

ATTACHMENT B: ADDENDUM TO NEGATIVE DECLARATION

TO: County/Montecito Planning Commission

FROM: Megan Lowery, Planner
Development Review South, Planning and Development

DATE: March 4, 2011

RE: CEQA Determination: Finding that Section 15164 of the State CEQA Guidelines applies to the Telecommunication Facilities Ordinance Amendments
Case Nos. 11ORD-00000-00005, 11ORD-00000-00006, and 11ORD-00000-00007

Location

The proposed ordinance amendments will apply to all the unincorporated areas of the County within the jurisdiction of the County Land Use Development Code, Montecito Land Use Development Code and the Coastal Zoning Ordinance (Article II).

Background

CEQA Section 15164 allows the use of a previously prepared EIR or ND where only minor technical changes or additions are necessary, unless subsequent changes are proposed in the project which will require important revisions of the previous EIR or ND due to the involvement of new significant environmental impacts, or there are substantial changes with respect to the circumstances under which the project is undertaken, or new information becomes available.

A Negative Declaration (97-ND-02) was prepared and finalized for the ordinance amendments adopted in 1997 that instituted permit processing requirements for commercial telecommunication facilities in the County's jurisdiction. The ND concluded that the proposed ordinance amendments would not result in significant environmental impacts with the inclusion of the required mitigation measures.

Proposed Ordinance Amendments

The proposed ordinance amendments would amend processing requirements for "very small facilities" and "tenant improvement" facilities by reorganizing the current tier structure; add provisions for "temporary facilities," "hub sites," and "collocated facilities" not currently captured in the ordinance; move all new facilities located in residential zone districts under the jurisdiction of the Planning Commission, with a required public hearings; add findings requiring demonstration of need for service and demonstration of efforts to reduce the intrusiveness of the facility through design and siting; amend existing definitions of "collocated telecommunications facility" and "substantially visible"; add new definitions of "hub site," "mobile communications temporary facility," and "vault"; and make other minor revisions to the existing procedures and development standards that regulate the construction and use of commercial telecommunications facilities.

Changes in Project Impact Discussion

As described above, the main purpose of the changes proposed is to reorganize where certain facilities fall within the current tier structure. The changes proposed would not alter the existing four tier system or the decision maker levels assigned to the tiers. Nor would the changes remove, loosen or alter any established standards (i.e. height, siting, design, protection measures, etc.) In fact, the changes proposed would only serve to increase processing requirements, add/clarify findings, add/clarify existing standards, and add/clarify definitions.

The analysis in the Mitigated Negative Declaration 97-ND-02 focused on projects that would be allowed by a ministerial (Land Use/Coastal Development) permits only, and determined that projects that required a discretionary permit and full environmental analysis under the previous ordinances would still require a discretionary permit and environmental review on a case by case basis under the terms of the then proposed ordinance, such that the adoption of the proposed ordinance language was not expected to create any significant environmental impacts, thus alleviating the need for environmental review of the ordinance language regarding discretionary permits.

The projects identified in the ND that were allowed by ministerial (Land Use/Coastal Development) permits were determined to be facilities that had minimal, if any, potential to have any significant impacts on the environment due to their placement on existing structures. These facilities were qualified as “Tier 1” facilities. The two types of facilities in the Tier 1 category were 1) very low power facilities (mounted on existing utility poles or similar structures), and 2) tenant improvements (facilities mounted within or on existing buildings or structures). Since both types of facilities are unstaffed facilities, designed to be mounted on or within existing structures, the potential to have any impacts to Geologic Processes, Water Resources/Flooding, Transportation/Circulation, Archeological Resources, Land Use, Public Facilities, Energy, Fire Protection, Recreation, and Housing would not be significant.

The two types of facilities now being proposed under Tier 1 are not unlike the previously analyzed Tier 1 facilities in concept. The facilities now proposed under Tier 1 would include 1) temporary facilities and 2) hub sites. Mobile temporary facilities are typically trailers or vans with antennas mounted on top, with support equipment located inside. These facilities would only operate on temporary basis over a short period of time and when potential for public health and safety issue exists. These facilities would be self-sustaining, would not require any construction or ground disturbance onsite, would not require any water or sewer service, would use existing access and would not generate any significant traffic. Hub sites are typically computer servers and ancillary equipment located inside an existing building that connects to a larger telecommunications network. Any new structures needed to house the hub site would be required to be separately permitted under the applicable ordinance standards. These facilities would be unstaffed and therefore would not generate any significant traffic or require any water or sewer service.

With the exception of amending Section 4.4 Air Quality to allow mobile temporary telecommunications facilities to utilize generators, since they are by nature self-sustaining facilities (with internal generators) that would operate on a short term temporary basis only and therefore would not have the potential to cause significant impacts to air quality, no substantive changes to the analysis would be required. The existing requirement for any generators rated at 50 horsepower or greater to obtain a permit from APCD would continue to apply. All other substantive aspects of the previous ND that mitigated Tier 1 facilities still apply to the future Tier 1 proposals for new “temporary mobile facilities” and “hub sites.”

Findings

It is the finding of this Board that the previous environmental document, 97-ND-02, may be used to fulfill the environmental review requirements of the Telecommunication Facilities Ordinance Amendments, Case Nos. 11ORD-00000-00005, 11ORD-00000-00006 and 11ORD-00000-00007. No impacts previously found to be insignificant are now significant. Taken together, the original environmental document and this letter fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a new EIR or ND is not necessary.

Discretionary processing of the Telecommunication Facilities Ordinance Amendments, Case Nos. 11ORD-00000-00005, 11ORD-00000-00006 and 11ORD-00000-00007 may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT
FINAL NEGATIVE DECLARATION**

**Streamlining Ordinance for Wireless Communications Facilities
95-OA-008, 009 and 010**

1.0 REQUEST/PROJECT DESCRIPTION

The County of Santa Barbara Planning & Development Department proposes to amend the County's Zoning Ordinances - Article II (the Coastal Zoning Ordinance), Article III (the Inland Zoning Ordinance) and Article IV (the Inland Montecito Zoning Ordinance) as they pertain to wireless communications facilities such as cellular telephones, personal communication systems, and pagers.

The proposed ordinance amendments are intended to clarify and streamline the permit process and to keep County zoning ordinances current with recent technological advances in the wireless communications industry.

The current zoning ordinances were written and adopted at a time when the technology for wireless communications facilities was unknown and unanticipated. Existing permitting requirements for communication facilities do not differentiate among size, complexity and potential for impact. For example, all wireless communication facilities in Articles III and IV require a Major Conditional Use Permit. Wireless projects located within the jurisdiction of the Article II Zoning Ordinance (excluding the AG-I and AG-II Zone Districts) require a Minor Conditional Use Permit pursuant to §35-147.2.i, under the premise that wireless communication facilities are similar in nature to other public services/utilities and would not be a more intensive use than those specifically enumerated within the Ordinance. Neither Article II, III or IV clearly include or accurately describe wireless communication facilities, which provide cellular services, personal communication services, or paging services (see definitions below). The focus of the proposed Ordinance Amendments is to establish a separate section of the ordinance that governs the siting and development of all Communication Facilities and more specifically, to develop new, appropriate permit procedures for wireless communication facilities and provided regulatory consistency among the three zoning ordinances. The wireless communication facilities that would be governed by the proposed ordinance amendment are defined below:

WIRELESS COMMUNICATION FACILITIES: A commercial facility that transmits and/or receives radio communication signals through the air for cellular, personal communication services, pagers, and similar services. The facilities can include, but are not limited to, antennas, radio transmitters, equipment shelter or cabinet, air vents, antenna support structure, air conditioning units, fire suppression systems, and emergency back-up generators.

