



## Legislation Details

**File #:** 10-00207      **Version:** 5

**Type:** Agenda Item      **Status:** Passed

**File created:** 2/19/2010      **In control:** BOARD OF SUPERVISORS

**On agenda:** 9/21/2010      **Final action:** 9/21/2010

**Title:** HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00004) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB08 permit, Case No. 09LUP-00000-00317 located in the public right of way of Olive Mill Road (adjacent to APN 009-640-001) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00004, thereby overturning the Montecito Planning Commission's denial of 09LUP-00000-00317;
- b) Make the required findings for approval of Case No. 09LUP-00000-00317;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09LUP-00000-00317 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Sponsors:** PLANNING AND DEVELOPMENT DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Set Hearing Board Letter, 2. Attachment 1, 3. Attachment 2, 4. Attachment 3, 5. Board Letter 3/16/10; Findings, 6. Public Comment Letters Pt. 1, 7. Public Comment Letters Pt. 2, 8. Public Comment Letters Pt. 3, 9. Public Comment Letters Pt. 4, 10. Public Comment Letter - Price, Postel and Parma, 11. NextG Presentation, 12. Staff Presentation, 13. Set Hearing Board Letter 7/13/10, 14. Board Letter 8/3/10, 15. Attachment A- Findings NextG ESB08, 16. Attachment B- NextG Letter, 17. Attachment C- Kramer Letter, 18. Attachment D- Existing NextG Facility Photos, 19. Attachment E- Existing AT&T Facility Photos, 20. Attachment F- Alternative Site Analysis ESB08, 21. Attachment G- Site Comparison Photos ESB08, 22. Attachment H- BOS Letter ESB08, 23. Public Comment 8/3/10, 24. Presentation 8/3/10, 25. Board Letter 9/21/10, 26. Attachment A - Findings, 27. Attachment B - Notices of Exemption, 28. Attachment C - Permit with Conditions of Approval, 29. Attachment D - Project Plans and Photosimulations, 30. Attachment E - Bushberg Emissions Report, dated April 29, 2009, 31. Attachment F - NextG Letter, dated August 24, 2010, 32. Presentation 9/21/10, 33. Memorandum 9/21/10, 34. Presentation 9/21/10 Revised

Date	Ver.	Action By	Action	Result
9/21/2010	5	BOARD OF SUPERVISORS	Acted on as follows:	Pass
8/3/2010	4	BOARD OF SUPERVISORS	Continued, as follows:	Pass
7/13/2010	3	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass
3/16/2010	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
3/2/2010	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass