank you also for supplying a location and picture of one of these proposed towers. I will make an effort to see one in person for a better understanding.

I was reviewing the link you sent me that includes the City of Chino Hills Ridgelines & Knolls Map. Although grainy and low resolution, it appears to me that the proposed location for the Ridgeview Cell Tower is directly on a prominent ridge. As such, it would need to adhere to the ridgeline protection requirements of no development within a 100 ft. of both sides of the crest and 35 vertical ft. from the crest. Can you confirm if the proposed location adheres to these requirements?

Thanks,

Jim

Sent from [Mail](#) for Windows

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**From:** [Yvette Brunetto](#)

**Sent:** Thursday, September 7, 2023 10:27 AM

**To:** [JIM SHEFFLER](#)

**Cc:** [Ben Montgomery](#); [Nicholas Liguori](#); [Michael Hofflinger](#); [Emily Ortiz](#)

**Subject:** FW: Proposed cell tower above Nordic

Good morning Mr. Sheffler,

Thank you for reaching out and following up regarding the proposed Ridgeview Trail wireless project.



In regards to the need for the facility, the applicant has demonstrated on the attached propagation maps (222WCUP02) – Exhibit E – Wireless Prop Maps.pdf) that there is a gap in coverage. The gap in coverage area appears to generally be in the neighborhoods to the north of the proposed facility, along Big Oak Avenue, Rancho Hills and north thereof. Additionally, it appears that the proposed facility will serve the neighborhoods along Eucalyptus Avenue and Vista Del Sol.

AT&T serves two types of users within their coverage area. The first type are general consumers, and the second type are emergency first responders. FirstNet is the service name for emergency responders. Attached (FirstNet 101.png) is a infographic provided by AT&T regarding the FirstNet service. The San Bernardino County Sheriff's Department and Chino Valley Fire District are FirstNet users.

The additional research will be posted the afternoon of September 14, 2023 to the City's website on the following webpage:

<https://www.chinohills.org/60/Agendas-Minutes>

You may also sign up for our E-Notify system; which will automatically send you an email once the agenda and staff reports are posted. The link for our E-Notify system is below:

<https://www.chinohills.org/list.aspx>

Please use the link below to access additional information, including a map for our hillside ordinance:

[https://library.municode.com/ca/chino\\_hills/codes/code\\_of\\_ordinances?nodeId=TIT16DECO\\_CH16.08GEDERE](https://library.municode.com/ca/chino_hills/codes/code_of_ordinances?nodeId=TIT16DECO_CH16.08GEDERE)

In regards to existing similar facilities, one is installed on the north side of Kimball Avenue in the City of Chino near Euclid Avenue between Rincon Meadows Avenue and Mill Creek Avenue. Below is screenshot of the Google street view.



Please feel free to reach out to myself; Michael Hofflinger, Planning Manager; Nicholas Ligouri, Community Development Director; Ben Montgomery, City Manager; Planning Commission; or City Council with any further questions or comments.

Sincerely,

**Yvette Brunetto** | Senior Planning Analyst

Direct: (909) 364-2783

Community Development Department

City of Chino Hills

\*\*\*Please help us in maintaining the health and safety of our staff and customers by scheduling an appointment at [www.chinohills.org/CDEcounter](http://www.chinohills.org/CDEcounter).\*\*\*

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**From:** JIM SHEFFLER <[REDACTED]>  
**Sent:** Friday, September 01, 2023 10:22 AM  
**To:** Ben Montgomery <[bmontgomery@chinohills.org](mailto:bmontgomery@chinohills.org)>  
**Cc:** Cynthia Moran <[cmoran@chinohills.org](mailto:cmoran@chinohills.org)>  
**Subject:** RE: Proposed cell tower above Nordic

Hi Mr. Montgomery,

After the planning meeting on Aug 15, the vote on the cell tower approval on Ridgeview Trail was postponed until its next meeting on Sept 19. After hearing from several residents, it was discussed that more research was needed to

determine the actual need of this tower (did fire and police request this need or is it just AT&T wanting to expand), its proposed location which is right in the middle of a prominent ridge line with outstanding views of the city and mountains, and the aesthetic choices of adding greenery to a normally barren ridge to disguise the 30' tall x 28' diameter faux water tower.

