

## Attachment 2

### CROWN CASTLE – MONTECITO COASTAL CASE NOS. 13CUP-00000-00010, 14CDP-00000-00002 FINDINGS FOR DENIAL

#### 1.1 CEQA Exemption

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

#### 2.1 Conditional Use Permit Findings

The following Conditional Use Permit findings cannot be made.

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

The proposed facilities would be inconsistent with visual resource goals LU-M-1 and LU-M-2, policies LU-M-2.1, VIS-M-1.1, and VIS-M-2.1 of the Montecito Community Plan, and Policy 4-4 of the Coastal Land Use Plan. The facilities are proposed to be mounted on existing utility poles in a semi-rural residential area. Support equipment and electrical power would be stored in ground mounted pedestals ranging in size from 54” height x 30” depth x 25” width, to 60” height x 23” depth x 31” width.

The ground mounted components would be located in the public rights-of-way and would be readily visible to residents in the immediate vicinity and to those traveling on the streets. Site No. MON13 is located on Sheffield Drive, a designated view corridor, and its pedestal would be located at the intersection of Ortega Hill Road and Ortega Ridge Road at the top of the scenic hillside. The pedestal for Site No. MON24 is located on the exposed shoulder of Sheffield Drive, void of shrubs or vegetation, immediately adjacent to the walking path used by the community. The pedestal for Site No. MON28 is immediately adjacent to the resident’s driveway.

Additionally, the facilities would encumber the existing power poles with the addition of radio boxes at many of the sites, and now also backup battery unit (BBU) boxes, and low volt conversion boxes at nearly every site. All of these facilities would create a visual blight and would introduce a level of new infrastructure (power pedestals serving solely telecommunications facilities) into the Montecito area that currently does not exist. Although the applicant has proposed to reduce the number of power pedestals serving the project, doing so results in an increase in the amount of pole mounted equipment. Since the applicant did not provide specific visual simulations of each site with the additional pole mounted equipment for the project reviewed *de novo* by the Board, a determination cannot be made that the project is designed to blend into the surrounding environment to the greatest extent feasible.

Additionally, development standards 3.c and 3.d for commercial telecommunications facilities (Article II Section 35-144F.D.3) require that “substantially visible” facilities be installed “in a manner that ensures that [they] will not be substantially visible from public viewing areas” and that they are “not installed closer than two miles from another substantially visible facility.” As discussed above, the proposed equipment would be substantially visible from public roads as they are located along the road rights-of-way and are installed within a mile of each other. Therefore, the proposed project is not consistent with these development standards, and would not preserve the existing semi-rural residential streetscape character of the area as required by the Montecito Community Plan. Therefore this finding cannot be made.

## **2.2 Commercial Telecommunication Facility Findings**

The following Commercial Telecommunication Facility findings cannot be made.

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

The facilities are proposed to be mounted on existing utility poles in a semi-rural residential area.

Required support equipment and electrical power would be stored in ground mounted pedestals ranging in size from 54” height x 30” depth x 25” width, to 60” height x 23” depth x 31” width. The ground mounted components would be located in the public rights-of-way and are readily visible to residents in the immediate vicinity and to those traveling on the streets. Additionally, the facilities would encumber the existing power poles with the addition of radio boxes, backup battery unit (BBU) boxes, and low volt conversion boxes. All of these facilities would create a visual blight and would introduce a level of new infrastructure (power pedestals serving solely telecommunications facilities) into the Montecito area that currently does not exist. Although there are some existing ground-mounted utility boxes in Montecito, they are very limited in number and are not as tall or massive as the proposed pedestals. Thus the pedestals are not to scale with the existing utility infrastructure and would significantly increase the amount of such infrastructure in the area. In terms of visual impacts, although the applicant has proposed to reduce the number of power pedestals serving the project, doing so results in an increase in the amount of pole mounted equipment. Since the applicant did not provide specific visual simulations of each site with the additional pole mounted equipment for the project reviewed *de novo* by the Board, a determination cannot be made that the project would minimize potential visual effects and preserve the existing semi-rural residential streetscape character of the area as required by the Montecito Community Plan. Therefore this finding cannot be made.

