

Erickson Appeal – Verizon Wireless at Camino Majorca Case No. 23APL-00040

Santa Barbara County Planning Commission
March 5, 2024

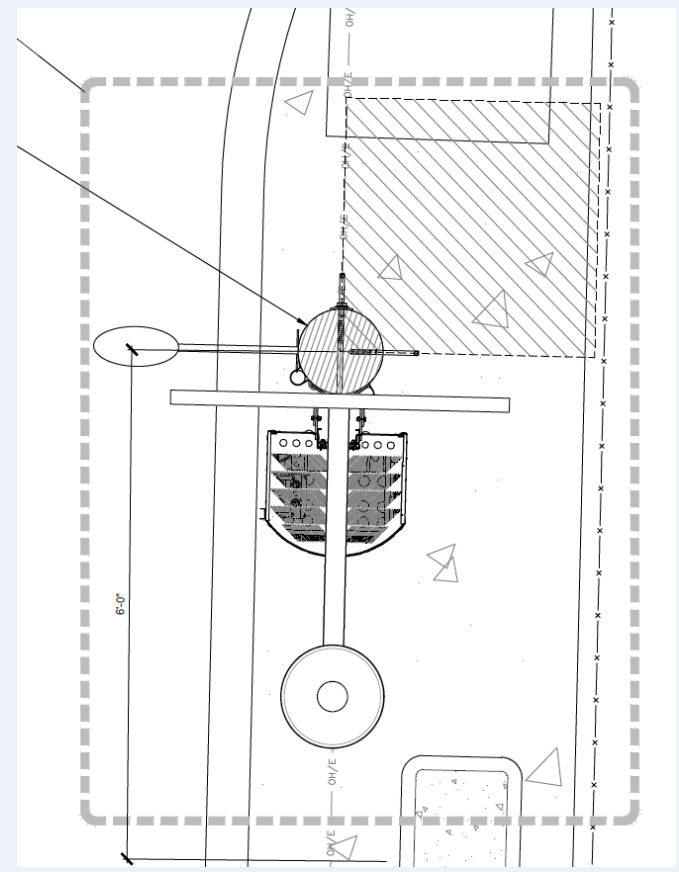
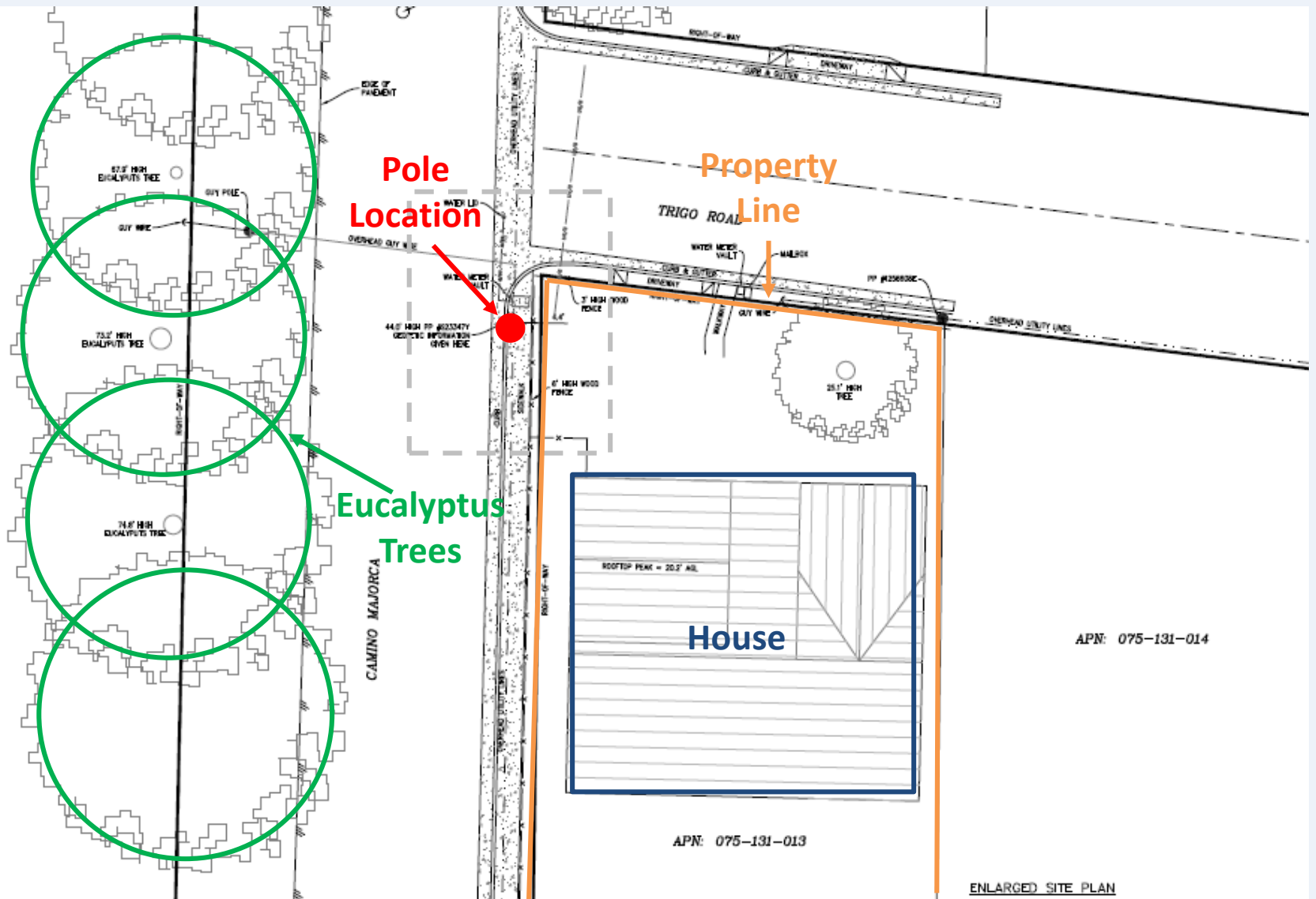


