



COUNTY OF SANTA BARBARA CALIFORNIA

MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU STREET
SANTA BARBARA, CALIFORNIA 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

May 23, 2014

Crown Castle
Attn: Sharon James
695 River Oaks Parkway
San Jose, CA 95134

MONTECITO PLANNING COMMISSION
HEARING OF MAY 21, 2014

RE: *Crown Castle DAS Montecito Coastal; 13CUP-00000-00010, 14CDP-00000-00002*

Hearing on the request of Sharon James, agent for applicant, Crown Castle to consider Case Nos. 13CUP-00000-00010 and 14CDP-00000-00002, [applications filed on April 23, 2013 and] for a Conditional Use Permit and Coastal Development Permit allowing the installation of nine new telecommunications facilities as part of a distributed antenna system network, in compliance with Section 35.472.060 of the Montecito Land Use and Development Code, on properties zoned 1-E-1, 3-E-1, 20-R-1, DR-10, and AG-I-5; and to adopt the Negative Declaration 14NGD-00000-00004 pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: aesthetics/visual resources, biological resources, cultural resources, noise, and transportation/circulation. The application involves inland County rights-of-way (no assigned Assessor Parcel Numbers), in the Montecito area, First Supervisorial District.

Dear Ms. James:

At the Montecito Planning Commission hearing of May 21, 2014, Commissioner Overall moved, seconded by Commissioner Brown and carried by a vote of 3 to 0 (Burrows and Phillips no):

1. Make the required findings to deny the project, including CEQA findings;
2. Determine the project denial to be exempt from CEQA pursuant to Guideline Section 15270; and
3. Deny the project (Case Nos. 13CUP-00000-00010 and 14CDP-00000-00002).

The attached findings reflect the Montecito Planning Commission's actions of May 21, 2014.

The action of the Montecito Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Montecito Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Montecito Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, June 2, 2014 at 5:00 p.m.**

Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.

Sincerely,



Dianne M. Black
Secretary to the Montecito Planning Commission

cc: Case File: 13CUP-00000-00010, 14CDP-00000-00002
Montecito Planning Commission File
Shana Gray, California Coastal Commission, 89 S. California Street, Suite 200, Ventura, CA 93001
Montecito Association, P.O. Box 5278, Montecito, CA 93150
Engineer: Cornell Design Group, 26455 Rancho Parkway South, Lake Forest, CA 92630
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Supervisor Carbajal, First District
Commissioner Eidelson
Commissioner Burrows
Commissioner Phillips
Commissioner Overall
Commissioner Brown
✓ Jenna Richardson, Deputy County Counsel
✓ Megan Lowery, Planner

Attachments: Attachment A – Findings

DMB/dmv

**CROWN CASTLE – MONTECITO COASTAL
CASE NO. 13CUP-00000-00010, 14CDP-00000-00002
FINDINGS FOR DENIAL**

1.1 CEQA Exemption

The Montecito Planning Commission finds that the denial of the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270.

2.1 Conditional Use Permit Findings

2.1.6 *That the project is in conformance with the applicable provisions and policies of this Article and the Coastal Land Use Plan.*

The proposed facilities are inconsistent with visual resource Goals LU-M-1 and LU-M-2, policies LU-M-2.1, VIS-M-1.1, and VIS-M-2.1. The facilities are proposed to be mounted on existing utility poles in a semi-rural residential area. Required support equipment and electrical power would be stored in ground mounted pedestals ranging in size from 4'6" to 5' in height. The ground mounted components would be located in the public rights-of-way and are readily visible to residents in the immediate vicinity and to those traveling on the streets. The design of these facilities creates a visual blight in addition to already existing utility poles. Therefore, the proposed project does not preserve the existing semi-rural residential streetscape character of the area as required by the Montecito Community Plan and therefore this finding cannot be made.

2.2 Commercial Telecommunication Facility Findings

2.2.1 *The facility will be compatible with the existing and surrounding development in terms of land use and visual qualities.*

The facilities are proposed to be mounted on existing utility poles in a semi-rural residential area. Required support equipment and electrical power would be stored in ground mounted pedestals ranging in size from 4'6" to 5' in height. The ground mounted components would be located in the public rights-of-way and are readily visible to residents in the immediate vicinity and to those traveling on the streets. The design of these facilities creates a visual blight in addition to already existing utility poles. Therefore, the proposed project does not preserve the existing semi-rural residential streetscape character of the area as required by the Montecito Community Plan and therefore this finding cannot be made.

2.2.2 *The facility is located to minimize its visibility from public view.*

The proposed facilities are located squarely in the public road rights-of-ways on existing utility poles, many of which are already encumbered by additional equipment (SCE, Cox, etc.) In addition, the ground mounted pedestals would generally be the only above-ground utility structures in the area. The proliferation of equipment is aesthetically unsatisfactory and does not minimize the facilities from public view. Therefore, this finding cannot be made.

2.2.3 *The facility is designed to blend into the surrounding environment to the greatest extent feasible.*

The proliferation of ground mounted pedestals contributes to the visual clutter in the public road rights-of-ways. These pedestals are immediately adjacent to the roadways and separated

from the any existing vegetation thereby highlighting the visual prominence of these facilities. As such, the facilities do not blend into the surrounding environment and this finding cannot be made.

2.2.6 *The applicant has demonstrated a need for service (i.e. coverage or capacity) and the area proposed to be served would not otherwise be served by the carrier proposing the facility.*

The applicant has not demonstrated substantial evidence to support a gap in coverage and therefore a need for service. The testimony provided indicated that the proposal was providing additional data capacity and not cell phone coverage. Furthermore, the coverage maps provided do not demonstrate a need for service. Therefore, this finding cannot be made.

2.3 Coastal Development Permit Findings

2.3.1 *The proposed development conforms: 1) To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan; 2) With the applicable provisions of this Article, or the project falls within the limited exceptions allowed under Section 35-161 (Nonconforming Use of Land, Buildings, and Structures).*

The proposed facilities are inconsistent with visual resource Goals LU-M-1 and LU-M-2, policies LU-M-2.1, VIS-M-1.1, and VIS-M-2.1. The facilities are proposed to be mounted on existing utility poles in a semi-rural residential area. Required support equipment and electrical power would be stored in ground mounted pedestals ranging in size from 4'6" to 5' in height. The ground mounted components would be located in the public rights-of-way and are readily visible to residents in the immediate vicinity and to those traveling on the streets. The design of these facilities creates a visual blight in addition to already existing utility poles. Therefore, the proposed project does not preserve the existing semi-rural residential streetscape character of the area as required by the Montecito Community Plan and therefore this finding cannot be made.