- a) **Microcell:** A small low power radio transceiver facility (10 watts per radio transmitter) comprised of a unmanned utility cabinet with a total volume of approximately forty (40) cubic feet that is either under or aboveground, and one omni-directional whip antenna with a maximum length of five feet, or up to two small (1 ft. x 2 ft. or 1 ft. x 4 ft.) directional panel antennas, mounted on a pole, an existing

conventional utility pole, or other similar support structure. Microcells typically include up to 30 radio transmitters.

- b) Macrocell:** A low power radio transceiver facility (up to 100 watts per radio transmitter) comprised of an unmanned equipment shelter (above or below ground) approximately 300 square feet per licensed provider, omni-directional whip, panel or microwave dish antennas mounted on a support structure (e.g., monopole, lattice tower), or building. Macrocells typically include 60 radio transmitters.
- c) Tenant Improvement:** An unmanned microcell or macrocell, or similar facility, that is entirely enclosed within, or on, the roof of an existing building or structure. If the facility is located on the roof of an existing building, the radio equipment are enclosed within an equipment shelter or all-weather cabinet. The associated antennas and necessary air vents are not enclosed within the building or the equipment shelter.

The draft ordinance amendments establish a new “Communication Facilities” section under the General Regulations Divisions designed to govern the siting and development of all communication facilities, including Wireless Communication Facilities within the County. The procedures and language which currently govern all other communication facilities (i.e., non Wireless Communication Facilities), would simply be relocated to the new General Regulations Section. The proposed amendments do not include changes in the permit requirements for these (e.g., radio stations, television stations, amateur “ham” radios) communication facilities. However, the ordinance does include new more stringent submittal requirements and abandonment procedures for all communication facilities.

Within this new “Communication Facilities” section, a four tiered permitting system is proposed for Wireless Communication Facilities. The proposed tiering system would allow small unobtrusive facilities to obtain ministerial permits that are approved or denied at the staff level. The larger more complex projects would require greater review by either the Director of Planning & Development, the County Zoning Administrator, or the County Planning Commission. As the size and complexity of the facility and potential for environmental impacts or policy inconsistencies increases, the decision-making body shifts upwards (e.g., from the Director to the Zoning Administrator). This tiered approach attempts to minimize and streamline the review process for minor projects while providing for adequate review of larger projects. The amendments are intended to ensure efficiency and predictability in the permitting of these facilities. The proposed process is divided into the following four tiers:

TIER 1

Wireless communication facilities processed under Tier 1 would be installed within, or on, the roof of an existing building or structure. These types of projects are called “Tenant Improvements” (see above definition). The equipment necessary for these facilities typically includes radio transceivers, air conditioning units, antennas, batteries, and cables. If the facilities are located within an existing building, a room or office is usually leased to house the equipment.

In order for a facility to be processed under this tier it would need to comply with the following requirements:

1. The facility is entirely enclosed within an existing building or structure (excluding antennas, the associated support structure, and air vents) or is located on the roof of an existing building or structure within an equipment shelter. The general public does not have access to the transmission facilities and the associated antennas.
2. The highest point of the antenna and any supporting structure installed within or on an existing building or structure does not protrude above the highest point of the building or structure (including parapet walls and architectural facades) on which it is mounted. Antennas that are mounted on the exterior wall of an existing building or structure shall not protrude more than two feet ~~out~~ horizontally from such building or structure.
3. Access to the facility is provided by existing roads.
4. The facility does not include night lighting.
5. The facility is not located within a residential zone district and is a minimum of 50 feet from the nearest residential dwelling unit or educational facility.
6. The facilities maximum composite effective radiating power is 1,000 watts or less.
7. Notice (i.e., Land Use/Coastal Development Permit) of the approved project shall be posted. In addition, a copy of the approved Permit must be mailed to property owners within 300 feet and residents within 100 feet of the exterior boundaries of the project site, and to any person who has filed a written request and provided a self addressed stamped envelope to Planning and Development.

If the proposed facility complies with the established requirements, a Land Use or Coastal Development Permit would be the only permit/approval required. This permit would not be subject to environmental analysis or a public hearing, and would be approved or denied at staff level. Decisions on these permits would be appealable to the Planning Commission.

TIER 2

Projects proposed to be processed under the second tier consist of microcells, or similar facilities, and Tenant Improvement facilities that do not meet the criteria/standards under Tier 1. These projects would be processed as a Director level Development Plans. Such projects would be required to meet ordinance criteria and would be subject to full environmental review under the California Environmental Quality Act (CEQA), but would not be subject to a public hearing. Decisions on these permits would be appealable to the Planning Commission. The ordinance criteria would be as follows:

1. Tenant Improvement Facility:
 - a) The facility is entirely enclosed within an existing building or structure (excluding antennas, the associated support structure, and air vents) or is

located on the roof of an existing building or structure within an equipment shelter. The general public does not have access to the transmission facilities and the associated antennas..

- b) The maximum height of the antenna(s) conforms to the zone district height requirements. No modifications of this height limitations shall be allowed. If located on a flat roof of an existing building or structure, the height of the antenna shall equal the distance the antenna is setback from the edge of the roof.
- c) Notice of the project has been provided to property owners within 300 feet and residents within 100 feet of the exterior boundaries of the site, and to any person who has filed a written request and provided a self addressed stamped envelope to Planning and Development and no written request for a hearing has been submitted. If such request is received the project shall be processed as a Zoning Administrator Development Plan.

2. Microcells, or similar facility:

- a) The general public is excluded from the facility (e.g., underground or locked cabinet).
- b) The maximum height of the antenna(s) conforms to the zone district height requirements. No modifications of this height limit are allowed. If located on a flat roof of an existing building or structure, the height of the antenna(s) shall equal the distance the antenna is setback from the edge of the roof. The highest point of the antenna(s) may exceed district height requirements only when mounted on an existing utility pole or similar support structure, as determined by Planning and Development. In no case shall the highest point of the antenna exceed the height of the utility pole or similar support structure (e.g., street light standard) on which it is mounted.
- c) The placement of the microcell or similar facility shall conform to the following:
 - i) Above ground facilities (e.g., utility cabinet) must meet applicable zone district setback regulations. The antenna may be located within setbacks or right-of-way if installed on an existing utility pole, or similar existing support structure (e.g., street light).
 - ii) Underground facilities (e.g., utility cabinet) and associated antenna(s) may be located within the zone district setbacks and the right-of-way provided that the antenna(s) is installed on an existing utility pole or similar existing support structure (e.g., street light). If the facility is located within the road right-of-way no portion of the facility shall obstruct existing or proposed sidewalks, trails, and vehicular ingress/egress. In addition,, the applicant must also

obtain the necessary encroachment permits for the installation and operation of the facility.

- d) Notice of the project has been provided to all property owners within 300 feet and residents within 100 feet of the exterior boundaries of the site, and to any person who has filed a written request and provided a self addressed stamped envelope to Planning and Development and no written request for a hearing has been submitted to Planning and Development within ten (10) calendar days of such notice. If such request is received, the project shall be processed as a Zoning Administrator Development Plan.

