

RESOLUTION NO. ZA-2022-041

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR DESIGN REVIEW FOR THE INSTALLATION AND OPERATION OF SIX NEW PANEL ANTENNAS AND RELATED WIRELESS TELECOMMUNICATION EQUIPMENT ON A PRIVATELY OWNED ROOFTOP WHERE EXISTING WIRELESS TELECOMMUNICATIONS EQUIPMENT IS LOCATED, FOR THE PROPERTY LOCATED AT 50 OLD COURTHOUSE SQUARE SANTA ROSA, APN: 009-013-013, FILE NO. PRJ22-006 (DR22-012).

WHEREAS, the Santa Rosa Zoning Administrator has completed review of the Minor Design Review application to allow six new panel antennas and related wireless telecommunication equipment on a privately owned rooftop where existing wireless telecommunications equipment is located for the project described above; and

WHEREAS, the Minor Design Review approval to allow six new panel antennas and related wireless telecommunication equipment on a privately owned rooftop where existing wireless telecommunications equipment is located are based on the project description and official approved exhibit dated received February 23, 2022; and

WHEREAS, on June 21, 2022, the Zoning Administrator held a duly noticed public meeting 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 proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301(e) in that the addition to existing structures will not result in an increase of 2,500 square feet and constitutes a negligible expansion of use, and a Class 3 exemption under CEQA Guidelines Section 15303 in that the proposed change consists of small structures which do not substantially change the physical dimensions of the tower or base station; and

WHEREAS, the matter has been properly noticed as required by Section 20-52.050.E.2.a and Section 20-52.030.H.2.a and no request for a public hearing has been received;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 20-52.050 and Section 20-52.030, the Zoning Administrator of the City of Santa Rosa finds and determines that:

1. The design and layout of the proposed development is of superior quality and is consistent with the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans) in that the project scope includes a request for an addition of

- Dish Wireless equipment to an existing wireless facility on the rooftop of a privately owned commercial office building where existing wireless equipment is located; and
2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review in that the project scope includes a request for collocation and installation of transmission equipment on an existing rooftop that will be integrated in with the existing wireless antennas and equipment on the rooftop; and
 3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the proposed change does not substantially change the physical dimensions of the tower or base station/roof and the site consists primarily of professional office uses; and
 4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposed change does not substantially change the physical dimensions of the tower or base station/roof; and
 5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained; and
 6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity in that the project included an Radio Frequency Safety Predictive Report, prepared by Waterford, dated certified on December 17, 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; and
 7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 exemption under CEQA Guidelines Section 15301(e) in that the addition to existing structures will not result in an increase of 2,500 square feet and constitutes a negligible expansion of use, and a Class 3 exemption under CEQA Guidelines Section 15303 in that the proposed change consists of small structures which do not substantially change the physical dimensions of the tower or base station.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the applicant's responsibility to pursue and demonstrate compliance.**

Conditions of Approval

1. Obtain a Building Permit.

2. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. No exterior signs are approved with this permit. A separate sign permit is required.
6. Any penetrations through fire rated assemblies must be properly sealed to ensure effective fire resistance.
7. If the addition of a backup battery system is installed as part of this project it may require further review and/or permits.
8. The project is subject to the building and fire codes in effect at time of building permit application. The next code cycle is scheduled to go into effect on January 1, 2023.

This Minor Design Review is hereby approved on August 4, 2022. If conditions have not been met or if work has not commenced within 24 months from the approval date, this approval shall automatically expire and be invalid unless an application for extension is filed prior to expiration. These approvals are subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
SHARI MEADS, ZONING ADMINISTRATOR