

RESOLUTION NO.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ROSA  
MAKING FINDINGS AND DETERMINATIONS AND APPROVING A CONDITIONAL  
USE PERMIT FOR THE AT&T TELECOMMUNICATION FACILITY PROJECT, WHICH  
INCLUDES CONSTRUCTION OF A 60-FOOT-TALL MONOPOLE  
TELECOMMUNICATIONS FACILITY, AND ASSOCIATED EQUIPMENT SHELTER -  
LOCATED AT 2400 BLUEBELL DRIVE, APN: 015-370-045 - FILE NUMBER PRJ21-029  
(CUP21-064)

WHEREAS, on July 19, 2021, a pre-application Neighborhood Meeting was held for the proposed telecommunication facility project, at which concerns were raised regarding the potential impacts to the health of the adjacent residential neighborhood; and

WHEREAS, on September 10, 2021, an application was submitted requesting the approval of a Conditional Use Permit for a 60-foot monopole telecommunications facility, to be located at 2400 Bluebell Drive, also identified as Sonoma County Assessor's Parcel Number 015-370-045 (Project Site); and

WHEREAS, on September 17, 2021, a Notice of Application was mailed to residents within 600-feet of the project site; and

WHEREAS, on December 16, 2021, the Waterways Advisory Committee reviewed the project and provided advisory comments to the Planning Commission and the Design Review Board concluding that the proposed AT&T Telecommunication Facility project is consistent with the applicable Citywide Creek Master Plan; and

WHEREAS, on January 12, 2022, an application was submitted requesting the approval of Design Review for a 60-foot-tall monopole telecommunications facility on the Project Site; and

WHEREAS, the Zoning Code allows major telecommunications facilities at this location, subject to Conditional Use Permit and Design Review approvals; and

WHEREAS, on March 24, 2022, the Planning Commission held a duly noticed public hearing on the application at which all those wishing to be heard were allowed to speak or present written comments and other materials; and

WHEREAS, the Planning Commission has considered the application, the staff reports, oral and written, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 20-

52.050 (Conditional Use Permit), the Planning Commission of the City of Santa Rosa finds and determines:

- A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code in that the project complies with application requirements and development standards as set forth in City Code Chapters 20-23 (Commercial Zoning Districts) and 20-44 (Telecommunication Facilities); and
- B. The proposed telecommunications tower is consistent with the General Plan land use designation of Light Industry, in that this designation is intended for areas for manufacturing and distribution activities with potential for creating nuisances, along with accessory offices and retailing, and installation of the proposed telecommunications facility implements a variety of overarching General Plan goals by creating a functional place for those who live and work within the City; and
- C. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity in that the base of the cell tower and all related equipment will be screened from public view with an eight-foot fence and will be placed behind an existing industrial building to minimize visual impacts as much as possible. The proposed height of the tower is necessary to maintain adequate height for function while allowing future collocation of the site; and
- D. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints in that the existing site is both developed and surrounded by existing industrial development with adequate access to the proposed use and once in operation, the telecommunications facility does not require frequent visits by employees, thus not intensifying the site; and
- E. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located in that the project included an Electromagnetic Energy Report, prepared by OSC, Inc., dated received on July 20, 2021, which concluded that the proposed placement of the telecommunications tower at the subject site will not result in exposure of the public to excessive levels of radio-frequency energy as defined in the FCC Rules and Regulations. The project was reviewed by City Staff, and has been conditioned to avoid any effects on the surrounding area; and
- F. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15303, the cellular tower and related equipment qualify for a Class 3 Categorical Exemption, which exempts the construction of new small structures in that telecommunication towers are considered small structures that are similar to this Project.

BE IT FURTHER RESOLVED, that this Conditional Use Permit is subject to all applicable provisions of the Zoning Code, including Section 20-54.100 (Permit Revocation or Modification).

BE IT FURTHER RESOLVED that a Conditional Use Permit for a 60-foot monopole telecommunications facility, to be located at 2400 Bluebell Drive, is approved subject to each of the following conditions:

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

##### **GENERAL:**

1. Compliance with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval. All fees must be paid prior to issuance of a building permit.
2. Obtain approval of the Major Design Review Permit Application File No. DR21-064 by the Design Review Board.
3. All work shall be done according to the final approved plans dated November 13, 2021, or as otherwise amended by the Design Review Board.

##### **EXPIRATION AND EXTENSION:**

4. This Conditional Use Permit shall be valid for a two-year period. If construction has not begun or if an approved use has not commenced within two (2) years from date of approval, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration.
5. If implemented within the initial approval period in accordance with all conditions of approval, this Conditional Use Permit shall be valid for the duration of use.

##### **PLANNING DIVISION:**

6. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Planning Commission and Design Review Board. Any future additions, expansions, remodeling, etc., will be subject to review and approval of the Planning Division.
7. Compliance with City Graffiti Abatement Program Standards for Graffiti Removal (City Code 10-17.080)
8. PROJECT DETAILS:

- A. All project details shall be in accordance with the restrictions and limitations of the City Zoning and Uniform Building Codes, as well as the City's Design Review Guidelines.

9. LIGHTING:

- A. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval.
- B. Light sources shall be concealed from public view.
- C. All lighting shall be directed toward the subject property and away from adjacent properties.

10. SIGNING:

- A. No exterior signs, banners, or the like are approved with this permit. A planning sign permit application is required for all signs.

**ENGINEERING DIVISION:**

- 11. Compliance with Engineering Development Services Exhibit A, dated January 26, 2022, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds and determines this entitlement to use would not be granted but for the applicability and validity of each and every one of the above conditions and that if any one or more of the above said conditions are invalid, this entitlement to use would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval.

REGULARLY PASSED AND ADOPTED by the Planning Commission of the City of Santa Rosa on the 24<sup>th</sup> day of March, 2022 by the following vote:

AYES: ()

NOES: ()

ABSTAIN: ()

ABSENT: ()

APPROVED: \_\_\_\_\_  
KAREN WEEKS, CHAIR

ATTEST: \_\_\_\_\_

JESSICA JONES, EXECUTIVE SECRETARY

EXHIBIT A, ATTACHED