Not knowing how this research is carried out or if it will be disseminated prior to the next meeting, I would be happy to help out in any way such as leading a tour of the area or meeting with anyone who has questions about the area. Will any new research be disseminated prior to the next meeting and where can I find it?

AT&T personnel at the meeting offered to disclose where other towers of this nature (not necessarily in the city of Chino Hills) have been fully installed so they can be viewed for size and footprint of this project. Is this information available?

I was surprised that Ridgeview Trail ridge may not be assigned as one of the prominent ridges in Chino Hills. How can one find out which ridges are considered prominent in Chino Hills and if Ridgeview Trail ridge is not already considered prominent, how does one go about adding it to the list of prominent ridges?

Cell companies in general will always want the highest locations in order to propagate their signals over the widest range. This usually conflicts with communities wanting to keep the natural beauty of the hills. Hope for the Hills was not that long ago where the citizens of Chino Hills actively sought the removal of tall towers through the city to keep the city view pristine. I think the city should keep this in mind when considering populating the ridges with large cell towers. There are other methods and locations, although not as convenient for Cell companies to implement and service, that may be a better alternative for our city.

Not knowing city protocol or personnel, please feel free to forward this email to who you think can help.

Thanks,

Jim Sheffler

Sent from [Mail](#) for Windows

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**From:** [Sylvia Sheffler](#)  
**Sent:** Monday, August 14, 2023 2:08 PM  
**To:** [Jim Sheffler](#)  
**Subject:** Fw: Proposed cell tower above Nordic

FYI

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**From:** Ben Montgomery <[bmontgomery@chinohills.org](mailto:bmontgomery@chinohills.org)>  
**Sent:** Monday, August 14, 2023 1:47 PM  
**To:** Cynthia Moran <[cmoran@chinohills.org](mailto:cmoran@chinohills.org)>; Sylvia Sheffler <[REDACTED]>  
**Subject:** RE: Proposed cell tower above Nordic

Hello Ms. Sheffler,

Thank you for reaching out for more information regarding the proposed AT&T tower project. I have forwarded your email to our Community Development Director Nicholas Liguori. Mr. Liguori, or someone from the Community Development Team, respond to your questions. The Community Development Team is directly involved in this project and they can provide you with the most comprehensive responses.

Please feel free to contact me if you have any additional questions.



Regards,

**Ben Montgomery | City Manager**



**City of Chino Hills**

**14000 City Center Drive  
Chino Hills, CA 91709**

**P (909) 364-2715  
[bmontgomery@chinohills.org](mailto:bmontgomery@chinohills.org)  
[www.chinohills.org](http://www.chinohills.org)**

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**From:** Cynthia Moran <[cmoran@chinohills.org](mailto:cmoran@chinohills.org)>  
**Sent:** Monday, August 14, 2023 11:29 AM  
**To:** Sylvia Sheffler <[REDACTED]>  
**Cc:** Ben Montgomery <[bmontgomery@chinohills.org](mailto:bmontgomery@chinohills.org)>  
**Subject:** Re: Proposed cell tower above Nordic

Hi Sylvia,  
Thanks for reaching out. I've copied our city manager to address your questions.

Take care,  
Cynthia

**Cynthia Moran  
Council Member  
City of Chino Hills**

**14000 City Center Drive  
Chino Hills, CA 91709**

**[\(909\) 217-2282](tel:(909)217-2282)  
[cmoran@chinohills.org](mailto:cmoran@chinohills.org)  
[www.chinohills.org](http://www.chinohills.org)**

On Aug 11, 2023, at 4:43 PM, Sylvia Sheffler <[REDACTED]> wrote:

Hi Cynthia,

My husband Jim and I know you and your husband Dave from St. Paul's harvest festival. We were recently informed that they are proposing a cell tower on the hillside behind our house. We have a few concerns.

As property owners whose property is in direct view (within 2000ft) of the proposed cell tower above Nordic Ave, we have safety, aesthetic and location concerns of this project.