TIER 3

Proposed Tier 3 projects would consist of Microcells (or similar facilities) and Tenant Improvement facilities that do not meet the criteria/standards of Tier 1 or 2 and Macrocells,. If a project conforms to Tier 3 criteria, it would require a Minor Conditional Use Permit reviewed by the Zoning Administrator. Tier 3 projects will be subject to full environmental review under CEQA and a public hearing. Decisions by the Zoning Administrator are appealable to the Board of Supervisors. The ordinance Tier 3 criteria would be as follows:

1. Tenant Improvement Facility:
 - a) The facility is entirely enclosed within an existing building or structure (excluding antennas, the associated support structure, and air vents) or is located on the roof of an existing building or structure within an equipment shelter where the general public does not have access to the transmission facilities and the associated antennas..
 - b) The height of the antenna(s) and supporting structure shall not exceed 50 feet. No modifications of the height limit shall be allowed. If the antenna is located on an existing building or structure, the antenna(s) shall not exceed fifteen (15) feet above the highest point of the structure. If the antenna(s) are located on a flat roof, the height of the antenna(s) shall be no greater than the distance the antenna(s) is setback from the edge of the roof up to a maximum of fifteen (15) feet.
2. Microcell, or similar facility:
 - a) The general public is excluded from the facility (e.g., underground or locked cabinet).
 - b) The height of the antenna(s) and supporting structure shall not exceed fifty (50) feet. No modifications of the height limit shall be allowed, except as provided below. If the antenna is located on an existing building or structure, the antenna(s) shall not exceed fifteen (15) feet above the highest point of the structure. If the antenna(s) are located on a flat roof, the height of the antenna(s) shall be no greater than the distance the antenna(s) is setback from the edge of the roof up to a maximum of fifteen

(15) feet. The highest point of the antenna(s) may exceed fifty (50) feet only when mounted on an existing, operational, public utility pole or similar support structure, as determined by Planning and Development, but in no case shall the highest point of the antenna(s) exceed the height of the utility pole or similar base on which it is mounted.

- c) The location of the microcell or similar facility shall conform to the following:
 - i) Above ground facility (e.g., equipment cabinet) must meet applicable zone district setback regulations. The antenna(s) may be located within setbacks or right-of-way if installed on an existing utility pole, or similar existing support structure (e.g., street light).

Underground equipment (e.g., equipment cabinet) and associated antennas may be located within the zone district setbacks and the right-of-way provided that the antenna is installed on an existing, operational, public utility pole or similar existing support structure (e.g., street light). If the facility is located within the road right-of-way no portion of the facility shall obstruct existing or proposed sidewalks, trails, and vehicular ingress/egress. In addition, the applicant must also obtain the necessary encroachment permits for the installation and operation of the facility.

3. Macrocell, or similar facility.

- a) The general public will be excluded from the facility (e.g., fenced).
- b) The height of the antenna and supporting structure shall not exceed 50 feet. No modification of this height limitation shall be allowed.
- c) The support structure and associated antennas are : 1) a monopole with an antenna envelope of no more than 2 feet in diameter, 2) designed to look like the natural or man-made environment (e.g., designed to look like a tree, rock outcropping, or street light), or 3) designed to integrate into the natural environment (e.g., imbedded in a hillside), do not protrude into the skyline, and include a maximum of two sectors (i.e., antennas transmitting in two directions) and 6 antennas.
- d) The facility is not located within a residential zone district, unless the subject site has a Comprehensive Plan Land Use Designation or Overlay of Institutional/Government Facility and the facility is a minimum of 100 feet from the nearest dwelling unit and/or educational facility.
- e) The facility is not located within a Scenic Highway Corridor.
- f) The facility shall meet all zone district and overlay setbacks, unless a modification of such setbacks is approved.

- g) Co-location of macrocells on an existing support structure shall be required unless:
- i) The applicant can demonstrate that reasonable efforts, as determined by Planning and Development, have been made to locate the antennas on an existing support structure and such efforts have been unsuccessful; or
 - ii) Co-location cannot be achieved because there are no existing facilities in the vicinity of the proposed facility; or
 - iii) Planning and Development determines that co-location of the proposed facility would result in greater visual impacts than if a new/separate support structure (i.e., monopole, lattice tower) were constructed.

The applicant shall provide the County with documentation regarding 1) the proposed service area and their attempts to contact the owners of the existing facilities within that service area, or 2) documentation why co-location is impractical.

If the applicant proposes to co-locate on an existing support structure, which has an existing Conditional Use Permit, the project would be processed as either a Substantial Conformity Determination, an Amendment, ~~or~~ a Revision to the existing Conditional Use Permit, or a new Conditional Use Permit.

If the applicant is unable to install the proposed antenna on an existing support structure (e.g., monopole, tower) and is proposing to construct a new support structure, the applicant shall submit the following:

- a. The project description shall identify the estimated total capacity of the structure, including the number and types of antennas that can be accommodated over the life of the project. In addition, the applicant must file a letter of intent to sub-lease a portion of the site to other users in “good faith.”
- b. Identify failure characteristics of the tower and demonstrate that the site and setbacks are of adequate size to contain falling debris.
- c. Demonstrate that the selected tower design is as visually unobtrusive as possible, given the technical and engineering considerations

TIER 4

Proposed Tier 4 projects would apply to all projects which do not meet the standards set forth in Tiers 1, 2 or 3. Tier 4 projects would require a Major Conditional Use Permit reviewed by the Planning Commission. Each project will be subject to full review under CEQA and a public hearing. Decisions by the Planning Commission are appealable to the Board of Supervisors.

The amendment package adds language to the Height Section of the General Regulations Divisions. The existing language states that non-commercial antennas may be 50 feet in height. The Section is silent regarding commercial facilities. The proposed text would allow commercial facilities to be up to 100 feet in height in Articles III and IV and up to 75 feet in height, only if technical requirements dictate, in Article II. It should be noted that Article III currently allows facilities to exceed 50 feet in height in the inner rural and urban areas (Major Conditional Use Permits Section).

In addition, the County Zoning ordinances have been silent regarding the installation of receive-only satellite dishes or wireless television antennas for private non-commercial reception of communication signals (e.g., television). The County is proposing to exempt ground or roof mounted receive-only, private satellite dishes and wireless television antennas one (1) meter in diameter or less from Land Use or Coastal Development Permits. The County is also proposing to require a Land Use or Coastal Development Permit for receive-only, private satellite dishes and wireless television antennas that are over 1 meter in diameter but no greater than 2 meters in diameter and a Director Approved Development Plan for receive-only, private satellite dishes and wireless television antennas that exceed 2 meters in diameter.

The amendments also include new definitions, minor text changes, and clarifying language in other sections of the ordinance that do not change or establish permit procedures.

2.0 ENVIRONMENTAL SETTING

Santa Barbara County is located in the central coast portion of California, bounded on the north by the Santa Maria River, on the east by Rincon Creek and the Sierra Madre Mountain Range, and on the southwest by the Pacific Ocean. The proposed ordinance amendments would affect only the unincorporated areas of the County. Each City within the County of Santa Barbara is responsible for regulating the development of wireless communication facilities within their own jurisdictions.

Over the last five years, Planning & Development has processed and permitted over 60 facilities (i.e., microcells and macrocells, or similar facility). Currently, there are three private companies licensed to provide cellular and paging services in Santa Barbara County. In addition, the Federal Communications Commission recently licensed three companies to provide personal communications services in the County. It can be assumed that these companies will request permits for new facilities over the next few years. In the past, the County has requested buildout figures from each provider for long range planning purposes. However, according to industry representatives, it is difficult to pre-determine the placement and size of future facilities as the decisions are driven by the location of the subscribers and demand for services. The providers do project buildout plans for a three year span for their own purposes, but claim that it is proprietary information and that they should not be required to release this information to the public. However, it can be assumed that these facilities will be provided in the more densely populated areas of the County and along travel corridors. Given the speculative nature of identifying wireless communication facility sites, the County can only predict that future buildout of these facilities will increase in number from those currently permitted, but in an unpredictable manner.

