

Wireless Communication Facilities

Port Code Amendment

April 12, 2022 Agenda No. 15 File No. 2022-0093



Recommended Actions

Wireless Communication Facilities (WCF) on District Tidelands:

 Approve amendment to the San Diego Unified Port District Code to add Article 15 "Wireless Communication Facilities on District Tidelands"

 Rescind Board of Port Commissioners Policy 772 – Guidelines for Conducting Project Consistency Review for Wireless Communications Facilities

Background

OPPA

 BPC Policy No. 772 – Guidelines for Conducting Project Consistency Review for Wireless Communications Facilities (2014)





San Diego Unified Port District

DOCUMENT NO. 62676

Office of the District Clerk

BPC Policy No. 772

SUBJECT: GUIDELINES FOR CONDUCTING PROJECT CONSISTENCY REVIEW FOR WIRELESS COMMUNICATION FACILITIES

(3)

PURPOSE: To provide guidelines for processing and evaluating wireless communication facilities (WCF) on District tidelands.

POLICY STATEMENT: The San Diego Unified Port District (District) is entrusted with managing State tidelands in a manner that is consistent with the San Diego Unified Port District Act of 1962 (Port Act) and the California Coastal Act (Coastal Act). As the lead planning and regulatory agency for certain tidelands around and submerged waters of San Diego Bay, the District is responsible for overseeing public and private investments in a manner that is consistent with the public trust.

The District acknowledges that the public demand for WCF must be balanced with other public interests, including environmental protection, preservation of aesthetic resources, and public use of certain tideland areas for commercial and recreational purposes. Therefore, it is the policy of the District to:

- Evaluate WCF projects in a holistic and comprehensive manner that maintains
 the aesthetic quality of the waterfront in accordance with the Public Trust
 Doctrine, District Act, California Coastal Act and other applicable laws.
- Process WCF projects in a predictable and systematic way that is transparent, efficient and cost-effective; and
- Recognize that WCF projects generate revenue for the District and that they
 provide a sought-after service for a wide variety of people and businesses along

 the waterfront

This policy establishes the framework to create administrative procedures, which will include more detailed direction for evaluating and processing WCF projects within the District's jurisdiction. The administrative procedures will be published and maintained by the Executive Director or his/her designee, and may be amended at the Executive Director's or his/her designee's discretion. Any modifications to the administrative procedures must comply with the provisions of this policy, and all applicable regulations and laws.

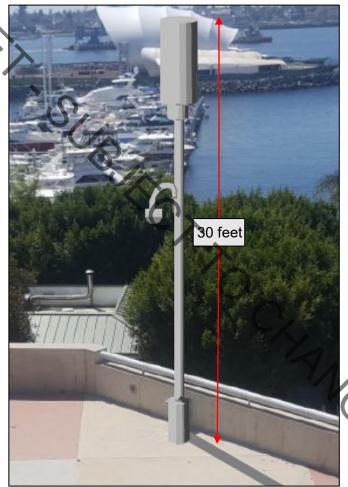
BACKGROUND: The District is responsible for managing approximately 5,333 acres of tidelands and submerged tidelands along San Diego Bay. The length of the

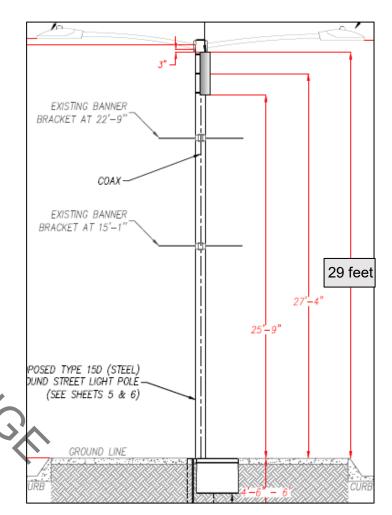
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Small Cell Facilities









Proposed Standards

- Goal: Orderly Development of WCF on Tidelands
- Implements the Following:
 - <u>Standardized Application</u>: establishes clear application requirements to facilitate streamlined and transparent permitting.
 - <u>Least Visually Intrusive and Stealth Design</u>: WCF proposed for tidelands must, to the extent feasible, be designed in the least visible, disruptive means and utilize the smallest, least intrusive design.
 - <u>Locational Preferences</u>: prioritizes the location of WCF in areas that will have the least impact on coastal resources.



Proposed Standards Do Not Prohibit Service

- Proposed Standards are Inherently Flexible
 - <u>Design Standards</u>: achievement of stealth design (through concealment and integration) to the maximum extent technologically feasible.
 - <u>Locational Preferences</u>: WCF prioritized in areas of less impact to coastal resources and tidelands, but can site anywhere on tidelands.
 - <u>Exception Process</u>: allows deviation from the design standards in specific circumstances.



City of San Diego Regulations

- Municipal Code
 - Encourages siting in commercial and industrial areas, and the right of way.
 - Strongly discourages siting in parks, open space, and residential areas.
 - WCF shall utilize "the smallest, least visually intrusive" components.
 - The applicant shall "conceal or minimize the visual impact."
- Land Development Manual
 - "WCFs...should be integrated/concealed to the maximum extent possible."
 - For Small Cell Facilities, as concealment technology advances, "the City expects it to be used to maximum effect."



Member City Design Standards

- City of Coronado
 - "shall be located where least visible and least disruptive...."
 - "...shall exhibit stealth design...to visually blend...or be fully integrated."
 - "...WCF...is the smallest, most efficient, and least visible...."
- City of Imperial Beach
 - "...the visual impact of [WCF] must be minimized..."
- City of National City
 - "designed and located to...minimize visual impacts to surrounding areas."
 - "...as small as possible and the minimum height necessary...."
 - WCF must "...blend with the surrounding environment"
- City of Chula Vista
 - "...[WCF] shall be stealth facilities..."
 - "...designed to blend into the surrounding environment...and is visually unobtrusive."



Member City Location Restrictions

City of Coronado

- Preferred in alleys, non-residential areas, and ROW
- "Not permitted on...Ocean Blvd, Glorietta Blvd, Silver Strand, and Coronado Cays Blvd" or "...within the Orange Avenue Specific Plan Area."

City of Imperial Beach

 "...facilities located between the first public roadway and the ocean must be visually undetectable"

City of National City

- "Preferred...on arterial streets, outside of any residential district, Morgan Square or Brick Row"
- "...minimize intrusion of these uses into residential areas"

City of Chula Vista

- Preferred on City facilities, ROW, and in public parks
- Discouraged in ROW in public parks and open space



Stakeholder Feedback

Carriers

California Coastal Commission staff

Port Tenants Association

Member Cities



Staff Recommendation

WIRELESS COMMUNICATION FACILITIES ON DISTRICT TIDELANDS:

A. ADOPT ORDINANCE TO ADD ARTICLE 15 "WIRELESS COMMUNICATION FACILITIES ON DISTRICT TIDELANDS" TO THE SAN DIEGO UNIFIED PORT DISTRICT CODE

B. ADOPT RESOLUTION RESCINDING BOARD RESOLUTION 2014-227 ADOPTING BOARD OF PORT COMMISSIONERS (BPC) POLICY 772 - GUIDELINES FOR CONDUCTING PROJECT CONSISTENCY REVIEW FOR WIRELESS COMMUNICATION FACILITIES



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