Is there a preexisting tower that we can view to see the size and footprint of this project?

Since other towers in the chino hills area have been denied, what is different about this tower's RF technology?

We walk the trail often and notice graffiti on the trail. What will prevent this project from being the next target of graffiti and becoming an eyesore that results in lower property values?

The beauty of Chino Hills has been its natural ridges. We are not sure this project will enhance that image. We thought the city had a building moratorium on building on the ridges. At 30' tall the tower is taller than our home.

Are there other technologies that are less impactful such as satellite or cell boosters that work via internet.

Thanks for your prompt response,

Jim and Sylvia Sheffler

[REDACTED]

Chino Hills

Sent from my T-Mobile 4G LTE Device

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## Yvette Brunetto

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**From:** don lopez <[REDACTED]>  
**Sent:** Tuesday, September 12, 2023 4:21 PM  
**To:** Yvette Brunetto  
**Subject:** MICROWAVE TOWER ON RIDGEVIEW TRAIL

AT&T will damage the natural beauty of the ridge line. they will get what they want from the City. The residents are going to have to look at that eyesore forever. The residents should get at least something in return. The access road near the proposed tower is badly damaged, that multi-billion \$ company is going to damage it more with the heavy equipment that they will need to use to install the microwave tower. They are going to get their Conditional Use Permit. The People should get something. Repair Ridgeview Trail in return for ruining the ridgeline.



## Yvette Brunetto

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**From:** Yvette Brunetto  
**Sent:** Tuesday, September 12, 2023 4:47 PM  
**To:** [REDACTED]  
**Cc:** Michael Hofflinger  
**Subject:** Ridgeview Trail Pictures

Hi Mr. Lopez,

It was a pleasure speaking with you this afternoon. Please review the pictures and the captions below. Did I get it right?

Thanks,

**Yvette Brunetto** | Senior Planning Analyst  
Community Development Department

14000 City Center Drive  
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To schedule an appointment directly with me, please click on the following link:  
<https://outlook.office365.com/owa/calendar/YvettesAppointmentCalendar@chinohills.org/bookings/>



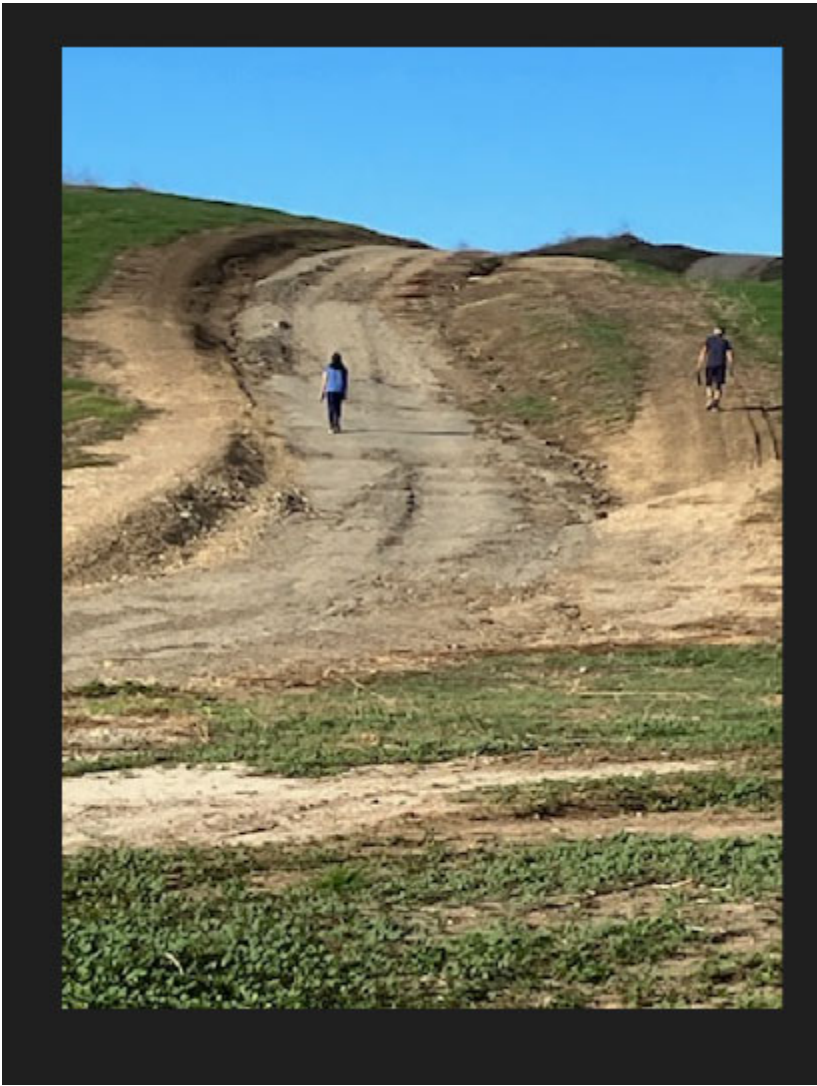
This is the worst damage and it's between the loop