3.0 SCOPE OF ANALYSIS FOR CEQA PURPOSES

The “project” assessed in this document pertains to the permit process only. There are no specific projects proposed as part of these ordinance amendments. The locations and impacts of any future specific development projects are unknown and speculative at this time.

As indicated within Section 2.0 of this document, the County proposes establish a new section in the General Regulations Division, titled Communication Facilities that would govern the development and siting of all communication facilities. The existing permit requirements for communication facilities would be relocated to this section (e.g. from the Conditional Use Permits sections). The permit requirements for the non “Wireless Communication Facilities” would remain unchanged (i.e., discretionary permit). As there would be no change in the required permit for these facilities, environmental review of this amendment is not required and not provided herein.

Within the proposed General Regulations section a four tiered permit processing system for wireless communication facilities (e.g., cellular communication services, personal communication services, paging services, and similar services) is proposed. Tier 1 projects are proposed to be processed as ministerial projects that would not require project specific environmental review. Projects which fall within Tiers 2, 3, and 4 require a discretionary permit and full environmental analysis under existing ordinance language. The projects that would qualify for processing under Tiers 2, 3, and 4, currently require a discretionary permit and environmental analysis. The only proposed change in the process would be a shift in the designated decision-maker (e.g., from Zoning Administrator to Director). As Tier 2, 3 and 4 projects would still receive environmental review on a case by case basis, the creation of these Tiers is not expected to create any significant environmental impacts. Therefore, environmental analysis of Tiers 2, 3, and 4 is not required. The analysis provided herein focuses solely on the potential environmental impacts associated with Tier 1 projects.

The amendment package includes a change to the General Regulations to Height Restrictions. The amendments would establish a maximum height for commercial antennas and antenna support structures of 100 feet in Articles III and IV and 75 feet, only if technical requirements dictate, in Article II. Existing regulations are silent with respect to commercial facilities but allow private facilities to be 50 feet in height. In the past, commercial facilities have been allowed to exceed 50 feet height with a Variance or modification under a Conditional Use Permit, both are discretionary permits. At this stage it is too speculative to estimate 1) the location of these the facilities that exceed 50 feet in height, 2) the physical appearance of these facilities (e.g., some may disguised to look like the natural or urban environment), and 3) the potential environmental impacts generated by these facilities (Sec. 15145 State CEQA Guidelines). In addition, all future communication facilities that exceed 50 in height will still be subject to a discretionary permit and project specific environmental analysis. Therefore, environmental analysis of this proposed text amendment is not required and not provided herein.

The County is also proposing to 1) exempt ground or roof mounted receive-only satellite dishes and wireless television antennas one (1) meter in diameter or less that are used for the private non-commercial reception of communication signals (e.g., television) from Land Use or Coastal Development Permits, 2) require a Land Use or Coastal Development Permit these facilities that exceed 1 meter in diameter but no greater than 2 meters in diameter, and 3) require a Director level development plan for these facilities if they exceed 2 meters in diameter. The private antennas that are two meters or less in diameter are considered accessory/appurtenant structures similar in size to other equipment/structures such as solar panels, walls and fences (6 feet in height), and propane tanks that are exempt from development permits and environmental review. In addition, there are

many types of projects subject to a ministerial development permits from the County which are assumed, in the absence of evidence to the contrary, to have no potential for significant environmental effect (e.g., a minor addition, an accessory structure over 120 square feet). Section 15303 of the State CEQA Guidelines, in fact, specifically provides a categorical exemption for the “construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures”. Given the minor nature and size of the satellite dishes and wireless television antennas that do not exceed 2 meters in diameter, staff has determined that these facilities have little to no potential for significant project specific or cumulative environmental effect. Therefore, environmental analysis is not required and is not provided herein. The facilities that exceed 2 meters in diameter could result in potential environmental impacts. However, it is too speculative at this time to determine where these facilities might be installed as many people subscribe to cable television. Therefore, staff has proposed that these facilities require a discretionary permit and project specific environmental review at the time of application submittal and review. Environmental analysis of these facilities is not required and is not provided herein.

Lastly, the additional minor amendments to the ordinance identified above are not considered a “project” under Section 15378(b)(3) of the California Environmental Quality Act as they establish administrative procedures, involve minor text changes, and clarify existing language. These amendments are therefore not included in the impact analysis provided herein.

4.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

The following checklist indicates the potential level of impact and is abbreviated as follows:

Known Signif.: Known significant environmental impacts.

Unknown Poten. Signif.: Unknown potentially significant impacts which need further review to determine significance level.

Poten. Signif. and Mitig.: Potentially significant impacts which can be mitigated to less than significant levels.

Not Signif.: Impacts which are not considered significant.

Reviewed Under Previous Document: Adequate previous analysis exists regarding the issue; further analysis is not required due to tiering process (§21094 of CEQA and §15152 of the State CEQA Guidelines). Discussion should include reference to the previous documents, a citation of the page or pages where the information is found, and identification of mitigation measures incorporated from those previous documents. **NOTE:** Where applicable, this box should be checked in addition to one indicating significance of the potential environmental impact.

4.1 GEOLOGIC PROCESSES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?				X	
b. Disruptions, displacements, compaction or overcovering of the soil by cuts, fills, or extensive grading?				X	
c. Permanent changes in topography?				X	

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
d. The destruction, covering or modification of any unique geologic, paleontologic, or physical features?				X	
e. Any increase in wind or water erosion of soils, either on or off the site?				X	
f. Changes in deposition or erosion of beach sands or dunes, or changes in siltation, deposition or erosion which may modify the channel of a river, or stream, or the bed of the ocean, or any bay, inlet or lake?				X	
g. The placement of septic disposal systems in impermeable soils with severe constraints to disposal of liquid effluent?				X	
h. Extraction of mineral or ore?				X	
i. Excessive grading on slopes of over 20%?				X	
j. Sand or gravel removal or loss of topsoil?				X	
k. Vibrations, from short-term construction or long-term operation, which may affect adjoining areas?				X	
l. Excessive spoils, tailings or over-burden?				X	

Impact Discussion: By definition, Tier 1 projects would be entirely enclosed within and/or on an existing building or structure (e.g. office building, water tower, theater, industrial structure, shopping center, etc.) Construction activities would be limited to interior remodels as necessary to accommodate the equipment and/or antennas or minor exterior alterations such as placing equipment and/or antennas on existing exterior surfaces and/or on the roof of the building or structure. As Tier 1 projects will be located within or on existing structures or buildings these projects would not involve any grading or trenching activities (4.1.a - j, l). In addition, the installation and long-term operation of these facilities would not result in ground vibrations which may affect adjoining areas (4.1.k). Therefore, Tier 1 projects are not anticipated to result in significant geologic impacts.