County of Santa Barbara
Planning and Development
Willow Brown, Planner

Aerial Location Map

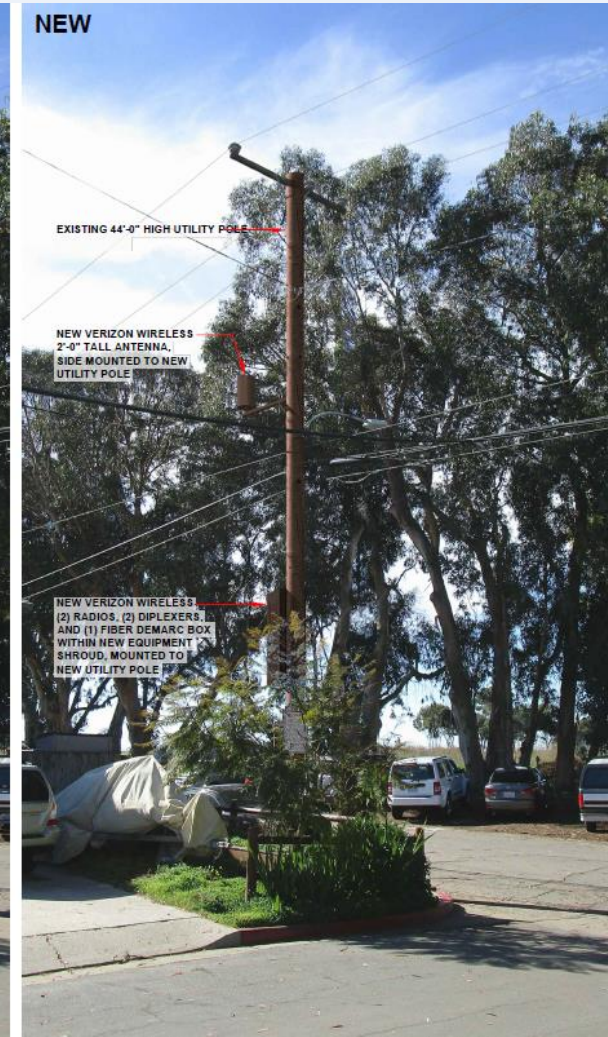
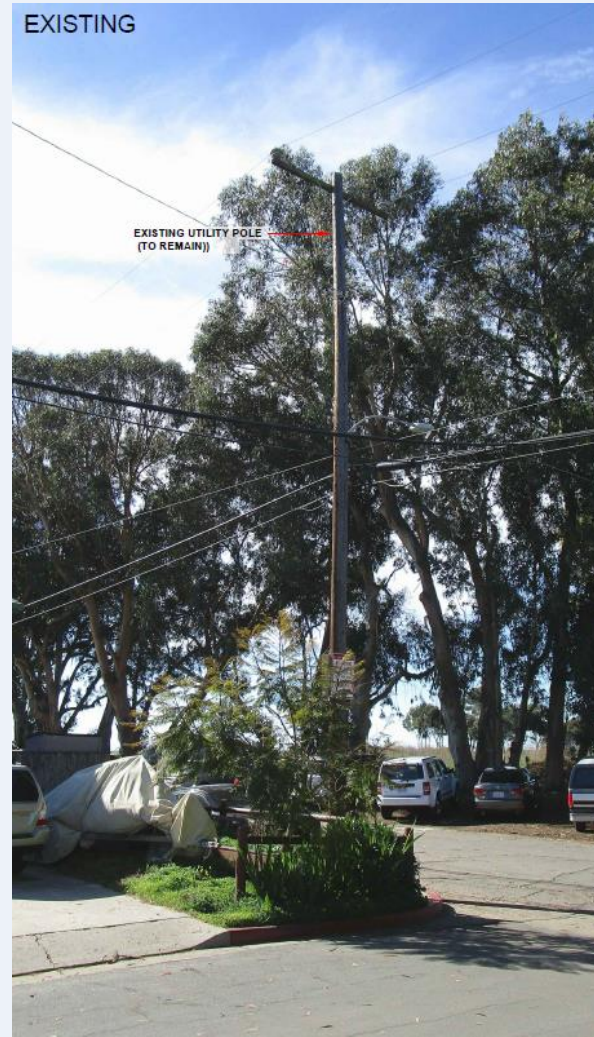
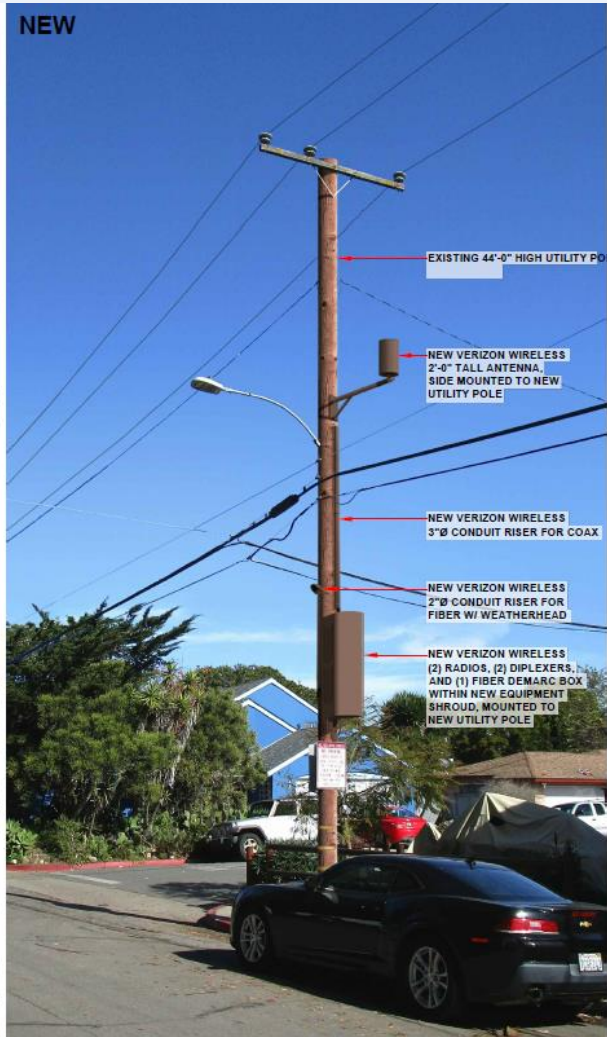


Site Plan



Antenna Close-up

Photosimulations



Background Information

- August 2020: BAR case at 6897 Trigo Road was conceptually reviewed by SBAR.
- October 2020: Original CUP for 6897 Trigo Road was submitted.
- January - March 2021: CUP was reviewed by PC, Applicant directed to review other locations.
 - 6860 Sabado Tarde: Location was denied by the SBAR.
 - 6899 Fortuna Road: Property owner did not allow Applicant to locate in this location.
 - Collocation on Crown Castle facilities: Determined collocating would overload the poles.
- March 2023: Applicant revisited original location and submitted a DVP for the current project.
- June 2023: Project approved by Director and denied by SBAR. Both actions appealed.
- December 6, 2023: Project presented at PC hearing and PC took action to approve project.
- December 15, 2023: PC's decision was appealed to Board of Supervisors.

Appeal Issue 1

Appeal Issue: The Appellant claims there has been an abuse of discretion, and there are inconsistencies in who Verizon says the facility will serve and what the propagation maps show.

Staff Response:

- Hearing before the Board is *de novo*.
- PC hearing complied with Brown Act and PC Procedures Manual.
- Applicant submitted all required application materials, and propagation maps demonstrated a gap in coverage.

