

ATTACHMENT 1: FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

1.1 CEQA EXEMPTION

The Board of Supervisors finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303. Please see Attachment 3, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS

2.1 DEVELOPMENT PLAN FINDINGS

2.1.1 Findings required for all Preliminary and Final Development Plans. In compliance with Section 35-174.7.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the decision-maker shall first make all of the following findings:

- 1. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.**

The Board of Supervisors finds that the project site is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed. The Applicant identified the project site as the least intrusive site for the facility to fill a gap in coverage and capacity since the site serves the target residential users (Attachment H of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference). The proposed antenna equipment will be mounted on an existing 44-foot wood utility pole located within the right-of-way for Camino Majorca, as shown in the project plans and photo simulations (Attachment D of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference). The color of the antenna will be similar to that of the wood pole. Due to the project's design, the small size of the proposed equipment, location on an existing utility pole, and the use of non-reflective materials and colors in compliance with Tier 2(a) telecommunication development standards, impacts to public views will be minimized. Additionally, as discussed in Sections 6.3 and 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, the project is consistent with Article II, and the Comprehensive Plan, including the Coastal Land Use Plan. The project complies with policies regarding adequate services, visual resources, and noise, and the standards for telecommunications facilities in Article II.

2. That adverse impacts are mitigated to the maximum extent feasible.

The Board of Supervisors finds that, as conditioned, no adverse environmental impacts will result from the project. The project is exempt from environmental review pursuant to Section 15303 [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines. To ensure that the project operates within FCC limits, the County requires the applicant to submit a report prepared by a qualified third party that estimates the proposed project's radio frequency emissions and determines whether they comply with the Federal requirements. A Radio Frequency Emissions Compliance Report was submitted as part of the project application (Attachment I of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference), which concludes that the proposed facility meets the FCC requirements. For accessible areas at ground level, the maximum power density level resulting from all Verizon Wireless operations is 2.35% of the FCC General Population limits and the maximum predicted power density level at adjacent buildings is 25.88% of the FCC General Population limits. The FCC General Population limit is considered to be a level that is safe for continuous exposure time. Construction will be limited to previously disturbed public rights-of-way, will be short term in nature and no vegetation will be impacted. The project is conditioned to ensure that construction noise is limited to County mandated hours, as discussed in the Section 6.3 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference.

3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The Board of Supervisors finds that, due to the project being an unmanned facility that will generate no traffic other than installation and as needed maintenance, the existing street and highways are adequate to carry the type and quantity of traffic generated by the proposed use. Access to the project site will be provided off of Camino Majorca.

4. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

The Board of Supervisors finds that the project will have adequate services because, as discussed in the Section 6.3 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, the project is served by the Santa Barbara County Fire Department and the County Sheriff. There is existing electricity provided from So Cal Edison. The site does not require water or sanitary service

because it is an unmanned telecommunication facility. Access to the site will be provided off of Camino Majorca.

5. **That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.**

The Board of Supervisors finds that the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The facility complies with FCC health and safety standards and meets all policy and development standards, as discussed in Sections 6.3 and 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference. Furthermore, the facility is sited and designed to be visually compatible with the surrounding area by collocating on an existing utility pole. The proposed equipment will be painted with non-reflective paint or other non-reflective finish that is similar in color to the existing wood utility pole. Lastly, the new facility will provide wireless service to an area with documented coverage and capacity deficiencies.

6. **That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article II and/or the project falls with the limited exception allowed under Section 35-161.7.**

The Board of Supervisors finds that the proposed project is consistent with this finding because, as discussed in Sections 6.3 and 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, the project is consistent with Article II, and the Comprehensive Plan, including the Coastal Land Use Plan. The project complies with policies regarding adequate services, visual resources, and noise, and the standards for telecommunications facilities in Article II.

7. **That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.**

The Board of Supervisors finds that the proposed project is not located within the Rural area as designated on the Comprehensive Plan maps, and thus this finding does not apply.

8. **That the project will not conflict with any easements required for public access through, or public use of a portion of the property.**

The Board of Supervisors finds that the proposed project will not conflict with any easement required for public access through, or public use of a portion of the project site because the site is located in a public right-of-way, and will not impede access to Camino Majorca.