Mitigation and Residual Impact: None Required

4.2 WATER RESOURCES/FLOODING:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?				X	
b. Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?				X	
c. Change in the amount of surface water in any water body?				X	
d. Discharge into surface waters, or alteration of surface water quality, including but not limited to temperature, dissolved oxygen, turbidity, or thermal water pollution (e.g., eutrophication)?				X	
e. Alterations to the course or flow of flood waters, or need for private or public flood control projects?				X	
f. Exposure of people or property to water related hazards such as flooding (placement of project in 100 year flood plain), accelerated runoff or tsunamis?				X	

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
g. Alteration of the direction or rate of flow of groundwater?				X	
h. Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or recharge interference?				X	
i. Overdraft or overcommitment of any groundwater basin? Or, a significant increase in the existing overdraft or overcommitment of any groundwater basin?				X	
j. The substantial degradation of groundwater quality including saltwater intrusion?				X	
k. Substantial reduction in the amount of water otherwise available for public water supplies?				X	

Impact Discussion: Projects that qualify for Tier 1 would be located within or on existing buildings or structures and would not result in an expansion of the existing structural footprint. As such, these projects will not create additional impervious surfaces (4.2.a - c, e, f). The operation of the facilities do not require the use nor discharge of any water (4.2.d, g -k). Tier 1 projects are not anticipated to result in any significant water resources or flooding impacts.

Mitigation and Residual Impact: None Required

4.3 TRANSPORTATION/CIRCULATION:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Generation of substantial additional vehicular movement (daily, peak-hour, etc.) in relation to existing traffic load and capacity of the street system?				X	
b. A need for private or public road maintenance, or need for new road(s)?				X	
c. Effects on existing parking facilities, or demand for new parking?				X	
d. Substantial impact upon existing transit systems (e.g. bus service) or alteration of present patterns of circulation or movement of people and/or goods?				X	
e. Alteration to waterborne, rail or air traffic?				X	
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians (including short-term construction and long-term operational)?				X	
g. Inadequate sight distance? ingress/egress? general road capacity? emergency access?				X	
h. Impacts to Congestion Management Plan system?				X	

Impact Discussion: The projects that would qualify for Tier 1 processing are typically visited once a month by one employee for an average of four hours to conduct maintenance checks. Maintenance

checks are generally performed at night (outside of p.m. peak hours) when activity is low. The County’s traffic threshold is triggered when a project generates 5, 10 or 15 p.m. peak hour trips that are directed towards impacted intersections (depending on the existing and projected levels of service). Given the infrequent maintenance of the facilities and the fact that site visitation usually occurs outside of peak hours, Tier 1 projects would not result in significant additional traffic trips nor be inconsistent with the Congestion Management Plan. **(4.3.a, h)**.

Tier 1 projects would be located within existing buildings or structures with established access and parking areas. These projects would not generate a need for new roads, require road maintenance or require additional parking **(4.3.b, c)**. Given the unmanned status of these facilities and the small maintenance crews infrequently visiting the site, such facilities would have no impacts on existing transit systems, water, air or rail traffic **(4.3.d, e)**. As Tier 1 projects would be located within established developments and the given the infrequent site visitation, these projects would not significantly increase hazards to traffic, pedestrians or bicyclists **(4.3.f, g)**. Tier 1 projects are not anticipated to result in significant traffic impacts.

Mitigation and Residual Impact: None Required

4.4 AIR QUALITY:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. The violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation including, CO hotspots, or exposure of sensitive receptors to substantial pollutant concentrations (emissions from direct, indirect, mobile and stationary sources)?			X		
b. The creation of objectionable smoke, ash or odors?			X		
c. Extensive dust generation?				X	

Impact Discussion: The use of electricity as primary power source is common for most wireless communication facilities. Such equipment does not generate exhaust, smoke, ash, fumes, or odors which could create air quality impacts or nuisances. However, if fuel powered generators provide all necessary power requirements, the potential to violate air quality standards and/or create objectionable odors or emissions could be created by Tier 1 projects. If fuel powered generators are only utilized as short-term backup or emergency power sources, Tier 1 projects would not create any significant long- term air quality impacts. Because the number vehicle trips generated by Tier 1 projects would be minimal and site visitation would be on an infrequent basis (see Traffic discussion) **(4.4.a, b)**, vehicle related emissions would be insignificant. In addition, as these projects would not require any grading/site alteration, installation of these facilities would not result in dust generation impacts **(4.4.c)**.

Mitigation and Residual Impact: The following development standard shall be incorporated into the proposed Ordinance Amendments to ensure that Tier 1 projects will not create significant air quality impacts.

- All Tier 1 projects shall utilize electricity as the primary power source.

With the inclusion of this development standard, potential air quality impacts would be reduced to insignificant levels.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

4.5 BIOLOGICAL RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
FLORA:			<u>X</u>	X	
a. A loss or disturbance to a unique, rare or threatened plant community?				X	

b.	A reduction in the numbers or restriction in the range of any unique, rare or threatened species of plants?				X	
c.	A reduction in the extent, diversity, or quality of native vegetation (including brush removal for fire prevention and flood control improvements)?				X	
d.	An impact on non-native vegetation whether naturalized or horticultural if of habitat value?			X	X	
e.	The loss of healthy native specimen trees?				X	
f.	Introduction of herbicides, pesticides, animal life, human habitation, non-native plants, or other factors that would change or hamper the existing habitat?				X	
FAUNA:					X	
g.	A reduction in the numbers, a restriction in the range, or an impact to the critical habitat of any unique, rare, threatened, or endangered species of animals?				X	
h.	A reduction in the diversity or numbers of animals on-site (including mammals, birds, reptiles, amphibians, fish or invertebrates)?				X	
i.	A deterioration of existing fish or wildlife habitat (for foraging, breeding, roosting, nesting, etc.)?				X	
j.	Introduction of barriers to movement of any resident or migratory fish or wildlife species?				X	
k.	Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) which could hinder the normal activities of wildlife?			X		

Impact Discussion: Facilities processed under Tier 1 will be located entirely within the site boundaries of existing development. By definition, Tier 1 projects would not result in the reduction of any native vegetation, plant communities, special, endangered or rare biological (plant or animal) habitats or trees and such facilities do not require the use of pesticides (4.5.a - g). Tenant improvements will not expand the existing development and thus would not impede the movement of any resident or migratory species nor have an impact of the variety or numbers of species inhabiting the site (4.5.h, j). Tier 1 projects could generate fumes and odors if the power supply to the facilities was provided by fuel powered generators (see Air Quality discussion). Such odors might disturb or impact significant native and/or non-native biological habitats (4.5.a, d). In addition, the operations of Tier 1 facilities could generate increased noise levels that could impacts sensitive biological habitats (see Noise discussion) and may hinder the normal activities of any wildlife which might inhabit the project site (4.5.k).

Mitigation and Residual Impact: See mitigation measures provided in the Air Quality and Noise Sections.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

4.6 ARCHAEOLOGICAL RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
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Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Disruption, alteration, destruction, or adverse effect on a recorded prehistoric or historic archaeological site (note site number below)?				X	
b. Disruption or removal of human remains?				X	
c. Increased potential for trespassing, vandalizing, or sabotaging archaeological resources?				X	
d. Ground disturbances in an area with potential cultural resource sensitivity based on the location of known historic or prehistoric sites?				X	

Impact Discussion: As discussed within the project description, Tier 1 projects would be installed within, or on existing buildings or structures and within existing site boundaries. These facilities would not require any surface or subsurface disturbance and therefore, would not have the potential to impact sensitive archaeological resources (4.6.a -d).

