



CUP U-21-6

PLANNING COMMISSION MEETING: ITEM E.1

Shaveta Sharma, Contract Planner



AGENDA

1. APPLICANT REQUEST
2. PROJECT LOCATION
3. ZONING MAP
4. SITE PLAN
5. CUP FINDINGS
6. CEQA
7. STAFF RECOMMENDATION
8. QUESTIONS



Project Applicant & Request

APPLICANT: PAMELA NOBEL, AT&T
REQUEST: NEW TELECOMMUNICATIONS FACILITY
ZONING: BUSINESS TECHNOLOGY PARK
GENERAL PLAN: SPECIAL INDUSTRIAL
CURRENT USE: PERSONAL STORAGE FACILITY

*NMC 17.26.250 ZONING REQUIRES A CUP FOR A NEW TELECOMMUNICATIONS FACILITY

Existing use will not be impacted. The facility will be a stealth monopine design to be located at the northeast corner of the lot.



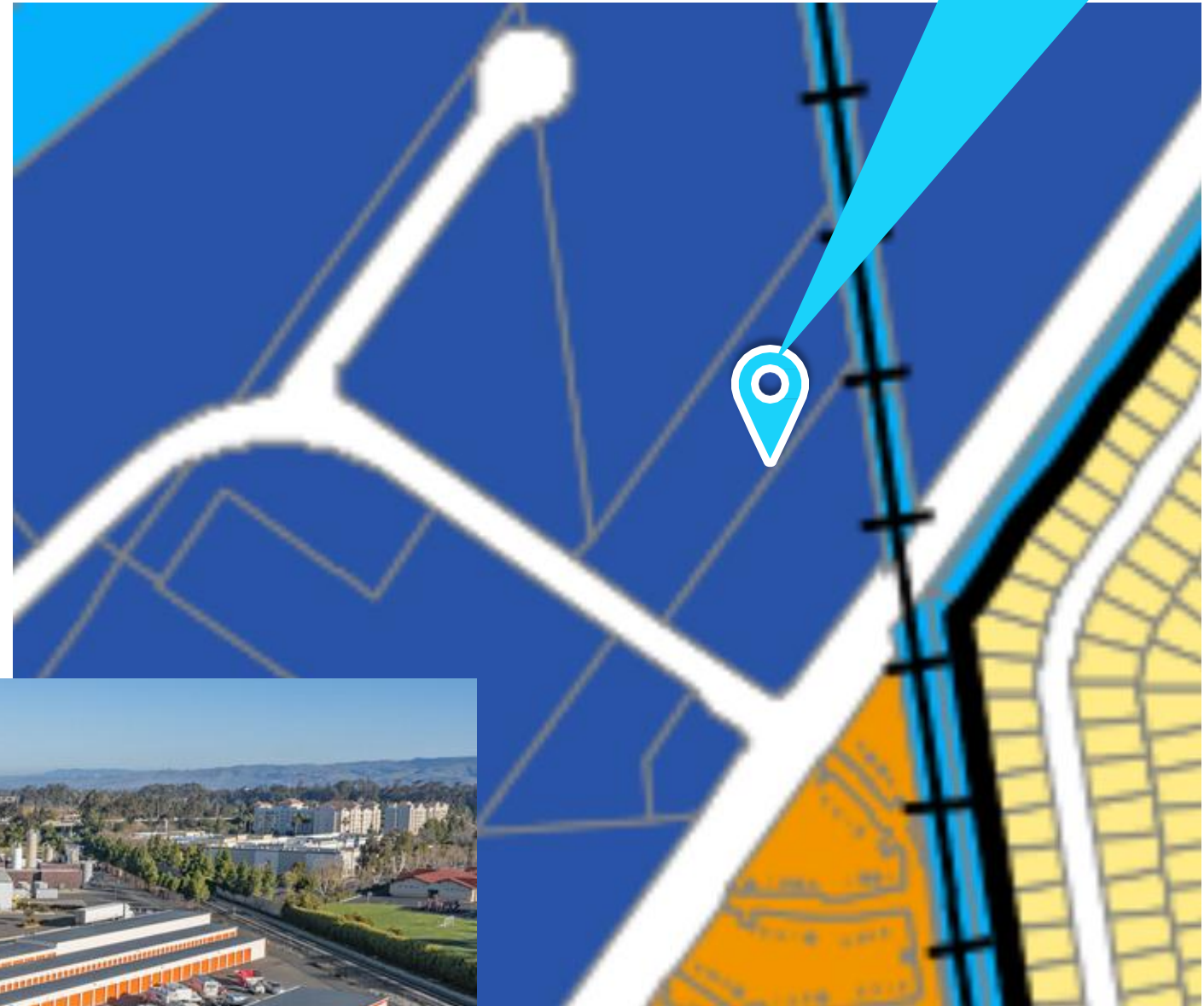
Project Location





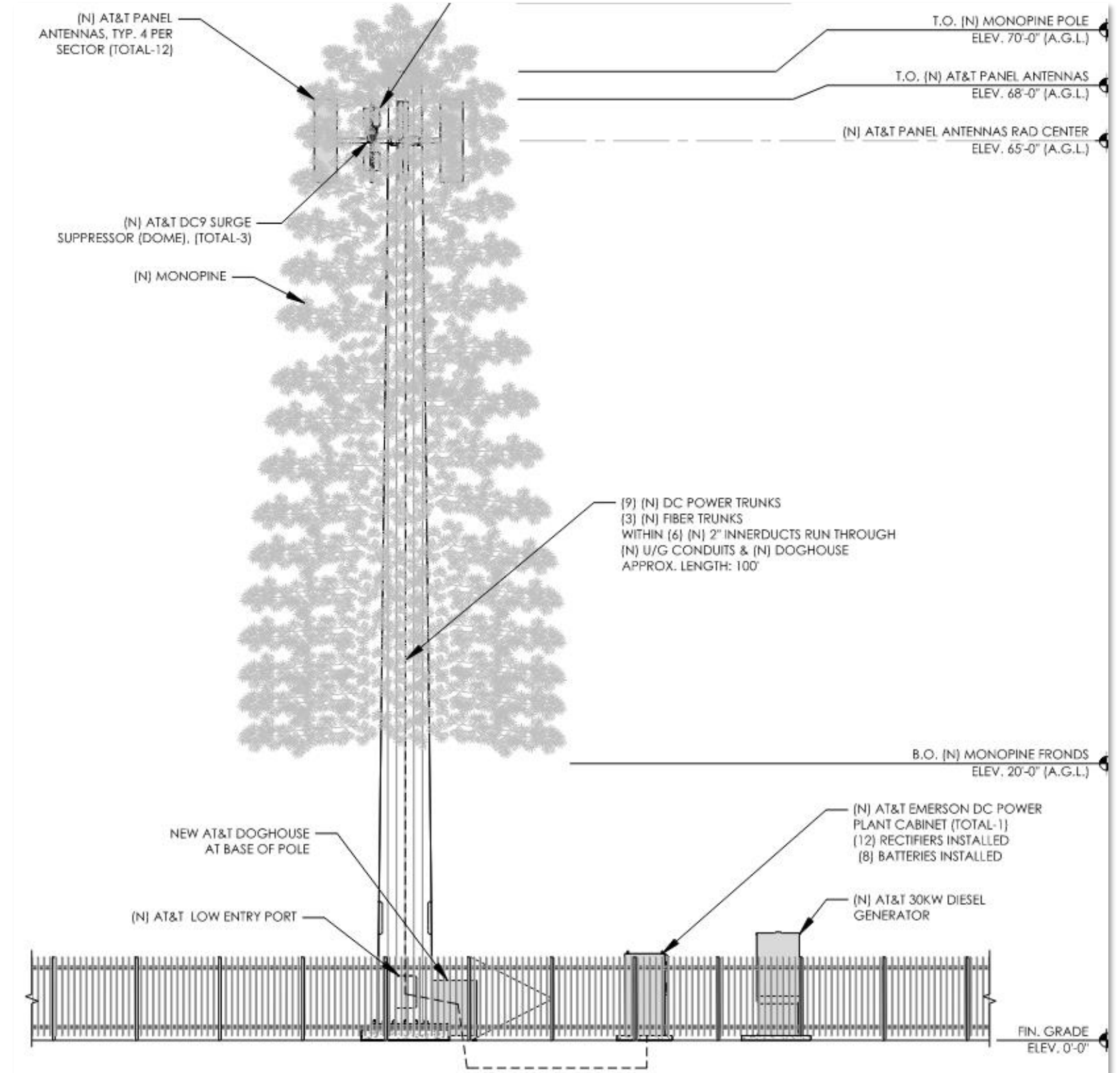
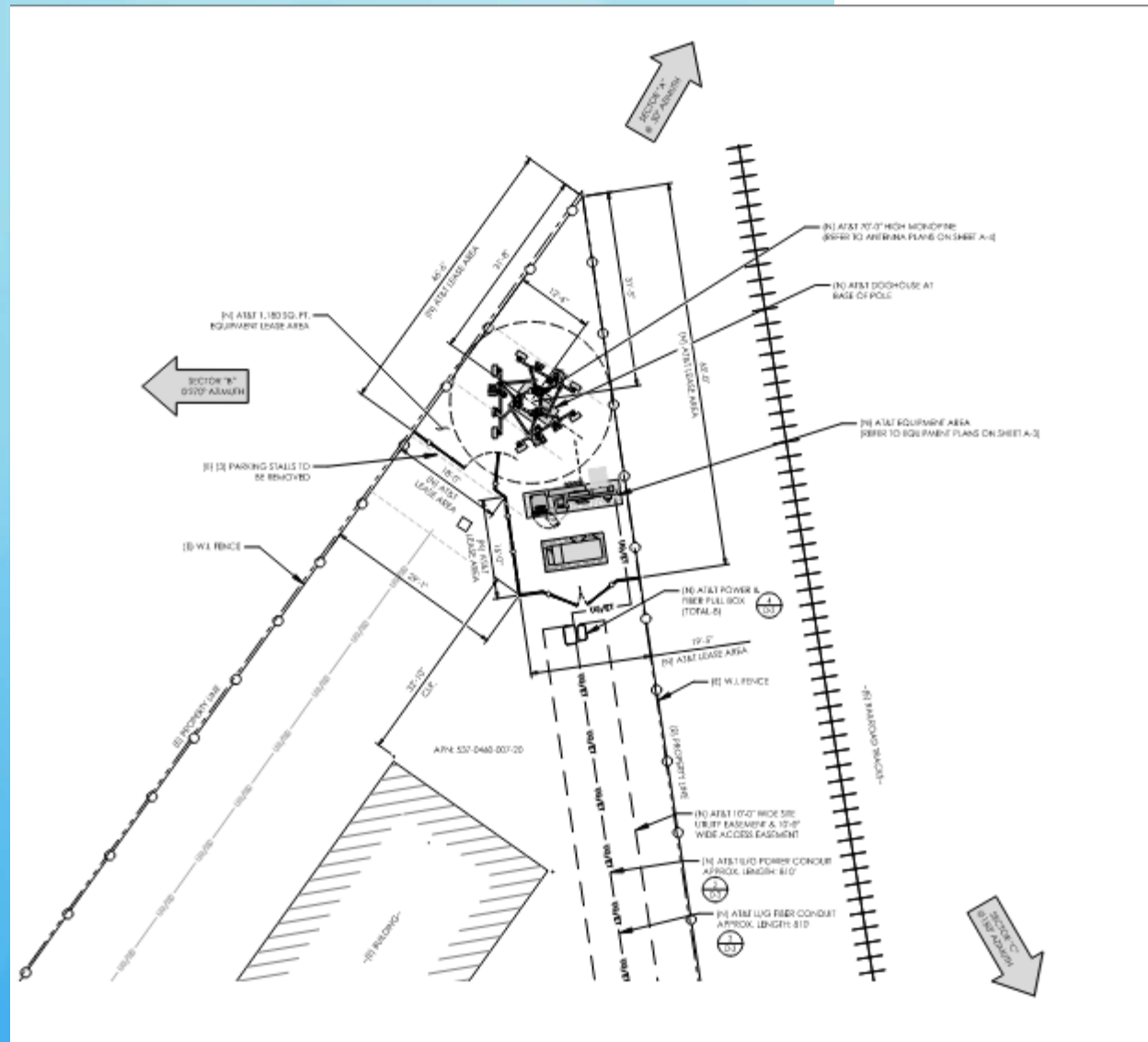
Site Context Zoning Map