2.1.2 Additional findings required for Commercial Telecommunication Facilities. In compliance with Section 35-144F.G of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of a Preliminary or Final Development Plan for a commercial telecommunication facility the decision-maker shall first make all of the following findings:

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

The Board of Supervisors finds that the proposed wireless facility will be compatible with existing and surrounding development. The facility will be located on an existing wood utility pole in a public road right-of-way to enhance compatibility with existing land use and visual conditions. To blend in visually with the neighborhood, the proposed antenna and associated equipment will be painted a color that is similar to the existing wood utility pole. Additional equipment mounted to the utility pole includes three radio units installed within a 20" wide by 70" long shroud affixed to the side of the utility pole at 12'-3" above grade and a new Verizon fiber line connected to the wood utility pole at 21'-4" above grade. The design of the antenna and associated equipment will not substantially change the neighborhood's existing visual characteristics and will be compatible with existing visual conditions.

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

The Board of Supervisors finds that the proposed project is located to minimize its visibility from public view because the antenna will be installed on an existing 44-foot wood utility pole located in the right-of-way for Camino Majorca. The color of the antenna will be similar to that of the wood pole. Due to the project's design, the small size of the proposed equipment, location on an existing utility pole, and the use of non-reflective materials and colors, impacts to public views will be minimized.

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

The Board of Supervisors finds that the facility is designed to blend into the surrounding environment to the greatest extent feasible because, as described in Finding 2.2.2 above, the proposed two-foot high and 14.6" diameter antenna will be painted a color that is similar to the wood utility pole on which it is mounted. The proposed wireless facility will be collocated on an existing wood pole, which will minimize changes to existing visual conditions in the project area. The project is conditioned (Condition No. 6 of Attachment 2) to require the antenna to be painted in a non-reflective color to blend in with the existing wood pole and reduce its visibility.

4. **The facility complies with all required development standards unless granted a specific exemption by the review authority as provided in Section 35-144F.G.4.a.**
 - a. **An exemption to one or more of the required development standards may be granted if the review authority additionally finds that in the specific instance that the granting of the exemption:**
 - (1) **Would not increase the visibility of the facility or decrease public safety, or**
 - (2) **Is required due to technical considerations, or**
 - (3) **Would avoid or reduce the potential for environmental impacts and will not increase the visibility of the facility, will not decrease public safety, and will not result in greater impacts to coastal resources including sensitive habitats, coastal waters, and public access.**

The Board of Supervisors finds that, as discussed in Section 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, the project complies with all required development standards including setbacks, height limits, and compliance with the Federal Communication Commission (FCC) standards.

5. **The applicant has demonstrated that the facility shall be operated within the frequency range allowed by the FCC and complies with all other applicable safety standards.**

The Board of Supervisors finds that the facility will be operated within the frequency range allowed by the FCC and complies with all other applicable safety standards. A Radio Frequency Emissions Compliance Report was submitted as part of the project application (Attachment I of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference), which concludes that the proposed facility meets the FCC requirements. For accessible areas at ground level, the maximum power density level resulting from all Verizon Wireless operations is 2.35% of the FCC General Population limits and the maximum predicted power density level at adjacent buildings is 25.88% of the FCC General Population limits. The FCC General Population limit is considered to be a level that is safe for continuous exposure time. As a part of the project conditions (Condition No. 8 of Attachment 2), a verification measurement report will be required within 30 days of final building clearance and every 5 years thereafter to confirm adherence to these requirements.

2.2 COASTAL DEVELOPMENT PERMIT FINDINGS

- 2.2.1 **Findings required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information**

provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

The Board of Supervisors finds that adequate services are available to serve the proposed development, including Southern California Edison for its electrical utilities, the Santa Barbara County Fire Department, and the County Sheriff's office. No water or sewer services are required for the proposed project.

