

# City of Hesperia

## STAFF REPORT



**DATE:** September 8, 2022

**TO:** Planning Commission

**FROM:** Rachel Molina, Assistant City Manager  
Ryan Leonard, Senior Planner

**BY:** Edgar Gonzalez, Associate Planner

**SUBJECT:** Conditional Use Permit CUP22-00005 and VAR22-00002; Applicant: AT&T Mobility; APN: 0415-081-50

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### RECOMMENDED ACTION

It is recommended that the Planning Commission hear from any parties involved and determine whether to adopt Resolution No. PC-2022-08 and PC-2022-09, approving CUP22-00005 and VAR22-00002.

### BACKGROUND

On June 9, 2022, the project was presented to the Planning Commission as a 62-foot-high wireless telecommunications facility designed as a faux water tower. There was discussion among the Commission during the public hearing regarding the location and the design of wireless facility. The Commission stated that the proposed location of the facility was too close to Hesperia Road and requested that the facility be relocated near the center of the site away from the street. The Commission also did not agree with the design of the wireless tower as it was mentioned that it will not enhance, nor be consistent with the surrounding area. The Commission requested that the facility be redesigned into a faux pine or eucalyptus tree. Prior to the end of the hearing, the Planning Commission made a motion to continue the item to a future meeting to provide the applicant with additional time to relocate the wireless facility and redesign the wireless tower.

Since the meeting, the applicant has modified the design of the wireless facility from a faux water tower to a faux eucalyptus tree, as requested by the Commission. With regard to the location of the facility, the applicant stated that the owner of the site, which is First Assembly of God Church, did not want the facility to be relocated as it could potentially affect the future expansion of the church. The applicant is requesting that the Planning Commission reconsider the original location of the wireless facility with the new faux eucalyptus tree design.

**Proposal:** A Conditional Use Permit and Variance to construct a 69-foot-high wireless telecommunications facility designed as a faux eucalyptus tree. Approval of a Variance is needed to allow the facility to exceed the 35-foot height limitation.

**Location:** 11616 Hesperia Road (Attachment 1).

**Current General Plan, Zoning and Land Uses:** The property is within the General Commercial (C2) zone and Rural Residential (RR-1) zone, but the project location is only within the General Commercial (C2) zone. The properties to the north and south are zoned General Commercial (C2) and Rural Residential (RR-1). The properties to the west are zoned Rural

Residential (RR-1) and the properties to the east are zoned General Commercial (C2) (Attachment 2). The proposed wireless telecommunications facility will be located within the existing First Assembly of God Church site, specifically at the southeast corner of the site, adjacent to Hesperia Road. The surrounding properties consist of vacant sites and single-family residential homes (Attachment 3).

## **ISSUES/ANALYSIS**

**Land Use:** AT&T, the service provider, has demonstrated on a service plan that there is a service gap which requires the installation of an additional wireless telecommunications facility in the area (Attachment 4). The proposed facility will provide the necessary coverage to improve the network in this area. The proposed wireless telecommunications facility is consistent with the general plan and all zoning standards, except for the 35-foot height limitation within the General Commercial (C2) Zone. A Variance was submitted in conjunction with the Conditional Use Permit application to allow for the height of the wireless facility to be increase to a maximum height of 69 feet. The Wireless Telecommunications Facility Ordinance provides justification for exceeding this height limitation, based upon providing space for future co-locations. The proposed 69-foot-high faux water tower will provide capacity for two additional carrier.

The ground enclosure will consist of a generator and accessory equipment to service the wireless facility. All equipment will be enclosed by a ten-foot, eight-inch high decorative split-face block wall with a wrought iron cover on top to secure the facility and provide adequate screening of the equipment. The elevations and photo simulations of the proposed faux eucalyptus tree are attached as shown on Attachments 5 and 6.

The facility is planned to be located at the southeast corner of the site, with a 50-foot front yard setback from Hesperia Road and a 10-foot rear setback from the south property line. The access route for the maintenance of the wireless facility will be from Sycamore Street, which is currently the main access for the existing church. Lastly, the carriers will be required to self-certify that the facility is being maintained as originally approved. This shall occur on an annual basis and tied to their business license renewal. This will force carriers to review the appearance of the facility on an annual basis and certify that the facility is being maintained. Failure to self-certify is considered a violation, and such violation must be corrected prior to issuance of any future building permit or final inspection.

**Drainage:** The site is not impacted by drainage from upstream properties and its impact upon properties downstream is negligible, as its 1,173 square foot lease area is enclosed by a ten-foot, eight-inch-high block wall that will pose a less than significant increase in surface runoff.

**Street Improvements:** Public street improvements are not required.

**Environmental:** Approval of the Conditional Use Permit and Variance is exempt from the requirements of the California Environmental Quality Act by Section 15303, New Construction or Conversion of Small Structures.

**Conclusion:** The Commission should determine whether the modifications that were made to the proposed wireless facility based on the direction from the previous meeting are sufficient for the approval of the project.

## **FISCAL IMPACT**

None.

## **ALTERNATIVES**

1. Provide alternative direction to staff.

## **ATTACHMENTS**

1. Site plan
2. General Plan land use map
3. Aerial photo
4. Service plan
5. Elevations
6. Photo Simulations
7. Resolution No. PC-2022-08, with list of conditions (CUP22-00005)
8. Resolution No. PC-2022-09 (VAR22-00002)