35360 FIRCREST





CONCEPTUAL PROPERTY USE





The existing AT&T wireless facility located at 35263 Fircrest shall be removed and decommissioned once the new monopine tower at 35360 Fircrest Drive is confirmed to be “on air” or within 60 days.

EXISTING FACILITY





Required Findings

NMC §17.35.060. CUP Findings

GENERAL FINDINGS: In approving a telecommunication facility, the decision-making authority shall make the following findings:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title [NMC Title 17] and all other titles of the Municipal Code;
- B. The proposed use is consistent with the general plan and any applicable specific plan;
- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
- D. Tax revenue generated by the development will exceed the city's cost of the service demand as a result of the development or a compelling community benefit will be provided;
- E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this title [NMC Title 17];
- F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and
- G. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.



Required Findings

NMC §17.26.250. Telecom Facilities Findings

General Findings. In approving a telecommunication facility, the decision-making authority shall make the following findings:

- A. The proposed use conforms with the specific purposes of this section and any special standards applicable to the proposed facility;
- B. The applicant has made good faith and reasonable efforts to locate the proposed facility on a support structure other than a new ground-mounted antenna, monopole, or lattice tower or to accomplish co-location;
- C. The proposed site results in fewer or less severe environmental impacts than any feasible alternative site; and
- D. The proposed facility will not be readily visible or it is not feasible to incorporate additional measures that would make the facility not readily visible.

Additional Findings for Facilities Not Co-Located. To approve a telecommunication facility that is not co-located with other existing or proposed facilities or a new ground-mounted antenna, monopole, or lattice tower the decision-making authority shall find that co-location or siting on an existing structure is not feasible because of technical, aesthetic, or legal consideration including that such siting:

- A. Would have more significant adverse effects on views or other environmental considerations;
- B. Is not permitted by the property-owner;
- C. Would impair the quality of service to the existing facility; or
- D. Would require existing facilities at the same location to go off-line for a significant period of time.

Additional Findings for Setback Reductions. To approve a reduction in setback, the decision-making authority shall make one or more of the following findings:

- A. The facility will be co-located onto or clustered with an existing, legally established telecommunication facility; and/or
- B. The reduced setback enables further mitigation of adverse visual and other environmental impacts than would otherwise be possible.



CEQA

California Environmental Quality Act (CEQA)

A Class 1 and Class 3, Existing Facilities/Minor Alterations to Land, Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions. Per CEQA §15301(e)(2), environmental review is not required because:

- a. The proposed project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan; and
- b. The area in which the project is located is not environmentally sensitive.



RECOMMENDATION

Approve, by resolution, Conditional Use Permit U-21-6 based on the findings and conditions of approval provided in the Draft Resolution.



QUESTIONS