2.2.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission. In compliance with Section 35-169.5.3 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the review authority shall first make all of the following findings:

1. The proposed development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).**

The Board of Supervisors finds that the proposed project is consistent with this finding because, as discussed in Sections 6.3 and 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, the project is consistent with Article II and the Comprehensive Plan including the Coastal Land Use Plan. The project complies with policies regarding adequate services, visual resources, and noise, and the standards for telecommunications facilities in Article II.

2. The proposed development is located on a legally created lot.

The Board of Supervisors finds that the facility will be located in a County right-of-way.

3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

The Board of Supervisors finds that the subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, and any other applicable provisions of Article II. As discussed in the Section 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, the project complies with all standards in Article II for telecommunication facilities. There are no zoning or building violations. All processing fees have been paid to date.

4. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

The Board of Supervisors finds that the project will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast, as described in the Section 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, and shown in the photo simulations (Attachment D of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference). The proposed antenna will be installed on an existing 44-foot high wood utility pole located in the right-of-way for Camino Majorca. The color of the antenna and related equipment will be similar to that of the wood pole. Due to the project's location in the road right-of-way, the small size of the proposed equipment, location on an existing utility pole, and the use of non-reflective materials and colors, the project will not significantly obstruct public views from any public road, or public views from any public recreation area or along the coast. In addition, the proposed project site is located approximately 1,000 feet north of the coast.

5. The proposed development will be compatible with the established physical scale of the area.

The Board of Supervisors finds that the proposed development will be compatible with the established physical scale of the area, as described in Section 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference, and shown in the photo simulations (Attachment D of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference). The proposed telecommunication project equipment will be placed on an existing 44-foot high wood utility pole located on the east side of the Camino Majorca right-of-way. The proposed equipment will not increase the height of the existing utility pole and will not substantially change the appearance of the existing pole.

6. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The Board of Supervisors finds that the project will comply with the public access and recreation policies of Article II and the Comprehensive Plan, including the Coastal Land Use Plan. The proposed unmanned telecommunications facility will not generate traffic other than during project construction and for periodic maintenance required on an as-needed basis. In addition, the proposed project site is located approximately 1,000 feet north of the coast. As a result, the project will not generate traffic volumes that have the potential to impede public access to the coast. Additionally, no equipment is placed on the sidewalk that will interfere with public access to the beach.

3.1 BAR FINDINGS

3.1.1 Findings required for all Design Review applications. In compliance with Subsection 35-184.6 of Article II, prior to the approval or conditional approval of an application for Design Review the review authority shall first make all of the following findings, as applicable:

1. In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.

The Board of Supervisors finds that the proposed structure is not located in a rural area, and therefore this finding does not apply.

2. In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.

The Board of Supervisors finds that the project is in conformance with the scale and character of the existing community. The proposed two-foot tall and 14.6” diameter omni-directional canister antenna will be installed on a bracket and side-mounted to the existing 44-foot wood utility pole. As shown in the project photo simulations (Attachment D of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference), the antenna will be painted brown to match the existing wood pole. Additional equipment attached to the utility pole includes two radio units installed within a 20” wide by 70” long shroud affixed to the side of the utility pole at 12’-3” above grade and a new Verizon fiber line connected to the wood utility pole at 21’-4” above grade.

The proposed telecommunication equipment will not substantially change the visual appearance of the existing utility pole because the equipment is limited to a two-foot antenna at 28'-8" above grade and a 20" wide by 70" long shroud affixed to the side of the utility pole at 12'-3" above grade. To further ensure neighborhood compatibility, the project is conditioned to require that equipment be painted a non-reflective color designed to blend with the existing pole and equipment (Condition No. 6 of Attachment 2). The proposed antenna and associated equipment will not be substantially visible from surrounding public viewing areas since it will be located on an existing pole instead of a new pole, will not increase the height of the pole, and the proposed equipment will be painted to blend in with the existing wood pole. Due to the project's design, the small size of the proposed equipment, location on an existing utility pole, and the use of non-reflective materials and colors, impacts to public views will be minimized, as shown in the photo simulations (Attachment D of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference).

3. Overall building shapes, as well as parts of any structure (buildings, walls, fences, screens, towers or signs) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property.