Appeal Issue 2

Appeal Issue: The Appellant claims that Verizon has received favorable treatment:

- Staff encouraged Verizon to apply at this location despite prior rejection by PC.
- The location is not least intrusive.
- Verizon was allowed to postpone a hearing date when the Appellant was not.

Staff Response:

- The current project location has not been denied by the PC.
- The project is consistent with all Article II requirements.
- Verizon requested a continuance at the PC hearing, which both the Appellant and Applicant have the option to do.

Appeal Issue 3

Appeal Issue: The Appellant claims that the new structure will not be in conformance with the scale and character of the existing community, and is on the path to recreational areas in between several parks, open spaces, and reserves.

Staff Response:

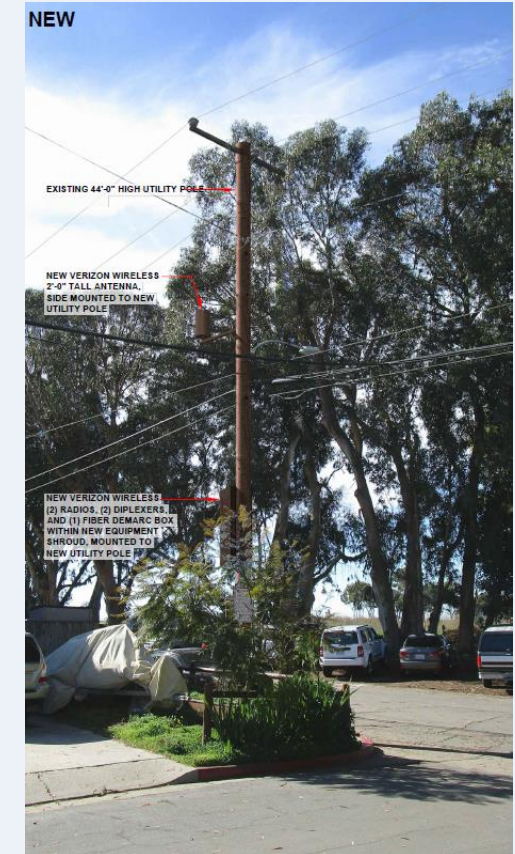
- Facility is small in size, will be mounted on an existing pole, and is consistent with the scale and character of other small cell wireless sites throughout the community.
- Project meets all development standards in Article II.
- There is no requirement prohibiting telecommunications facilities adjacent to an open space area.
- Facility will not interfere with the use of the open space or access to the coast.

Appeal Issue 4

Appeal Issue: The Appellant claims the project is in close proximity to two other substantially visible facilities.

Staff Response:

- Facility is not substantially visible from public viewing areas.
- Facility will not be a conspicuous feature of the landscape.
- Facility will not break the skyline or increase the height of the pole.



Appeal Issue 5

Appeal Issue: The Appellant claims the project is inconsistent with the ordinance requirement prohibiting antennas from protruding more than two feet horizontally, and the CEQA exemption only allows for “limited numbers of new, small facilities”.

Staff Response:

- Article II prohibits façade-mounted antennas to protrude more than two feet horizontally from the façade, however, this is not a façade-mounted antenna.
- The CEQA exemption applies and no cumulatively significant impact will occur.

Appeal Issue 6

Appeal Issue: The Appellant claims the project is inconsistent with the ordinance requirement for a facility to prove that the area would not otherwise be served by the carrier, and that the applicant is required to submit a list of other nearby telecommunication facilities.

Staff Response:

- There is no requirement to demonstrate the area proposed to be served would not otherwise be served by the carrier.
- The Applicant submitted all required application materials, and demonstrated compliance with all Article II requirements for telecommunication facilities.

Policy Consistency

- Consistent with all Article II requirements
- Complies with FCC regulations (max of 25.88% of FCC General Population limits)
- Compatible with surrounding area
- Will not impact public views
- Will not impact coastal access or recreational areas
- Located on existing pole, will be painted to match the pole, and will not increase height of pole



Environmental Review

CEQA Guidelines Section 15303

New Construction or Conversion of Small Structures:

- Exempts the construction and location of limited numbers of new, small facilities or structures, including one single-family dwelling or a second dwelling unit in a residential zone.

Recommended Actions

- Deny the appeal, Case No. 23APL-00040;
- Make the required findings for approval of the project, Case Nos. 22DVP-00000-00023, 22CDP-00000-00146, and 19BAR-00000-00222;
- Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15303; and
- Grant *de novo* approval of the project, Case Nos. 22DVP-00000-00023, 22CDP-00000-00146, and 19BAR-00000-00222, subject to the conditions of approval included as Attachment 2 of the Board letter.