Mitigation and Residual Impact: None Required

4.7 ETHNIC RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Disruption of or adverse effects upon a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group?			X		
b. Increased potential for trespassing, vandalizing, or sabotaging ethnic, sacred, or ceremonial places?				X	
c. The potential to conflict with or restrict existing religious, sacred, or educational uses of the area?			X		

Impact Discussion: There are no restrictions limiting placement of Tier 1 facilities within structures which may have significant ethnic or religious affiliations. However, the installation of these facilities within, or on existing buildings or structures would occur only with the owner's permission. In addition, as stated within the project description, access to these facilities would be restricted to authorized service personnel only and the general public would be excluded (e.g. locked office, attic space, equipment shelter) (4.7.b). If the primary power source of the facilities are fuel powered generators, the daily operation of this equipment could create intrusive odors which could impact or conflict with the ongoing religious or sacred operations of any building or structure (see Air Quality discussion) In addition, the daily operation of the facility has the potential to generate noise levels that could impact or conflict with the ongoing religious or sacred operations of any building or structure (see Noise discussion) (4.7.a, c).

Mitigation and Residual Impact: See mitigation provided in the Air Quality and Noise Sections.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

4.8 HISTORIC RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community, state or nation?			X		
b. Beneficial impacts to an historic resource by providing rehabilitation, protection in a conservation/open easement, etc.?				X	

Impact Discussion: It is unlikely that the placement of Tier 1 facilities within, or on, an existing building or structure would have the potential to permanently alter the building's or structure's configuration or integrity. However, some structural alteration may be required (placement of walls to exclude the public, removal of walls to accommodate equipment, reinforcement of existing structures for safety, etc.). If structural alteration were to occur within a designated historic building or structure it might significantly impact the structure's historic integrity. In addition, placement of equipment/antennas on, or on top of (i.e. antennas mounted on a building or structures exterior) an historic structure might have the potential to create aesthetic/design conflicts which could have significant impacts on the historic integrity of the building/structure (4.8.a). Tier 1 development projects are not anticipated to result in any beneficial historic impacts (4.8.b).

Mitigation and Residual Impact: The following development standard shall be incorporated into each ordinance to ensure that Tier 1 projects will not create significant impacts to historic resources.

- If a Tier 1 project is proposed to be installed in or on a historic building or structure, the project shall be reviewed and approved by the Historical Landmark Advisory Committee.

With the inclusion of this development standard in the Ordinance Amendments, no residual historic impacts would occur.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

4.9 NOISE:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Long-term exposure of people to noise levels exceeding County thresholds (e.g. locating noise sensitive uses next to an airport, etc.)?			X		
b. Short-term exposure of people to noise levels exceeding County thresholds?			X		
c. Project-generated substantial increase in the ambient noise levels for adjoining areas (either day or night)?			X		

Impact Discussion: The State of California and the County of Santa Barbara have established acceptable noise standards for noise sensitive land uses. These thresholds require that noise

sensitive receptors (e.g. residences, libraries, churches, educational facilities, etc.) not be subjected to exterior noise levels exceeding 65dB(A) and interior noise levels exceeding 45dB(A). Tier 1 projects would not be permitted within a residential zone district. However, there are no restrictions on these facilities being placed within or adjacent to noise sensitive land uses in nonresidential zone districts (4.9.a - c). Therefore, Tier 1 projects could result in significant noise impacts.

Mitigation and Residual Impact: The following development standard shall be incorporated into the Ordinance Amendments to ensure that Tier 1 projects will not create significant noise impacts.

- The noise levels associated with the facility do not exceed County and State standards or policies.

With the inclusion of this development standard no residual impacts will occur.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

4.10 LAND USE:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?				X	
b. The induction of substantial growth or concentration of population?				X	
c. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?				X	
d. The conversion of prime agricultural land to non-agricultural use, impairment of agricultural land productivity (whether prime or non-prime), or conflict with agricultural preserve programs?				X	
e. An effect upon any unique or other farmland of State or Local Importance?				X	
f. The loss of a substantial amount of open space?				X	
g. An economic or social effect that would result in a physical change? (i.e. Closure of a freeway ramp results in isolation of an area, businesses located in the vicinity close, neighborhood degenerates, and buildings deteriorate. Or, if construction of new freeway divides an existing community, the construction would be the physical change, but the economic/social effect on the community would be the basis for determining that the physical change would be significant.)				X	
h. Conflicts with adopted airport safety zones?				X	

Impact Discussion: Tenant improvement projects will not add new structural development apparent to the surrounding area, require conversion of agricultural lands or open space, nor have any impacts on the primary use of the site (4.10.a, d - f). Facilities are unmanned and do not generate growth potential (4.10.b), nor do they require septic/sewer facilities (4.10.c). Equipment

and antennas are required under the existing ordinances (Airport Approach Overlay) to meet height and use standards thus ensuring that the project would not conflict with airport safety zones (4.10.h). In addition, antennas would be prohibited from extending above the highest point of the building or structure on which it is located. Given the fact that tenant improvement projects would be located on and/or contained within existing structures and are required to comply with all applicable existing ordinance standards (e.g., Airport Approach Overlay), Tier 1 projects are not anticipated to cause any significant land use impacts.

Mitigation and Residual Impact: None Required

4.11 PUBLIC FACILITIES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. A need for new or altered police protection and/or health care services?				X	
b. Student generation exceeding school capacity?				X	
c. Significant amounts of solid waste or breach any national, state, or local standards or thresholds relating to solid waste disposal and generation (including recycling facilities and existing landfill capacity)?				X	
d. A need for new or altered sewer system facilities (sewer lines, lift-stations, etc.)?				X	

Impact Discussion: The placement of unmanned wireless communication facilities within existing buildings or structures would not generate a need for additional police or health care services (4.11.a) or result in a influx of students in the community. These structures do not generate solid waste (4.11.c), nor require any septic facilities (4.11.d). Therefore, tenant improvement projects are not expected to create significant impacts to public facilities.

Mitigation and Residual Impact: None Required

4.12 ENERGY:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Substantial increase in demand, especially during peak periods, upon existing sources of energy?				X	
b. Requirement for the development or extension of new sources of energy?				X	

Impact Discussion: Wireless communication facilities typically require a minimal amount of energy to run the necessary equipment. These projects are comparable to standard commercial business and such power usage is considered insignificant and would not create an unreasonable demand on existing power sources (4.12.a) and thus would not generate a need to develop additional energy sources/facilities (4.12.b). Therefore, Tier 1 projects are not expected to result in significant energy impacts.

Mitigation and Residual Impact: None Required

4.13 FIRE PROTECTION:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Introduction of development into an existing high fire hazard area?				X	
b. Project-caused high fire hazard?				X	
c. Introduction of development into an area without adequate water pressure, fire hydrants or adequate access for fire fighting?				X	
d. Introduction of development that will hamper fire prevention techniques such as controlled burns or backfiring in high fire hazard areas?				X	
e. Development of structures beyond safe Fire Dept. response time?				X	

Impact Discussion: Tier 1 projects may be installed in older structures which do not have adequate fire protection systems or in structures located within high fire hazard areas. However, the installation of wireless communication facilities to existing buildings or structures would not significantly increase the fire hazards, nor prevent any fire prevention activities necessary to control an ongoing fire. The equipment utilized by wireless communication facilities is not highly flammable. In addition, each facility contains its own fire suppression system to handle the unlikely event of an internal equipment fire. Tier 1 projects would therefore not introduce a significant fire hazard into the structure in which it is housed (4.13.b). Tenant improvement projects are not anticipated to result in significant impacts to fire protection. (4.13.a, c - e).