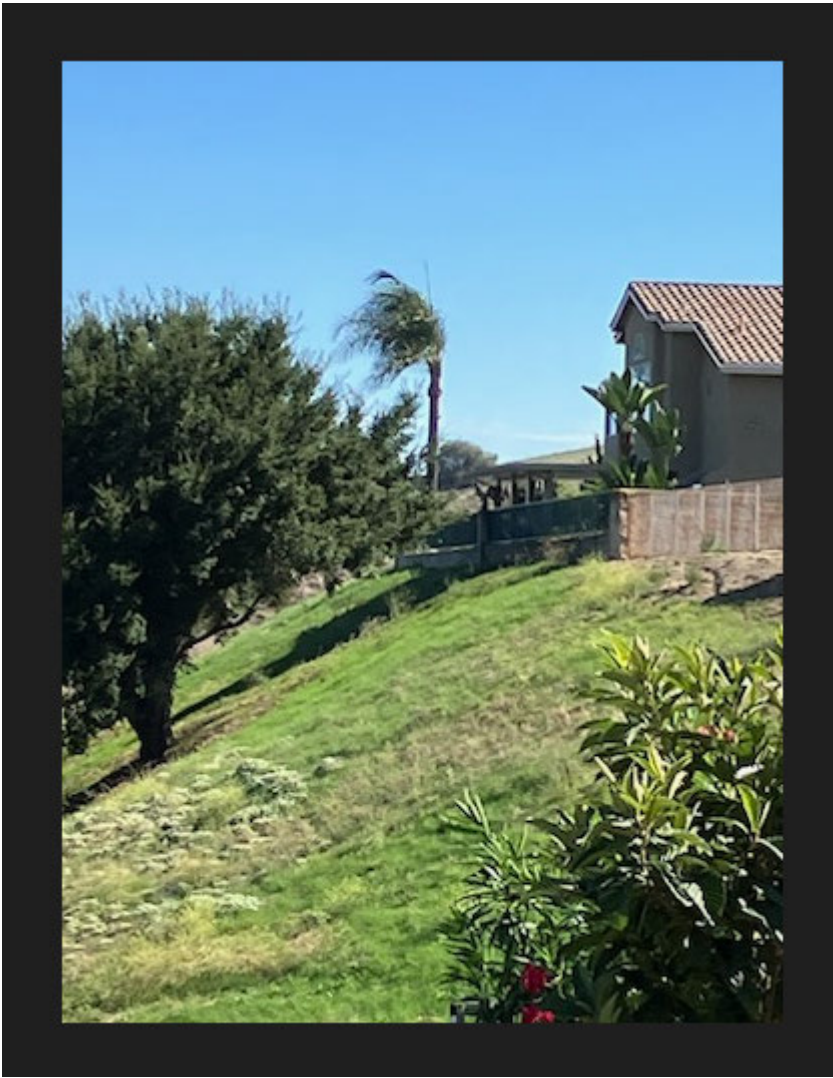
Here's off the trail because of broken asphalt and difficult to walk.





My view of the microwave tower will be obscured by the oak trees.





The lady at the top of this photo is about where the microwave tower will set