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

The proposed facilities are located squarely in the public road rights-of-ways on existing utility poles, many of which are already encumbered by additional equipment (SCE, Cox, etc.) In addition, the ground mounted pedestals would generally be the only above-ground utility structures in the area and would introduce a level of new infrastructure (power pedestals serving

solely telecommunications facilities) into the Montecito area that currently does not exist. Although there are some existing ground-mounted utility boxes in Montecito, they are very limited in number and are not as tall or massive as the proposed pedestals. Thus the pedestals are not to scale with the existing utility infrastructure and would significantly increase the amount of such infrastructure in the area. The proliferation of pole-mounted equipment is aesthetically unsatisfactory and the prominence of the proposed equipment on the edges of narrow semi-rural roads does not minimize the facilities from public view. Between the inland and coastal applications, the project would result in four new facilities along Sheffield Drive alone, and six along Jameson Lane. In some cases there would not be any existing screening of the equipment on the poles or the pedestals. Although the applicant has proposed to reduce the number of power pedestals serving the project, this results in an increase in the amount of pole mounted equipment, and the applicant did not provide specific visual simulations of each site with the additional pole mounted equipment for the project reviewed *de novo* by the Board. As such, a determination cannot be made that the project would minimize potential visual effects. Therefore, this finding cannot be made.

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

The proliferation of ground mounted pedestals and pole-mounted equipment contributes to the visual clutter in the public road rights-of-ways and would be inconsistent with the character of the rural area. These large pedestals cabinets are out of scale with any existing infrastructure in the rights-of-way and introduce an urban aesthetic to the semi-rural area, generally consisting of narrow winding roads bordered by mature trees and a lack of sidewalks and traffic lights. The pedestals are immediately adjacent to the roadways and are often separated from existing vegetation, thereby highlighting the visual prominence of these facilities. No “stealth” design options were offered by the applicant. In terms of visual impacts, although the applicant has proposed to reduce the number of power pedestals serving the project, doing so results in an increase in the amount of pole mounted equipment. Since the applicant did not provide specific visual simulations of each site with the additional pole mounted equipment for the project reviewed *de novo* by the Board, a determination cannot be made that the project is designed to blend into the surrounding environment to the greatest extent feasible. Therefore this finding cannot be made.

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

The applicant has not provided substantial evidence to document a gap in coverage or capacity, nor have they provided substantial evidence that the area proposed to be served would not otherwise be served by Verizon. The testimony and documents provided indicated that the project is largely proposed to address future capacity projections and to a lesser extent, expand signal coverage. Based on the expertise of the County’s telecommunications engineering consultant, Dieter J. Preiser, the coverage maps and key performance indicators provided for the Ortega site appear to be for LTE service in the 700MHz band only. No evidence was provided to show the capacity of existing network resources in the 850 and 1900 MHz bands, which would indicate that the network still has capacity. The applicant did not submit substantial evidence to document a current gap in capacity, nor did they document to what extent the project would result in an improvement in bandwidth. The applicant has not provided evidence of the dropped call rate, call access failure rate, channel quality indicator data, or the number of potential users

in the area who may be affected by the claimed lack of capacity or coverage. Furthermore, the coverage maps provided do not contain a legend that indicates the band of operation, i.e. 700, 850, or 1900 MHz band to make a proper assessment. The maps, as presented, do not demonstrate a need for coverage or capacity in the project area. Therefore, this finding cannot be made.

## 2.3 Coastal Development Permit Findings

The following Coastal Development Permit finding cannot be made.

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

The proposed facilities would be inconsistent with visual resource goals LU-M-1 and LU-M-2, policies LU-M-2.1, VIS-M-1.1, and VIS-M-2.1 of the Montecito Community Plan, and Policy 4-4 of the Coastal Land Use Plan. The facilities are proposed to be mounted on existing utility poles in a semi-rural residential area. Support equipment and electrical power would be stored in ground mounted pedestals ranging in size from 54” height x 30” depth x 25” width, to 60” height x 23” depth x 31” width.

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Additionally, development standards 3.c and 3.d for commercial telecommunications facilities (Article II Section 35-144F.D.3) require that “substantially visible” facilities be installed “in a manner that ensures that it will not be substantially visible from public viewing areas” and that they are “not installed closer than two miles from another substantially visible facility.” As discussed above, the proposed equipment would be substantially visible from public roads as they are located along the road rights-of-way and are installed within a mile of each other. Therefore, the proposed project is not consistent with these development standards, and would not preserve the existing semi-rural residential streetscape character of the area as required by the Montecito Community Plan. Therefore this finding cannot be made.