Mitigation and Residual Impact: None Required

4.14 RECREATION:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Conflict with established recreational uses of the area?				X	
b. Conflict with biking, equestrian, and hiking trails?				X	
c. Substantial impact on the quality or quantity of existing recreational opportunities (e.g., over use of an area with constraints on numbers of people, vehicles, animals, etc. which might safely use the area)?				X	

Impact Discussion: Tier 1 projects will be located only in, or on, existing buildings or structures and therefore are not anticipated to reduce recreational uses/opportunities (4.14.a - c). Tier projects are not anticipated to create significant recreational impacts.

Mitigation and Residual Impact: None Required

4.15 AESTHETIC/VISUAL RESOURCES:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. The obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive site open to public view?			X		
b. Change to the visual character of an area?			X		
c. Glare or night lighting which may affect adjoining areas?				X	
d. Visually incompatible structures?			X		

Impact Discussion: In general, Tier 1 projects could result in visual impacts from the placement of an equipment shelter on a roof, the installation of an antenna on a roof (e.g. omni-directional whip antenna), or the mounting of an antenna on the side of an existing building or structure (e.g. panel antennas). The tip height of any antenna and supporting structure that is installed within or on an existing building or structure would be prohibited from protruding above the highest point of such building or structure (including parapet walls and architectural facades). Therefore, Tier 1 projects are not anticipated to impact scenic vistas or public views (4.15.a). However, the introduction of these facilities on the exterior of a building or structure could substantially alter the visual character of the structure/building on which it is located and could result in a visual/aesthetic impact (4.15 b, d). These facilities are unmanned and, as noted in the project description, would not require night lighting (4.15.c).

Mitigation and Residual Impact: The following development standard shall be incorporated into the Ordinance Amendments to ensure that Tier 1 projects will not create significant aesthetic or visual impacts.

- Antennas installed on the roof or directly attached to an existing building or structure must be fully screened or integrated into the architectural design of the building or structure. If the equipment and associated shelter is proposed to be located on the roof of an existing building or structure, it shall be fully screened and incorporated into the architectural design of the structure. If project equipment and/or antennas are visible from any public viewing perspective, the project shall be subject to review by the County of Santa Barbara’s Board of Architectural Review.

With the inclusion of this development standard no residual impacts are anticipated to occur.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

4.16 HOUSING:

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Loss of existing affordable dwellings through demolition, conversion, or removal?				X	

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
b. Displacement of current residents?				<u>X</u>	

Impact Discussion: Tier 1 projects would not be permitted within residentially zoned districts and therefore would not result in any significant housing impacts (**4.16.a, b**).

Mitigation and Residual Impact: None Required

4.17 RISK OF UPSET/HAZARDOUS MATERIALS

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. In the known history of this property , have there been any past uses, storage, or discharge of hazardous materials? Examples of hazardous materials include, but are not limited to, fuel or oil stored in underground tanks, pesticides, solvents, or other chemicals.				X	
b. Will the <u>proposed</u> project involve the use, storage, or distribution of hazardous or toxic materials?			X	X	
c. A risk of an explosion or the release of hazardous substances (including, but not limited to oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions?				X	
d. Possible interference with an emergency response plan or an emergency evacuation plan?				X	
e. The creation of a potential public health hazard?				X	
f. Public safety hazards (e.g., due to development near existing chemical or industrial activity, producing oil wells, toxic disposal sites, etc.)?				X	
g. Exposure to hazards from oil or gas pipelines or oil well facilities?				X	
h. The contamination of a public water supply?				X	

Impact Discussion: Electrically powered Wireless Communication Facilities do not utilize solvents, chemicals, pesticides, biocides or other hazardous/toxic materials (**4.17.a and 4.17.b**). Each site would be evaluated to ensure that the specific project site does not have a past history of use, storage or discharge of hazardous materials. There is no significant risk of explosion with these facilities (**4.17.c**). These projects are not associated with oil or gas pipelines or oil wells (**4.17.g**) nor do they produce toxic waste or other discharge which may affect the public water supply (**4.17.f, h**). Emergency or backup power sources for such facilities are typically provided by either a battery or fuel powered generator. Such backup power sources contain materials (fuels, oils, chemicals, etc.) that in sufficient quantities can be hazardous. In addition, certain fire suppression systems also utilize chemicals which can be toxic or hazardous. Storage of these fuels/chemicals associated with some Tier 1 projects may have the potential to create public health hazards (**4.17.b**).

Tier 1 projects will not have the potential to interfere with an emergency response or evacuation plan (4.17.d). In some instances, wireless communication facilities may have a beneficial impact on emergency response by further mobile communications, especially in instances where land lines may be cut off.

Like all appliances or equipment that are powered by electricity, wireless communication facilities emit radio frequency radiation (e.g. microwaves, computers, hair dryers, clock radios, etc.) All wireless communication facilities are subject to the safety standards for protection against radio frequency (RF) and microwave (MW) field exposure as set by the American National Standards Institute (ANSI), the Institute of Electrical and Electronic Engineers (IEEE) and the National Council on Radiation Protection and Measurements (NCRP) as adopted by the Federal Communications Commission (FCC). The ANSI/IEEE C95.1-1002 standards were established following an exhaustive review by the scientific and medical community under the auspices of the NCRP. Scientific studies conducted by ANSI/IEEE and the NCRP have shown that there is a threshold for exposure to RF energy below which harm to an exposed individual is unlikely. Public exposure standards recommended by ANSI/IEEE and NCRP are set 50 times below that threshold in order to assure an adequate margin of safety.¹ Operation of a wireless communication facility requires licensing from the FCC and all such facilities must prove compliance with the ANSI/IEEE, NCRP and FCC standards. **These standards are used to measure both cumulative and project specific impacts.** The FCC also requires that each new service provider take into account existing sources and provide evidence that the introduction of any given wireless communication project will not exceed these adopted standards. Local jurisdictions are precluded from imposing more restrictive standards than those applied by the Federal Government pursuant to The Federal Telecommunications Act of 1996. In addition, the Telecommunications Act prohibits local governments from considering the radio frequency impacts associated with a facility, if that facility is in compliance with the FCC emission standards. Therefore, Tier 1 facilities are not expected to create significant radio frequency radiation hazards.

Mitigation and Residual Impact: The following development standard shall be incorporated into the Ordinance Amendment to ensure that Tier 1 projects will not create significant risk of upset or hazards.

- If deemed necessary by the Fire Department, a Hazardous Materials Business Plan shall be prepared and a copy of such plan shall be submitted to Planning and Development.

With the inclusion of this development standard no residual impacts will occur.

Monitoring: Compliance staff shall review ordinances after one year to ensure that the development standard was incorporated into Articles II, III, and IV.

5.0 INFORMATION SOURCES

5.1 County Departments Consulted (*underline*):

Police, Fire, Public Works, Flood Control, Parks, Environmental Health, Special Districts,

¹ An Analysis of Micro-cellular System Design, Safety Standards, and Compliance, Gerald Moore, Cecil Lynch Consulting Engineers, 9/9/94.