The Board of Supervisors finds that the overall structure shapes are in proportion to and in scale with other existing structures on the same site and in the area surrounding the subject property because the proposed antenna and associated equipment meet the requirements of the Tier 2(a) small cell wireless facilities. The other existing structures in the road right-of-way include the existing utility pole on which the antenna and other associated equipment will be located. The facility's small size, colors, and materials are designed to blend in with other utility infrastructure in the area, as shown in the Alternative Site Analysis (Attachment J of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference).

4. Mechanical and electrical equipment shall be well integrated in the total design concept.

The Board of Supervisors finds that the electrical and mechanical equipment is well integrated into the total design concept because the equipment will be painted a non-reflective brown color to blend in with the existing utility pole, and is designed to blend in with other utility infrastructure on the existing pole. Electrical equipment will be located on the existing pole, with no need for other structures on the ground next to the pole.

5. There shall be harmony of material, color, and composition of all sides of a structure or building.

The Board of Supervisors finds that there will be harmony of color, composition, and material on all sides of the proposed structure. The proposed project is conditioned (Condition No. 6 of Attachment 2) to require that equipment be painted in a non-reflective color designed to blend in with the existing pole and equipment. The project is also conditioned (Condition No. 13 of Attachment 2) to be maintained in a state of good condition at all times, which includes painting, site identification, and equipment repair.

6. A limited number of materials will be on the exterior face of the building or structure.

The Board of Supervisors finds that there is a limited number of materials on the exterior face of the structure because the materials include the wood from the existing utility pole and the metal from the antenna and associated equipment that is necessary for the project to function properly.

7. There shall be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.

The Board of Supervisors finds that there is a harmonious relationship with existing and proposed adjoining developments because the proposed project is located on an existing utility pole that already includes electrical wires. The proposed project will include adding an antenna and other associated equipment, however it will not include adding a new structure. In addition the antenna and associated equipment will be painted in a non-reflective brown color to blend in with the existing utility pole. As such, the project blends in with other existing utility infrastructure in the area.

8. Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well designed relationship to one another, respecting the environmental qualities, open spaces, and topography of the property.

The Board of Supervisors finds that the site layout, orientation, and location of structures and signs is in an appropriate and well-designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site because no structures are proposed. The project will place an antenna and associated equipment on an existing utility pole. The project also includes a Radiofrequency Caution sign that will be placed on the antenna shroud and a Notice of Pole Workers sign that will be 7.5 in tall and be placed on the utility pole approximately 20 ft. above existing grade. The location of the signs is appropriate as it won't be in the direct line of sight of a pedestrian walking on the street, but would be visible to a utility pole worker who may need to work on the pole at a future time.

9. Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of planting which will be appropriate to the project, and adequate provisions for maintenance of all planting.

The Board of Supervisors finds that the project will provide adequate landscaping in proportion to the project site because the proposed project is located on an existing utility pole. No landscaping exists related to the pole and no landscaping is required or proposed as part of the project.

10. Signs including their lighting, shall be well designed and shall be appropriate in size and location.

The Board of Supervisors finds that signs, including associated lighting are well designed and will be appropriate in size and location. The project will include two signs, a Radiofrequency Caution sign that will be placed on the equipment shroud to notify pole workers of the radiofrequency emissions, and a Notice to Pole Workers sign to notify pole workers that there is an antenna located on this pole. The signs will be located approximately 20 feet above existing grade, out of the normal eyesight of the public but easily noticeable for a utility worker. These signs will not be lit, and no exterior lighting is proposed as part of the project.

11. The proposed development is consistent with any additional design standards as expressly adopted by the Board of Supervisors for a specific local community, area, or district pursuant to Section 35-144A of Article II.

The Board of Supervisors finds that there are no additional design standards for telecommunication facilities, and this finding does not apply to the proposed project. The project complies with development standards adopted for Tier 2(a) small scale facilities within Article II, as described in Section 6.4 of the Planning Commission staff report dated August 17, 2023, included as Attachment 5 of this Board Letter and incorporated herein by reference. The proposal complies with regulations that encourage collocation on existing poles and therefore blends in with the existing infrastructure.