Regional

Programs

5.2 **Comprehensive Plan** (*check those sources used*):

<input type="checkbox"/> Seismic Safety/Safety Element	<input type="checkbox"/> Conservation Element
<input type="checkbox"/> Open Space Element	<input checked="" type="checkbox"/> Noise Element
<input checked="" type="checkbox"/> Coastal Plan and Maps	<input checked="" type="checkbox"/> Circulation Element
<input checked="" type="checkbox"/> ERME	<input checked="" type="checkbox"/> Land Use Plans and Maps

5.3 **Other Sources** (*check those sources used*):

<input type="checkbox"/> Field work	<input type="checkbox"/> Ag Preserve maps
<input type="checkbox"/> Calculations	<input type="checkbox"/> Flood Control maps
<input type="checkbox"/> Project plans	<input checked="" type="checkbox"/> Other technical references (reports, survey, etc.)
<input type="checkbox"/> Traffic studies	<input checked="" type="checkbox"/> Planning files, maps, reports
<input checked="" type="checkbox"/> Records	<input checked="" type="checkbox"/> Zoning maps
<input type="checkbox"/> Grading plans	<input type="checkbox"/> Soils maps/reports
<input type="checkbox"/> Elevation, architectural renderings	<input type="checkbox"/> Plant maps
<input type="checkbox"/> Published geological map/reports	<input type="checkbox"/> Archaeological maps and reports
<input type="checkbox"/> Topographical maps	<input type="checkbox"/> Other
	<hr/>
	<hr/>
	<hr/>

6.0 PROJECT SPECIFIC (*short and long term*), AND CUMULATIVE IMPACT SUMMARY

The project has the potential to result in long-term impacts to air quality, biological resources, ethnic and historic resources, noise, aesthetic/visual resources and risk of upset/hazardous materials. Incorporation of the mitigation measures would reduce any potential project impacts and cumulative impacts to less than significant levels.

Air Quality

1. Potentially significant long-term air quality impacts if fuel powered generators are utilized as the primary power source for Tier 1 projects.

Biological Resources

1. Potentially significant impacts to biological resources if fuel powered generators are utilized which could generate fumes or odors damaging to biological habitats or animals.

2. Potentially significant impacts if the operation of Tier 1 facilities generates increased noise levels harmful or disruptive to biological habitats.

Ethnic Resources

1. Potential significant impacts to ongoing religious or sacred activities if Tier 1 projects generate intrusive odors within buildings of historic, religious, sacred or ethnic importance.
2. Potential significant impacts to ongoing religious or sacred operations if Tier 1 projects generate significant noise levels within buildings of historic, religious, sacred or ethnic importance.

Historic Resources

1. Potentially significant impacts to historic resources if Tier 1 project alter the appearance of or the physical structure of an historic structure or building.

Noise

1. Potentially significant impacts to noise sensitive receptors if Tier 1 projects generate noise levels which exceed County and State Thresholds.

Aesthetic/Visual Resources

1. Potentially significant visual or aesthetic resources if Tier 1 facilities change the visual character of the surrounding area or compromise the aesthetic environment.

Risk of Upset/Hazardous Materials

1. Potentially significant safety hazards if large quantities of hazardous materials associated with fuel powered generators of or fire suppression systems are associated with Tier 1 facilities.

7.0 MITIGATION MEASURES

The following mitigation measures, shall be required to avoid potentially significant adverse environmental impacts. As required by the Public Resources Code Sec 21081.6 all projects which have mitigation measures addressing potentially significant impacts must be approved with a monitoring plan to ensure implementation of the mitigation measures. The applicant shall be responsible for payment of fees to cover full costs of monitoring.

1. All Tier 1 projects shall utilize electricity as the primary power source.
2. If a Tier 1 project is proposed to be installed in or on a historic building or structure, the project shall be reviewed and approved by the Historical Landmark Advisory Committee.

3. The noise levels associated with the facility do not exceed County and State standards or policies.
4. If a Tier 1 project is proposed to be installed in or on a historic building or structure, the project shall be reviewed and approved by the Historical Landmark Advisory Committee.
5. Antennas installed on the roof or directly attached to an existing building or structure must be fully screened or integrated into the architectural design of the building or structure. If the equipment and associated shelter is proposed to be located on the roof of an existing building or structure, it shall be fully screened and incorporated into the architectural design of the structure. If project equipment and/or antennas are visible, the project shall be subject to review by the County of Santa Barbara's Board of Architectural Review.
6. Prior to the issuance of the Land Use/Coastal Development Permit, the applicant must submit a Hazardous Materials Business Plan to the Hazardous Materials Program of the Fire Department if determined to be necessary.

8.0 Mandatory Findings of Significance (Section 15065)

	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				X	
3. May any aspect of the project either individually or cumulatively cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial?				X	
4. Does the project have environmental effects which can cause substantial adverse effects on human beings, either directly or indirectly?				X	
5. Is there serious public controversy over the project's environmental effects or a disagreement between experts over the significance of an effect which would require investigation of potentially significant adverse impacts in an EIR (Section 15064(h))?				X	
6. Does the project have the potential to result in any of the significant effects outlined in Appendix G of the State CEQA Guidelines?				X	

9.0 PROJECT ALTERNATIVES

If potentially significant, adverse unmitigable impacts would result, identify potential project alternatives to minimize these effects (reduced project, alternative use, alternative site location, etc.): N/A

10.0 INITIAL REVIEW OF PROJECT CONSISTENCY WITH APPLICABLE SUBDIVISION, ZONING AND COMPREHENSIVE PLAN REQUIREMENTS

Land Use Element: Visual Resources Policies #2 & 3, Hillside and Watershed Protection Policies #1,2,5, Development Policy #4, Historical and Archaeological Sites Policies, Santa Barbara Area Environmental goals.

Coastal Land Use Element: Policies: 2-6, 2-11, 3-14,.4-3, 4-5, 9-1, 10-1-3, 11-1, 4-8.6.6.

Summerland Community Plan Policies: LU-1, AQ-S-1, BIO-S-1, BIO-S-3, BIO-S-6&7, HA-S-1, N-S-1, RISK-S-1, Vis-S-3-4, Vis-S-7.

Montecito Community Plan Policies: LU-M-2.1, AQ-M-1;1, BIO-M-1.1, BIO-M-1.4, EM-1.1, CR-M-2.1, N-M-1.1, VIS-M-1.1-.3.

Goleta Community Plan Policies: AQ-GV-1, BIO-GV-1-8, EMC-GV-1, HA-GV-1, RISK-GV-1.

Los Alamos Community Plan: AQ-LA-1.1, BIO-LA-1.3-5, HA-LA-1.1, N-LA-1.1,.

Noise Element Policy #1.

Agricultural Element Policy 1A.

Zoning Ordinances: Articles II, III, IV: Ord. 661

11.0 RECOMMENDATION BY P&D STAFF

On the basis of the Initial Study, the staff of Planning and Development:

_____ Finds that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommends that a Negative Declaration (ND) be prepared.

X Finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of an ND. The ND finding is based on the assumption that mitigation measures will be acceptable to the applicant; if not acceptable a revised Initial Study finding for the preparation of an EIR may result.

_____ Finds that the proposed project MAY have a significant effect on the environment, and recommends that an EIR be prepared.

_____ Finds that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA Sections 15162/15163/15164 should be prepared.

Potentially significant unavoidable adverse impact areas:

_____ With Public Hearing X Without Public Hearing

PREVIOUS DOCUMENT: None

PROJECT EVALUATOR: Kimberley McCarthy **DATE:**

12.0 DETERMINATION BY ENVIRONMENTAL HEARING OFFICER

- I agree with staff conclusions. Preparation of the appropriate document may proceed.
 I DO NOT agree with staff conclusions. The following actions will be taken:
 I require consultation and further information prior to making my determination.

INITIAL STUDY DATE: _____ SIGNATURE:

NEGATIVE DECLARATION DATE: _____ SIGNATURE:

REVISION DATE: _____ SIGNATURE:

FINAL NEGATIVE DECLARATION DATE: _____ SIGNATURE: