ATTACHMENT 4: FINDINGS

1.0 CEQA

1.1 Consideration of the Negative Declaration and Full Disclosure

The Board of Supervisors has considered the Mitigated Negative Declaration 14NGD-00000-00004 together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 Finding of No Significant Effect

On the basis of the whole record, including the Mitigated Negative Declaration and any comments received, the Board of Supervisors finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment.

1.3 Location of Documents

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the County Clerk of the Board located at 105 East Anapamu Street, Room 407, Santa Barbara, CA 93101.

1.4 Environmental Reporting and Monitoring Program

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 MONTECITO LAND USE DEVELOPMENT CODE

2.1 Conditional Use Permit Findings

2.1.1 ***That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.***

The subject utility poles and facility designs were analyzed by the applicant, the Joint Pole Association and the California Public Utility Commission (CPUC) to ensure the proposed poles were suitable for the proposed facilities and could meet legal, spacing, interference, wind loading, and safety standards and comply with CPUC utility requirements and SCE policy standards. The electrical meter pedestals, equipment vaults and equipment pedestals were also reviewed by the applicant, the CPUC, Southern California Edison (SCE) and County Public Works to ensure they met electrical, safety, and traffic standards. Lastly, as discussed in Sections 4.0, 6.2, and 6.3 of the Montecito Planning Commission staff report dated May 1, 2014 and the Board Letter dated July 1, 2014, and incorporated herein by reference, the proposed facilities and the sites on which they are located were reviewed for consistency with County policies and development standards, including design review by the Montecito Board of Architectural Review (MBAR). As such, the sites are adequate for the project designs as proposed, and this finding can be made.

2.1.2 ***Environmental impacts. (a) Within the Coastal Zone, adverse environmental impacts will be mitigated to the maximum extent feasible. (b) Within the Inland area, significant environmental impacts will be mitigated to the maximum extent feasible.***

As summarized in Section 6.1 of the Montecito Planning Commission staff report dated May 1, 2014, Board Letter dated July 1, 2014, and as discussed in detail in the Mitigated Negative Declaration (14NGD-00000-00004), all incorporated herein by reference, any adverse environmental impacts that could result from the proposed development and use of the unstaffed telecommunications facilities are mitigated to less than significant levels by incorporation of the mitigation measures and monitoring into the project's conditions of approval. No significant environmental impacts are expected as a result of the project.

2.1.3 ***Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.***

The proposed facilities would be maintained by Crown Castle on an as-needed basis. Aside from maintenance activities, the facilities are unstaffed facilities therefore the existing streets are sufficient to serve the proposed project, consistent with this finding.

2.1.4 ***There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.***

As stated above, the proposed facilities would be unstaffed and would not require any public services such as water, sewage, police or fire. Therefore this finding can be made.

2.1.5 ***The project will not be detrimental to the comfort, convenience, general welfare, health and safety of the neighborhood and will be compatible with the surrounding area.***

As discussed in Sections 4.0, 6.2, and 6.3 of the Montecito Planning Commission staff report dated May 1, 2014 and the Board Letter dated July 1, 2014, incorporated herein by reference, the proposed facilities comply with the Federal health and safety standards and therefore no adverse impacts are associated with the proposed project. Additionally, the facilities have been designed to utilize existing infrastructure and to blend with the utilitarian aesthetic of existing poles and utility cabinets in the rights-of-way, reducing the potential for aesthetic impacts to the surrounding community. Therefore this finding can be made.

2.1.6 ***The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan including the Montecito Community Plan.***

As discussed in Sections 6.2 and 6.3 of the Montecito Planning Commission staff report dated May 1, 2014 and Board Letter dated July 1, 2014, incorporated herein by reference, the proposed project would be in conformance with all applicable provisions of the Montecito Land Use Development Code and the Comprehensive Plan, including the Montecito Community Plan, and this finding can be made.

2.1.7 ***The proposed project will not potentially result in traffic levels higher than those anticipated for the lot by the Montecito Community Plan and its associated environmental documents; or if the project would result in higher traffic levels, the increase in traffic is not large enough to cause the affected roadways and/or intersections to exceed their designated acceptable capacity levels at buildout of the Montecito Community Plan or road improvements included as part of the project description are consistent with the provisions of the Montecito Community Plan and are adequate to fully offset the identified potential increase in traffic.***

As discussed above, aside from minor traffic associated with maintenance activities provided on an as-needed basis only, the facilities are unstaffed and therefore the proposed project would not result in higher traffic levels and is consistent with this finding.

2.1.8 ***The proposed project will not adversely impact recreational facilities and uses.***

The proposed facilities would be located within the County rights-of-way mounted on utility poles, above-ground pedestals or underground in vaults that would be flush with the ground. All above-ground pedestals were reviewed by Public Works and were located such that they would not cause any operational obstruction to bike lanes, trails, pedestrian traffic, or other recreational uses. Additionally, conditions of approval require the applicant to prepare a Traffic Control Plan that is reviewed and approved by Public Works prior to permit issuance, and to obtain any required road encroachment permits to ensure safe and adequate public access around the facilities during construction. Therefore the proposed project is consistent with this finding.

2.1.9 ***Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the rural and scenic character of the area.***

The proposed facilities are located in the County rights-of-way and have been designed to blend in with the existing utility infrastructure. The equipment would either be mounted on the pole, ground pedestal, or located in an underground vault that is flush with the ground. Additionally, the equipment would be painted brown (or other color determined by the MBAR) to match the surrounding area and would be visually consistent with transformers and other utility equipment on the poles. Therefore, the project is largely camouflaged and the new facilities are no more obtrusive than other utility boxes in the rural area. Therefore this finding can be made.

2.2 Commercial Telecommunication Facility Findings

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

As discussed in Sections 4.0, 6.2 and 6.3 of the Montecito Planning Commission staff report dated May 1, 2014 and Board Letter dated July 1, 2014, incorporated herein by reference, the facilities are designed to retain the visual character of the area by collocating on existing utility poles and blending with the utilitarian aesthetic of other utility equipment. Therefore the facilities would be no more obtrusive than other utility equipment in the rights-of-way. Furthermore, the equipment would be painted brown (or other color specified by MBAR) to blend with the surrounding area. Therefore the proposed project preserves the existing streetscape character of the area and this finding can be made.

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

As discussed in Sections 4.0, 6.2 and 6.3 of the Montecito Planning Commission staff report dated May 1, 2014 and Board Letter dated July 1, 2014, incorporated herein by reference, the applicant proposes to collocate the facilities with existing utility infrastructure, thus blending the facilities with the existing visual character of the area. Therefore this finding can be made.

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

The facility is designed to blend with the utility infrastructure and to minimize its appearance as a telecommunications facility. Therefore this finding can be made.

2.2.4 ***The facility complies with all required development standards unless granted a specific exemption by the decision-maker in compliance with Section 35-144F.G.4.a, below. (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, will not decrease public safety, and will not result in greater impacts to coastal resources, including sensitive habitats, coastal waters, and public access, or (2) Is required due to technical considerations and if the exemption was not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, 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.

As analyzed in Sections 4.0, 6.2 and 6.3 of the Montecito Planning Commission staff report dated May 1, 2014 and Board Letter dated July 1, 2014, incorporated herein by reference, the proposed project complies with all required development standards of the telecommunication ordinance.

2.2.5 ***The applicant has demonstrated that the facility will be operated within the allowed frequency range permitted by the Federal Communications Commission and complies with all other applicable health and safety standards.***

The applicant submitted projected emission reports by Jerrold Bushberg, Ph.D., dated April 22-24, 2013, as a part of this project application. The reports conclude that RF exposure from the proposed telecommunications facilities would be less than 1-4% (depending on the configuration) of the applicable FCC public exposure limit at ground level (approximately 20 feet) and therefore the facilities are well within the FCC's health and safety limits. As a part of the project conditions, a verification measurement report would be required within 30 days of installation, and every five years thereafter, to confirm these projections.

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 proposed project is a request from Crown Castle to expand their existing infrastructure to increase service capacity for Verizon Wireless. In 2014 voice traffic on the Verizon service network will begin to migrate from the older 3G voice technology to 4G VoLTE (Voice over IP). This will add additional load to the 4G network. Since voice is delay sensitive, exhaustion of the data network can cause degradation of voice calls, including 911 calls. Additionally, Verizon Wireless is seeking additional network capacity to address service demands forecasted to become exhausted in 2014. The proposed facilities would serve to add capacity to the area ensuring continued service quality as voice services are added to the data network.[1]

Per the applicant, "Capacity sites are generally lower in height than a coverage site with a full cell needing to be above the ground clutter and a small cell being one that is at or

[1] Verizon Wireless RF Engineering, "Verizon Wireless Cell Site Necessity Case," p. 5.

below the ground clutter."[2] The location of the facilities is also influenced by the demand for service. Verizon states, "Where our customers use their wireless devices continues to evolve. While we once needed to cover highways and business districts, we are seeing increasing issues with high growth in residential areas. Current statistics show that about 1 of 3 American households no longer have a landline phone. To serve this need we have to increase the cells we have in or very near residential areas."[3] According to this information, Verizon's service capacity need would not be met in the proposed project area thereby not allowing the area to be served without the proposed project. Therefore this finding can be made.

2.2.7 ***The applicant has demonstrated that the proposed facility design and location is the least intrusive means feasible for the carrier proposing the facility to provide the needed coverage.***

As discussed above, the project would serve the residential areas of Montecito, where the demand for service has increased and the capacity of the network is becoming exhausted. As such, the facilities are designed to provide capacity that macro sites cannot.

The proposed facilities are designed to blend with, and use, existing infrastructure to the extent feasible. The antennas and equipment are mounted to existing utility poles in the community, instead of being erected on new antenna support structures as most telecommunications facilities are. The facilities would each utilize either one or two antennas at each location not exceeding 32 inches in length, as opposed to larger facilities which typically utilize between four to twelve antennas measuring up to 8 feet long. The proposed DAS facilities use radios that are small enough to be mounted to the pole itself (30" x 25" x 24"), or inside the power meter pedestal (60" x 20" x 25" or 48" x 39" x 27"), or placed in underground vaults (flush with the ground, 13' x 6' x 3'), as opposed to traditional macro sites often require support equipment to be stored in a pre-fabricated shelters typically measuring 10' x 10' x 12'.

The Montecito Board of Architectural Review (MBAR) also reviewed the project designs. The MBAR made additional recommendations to the applicant to reduce the visibility, and improve the project design where feasible for each location. These changes included: painting of the facilities to blend with the surrounding environment, rotating equipment boxes on the poles to less-visible vantage points, relocating or rotating antennas to less-visible vantage points, suggesting different antenna configurations (one large antenna vs. two small), moving pole-mounted radio boxes into the electric meter pedestal to lessen equipment on the poles and condense the equipment, suggesting paint colors for the equipment components to best blend them into the surrounding area, and lastly, moving sites to visually-preferable locations. The applicant revised their plans to reflect MBAR's recommendations and as such this finding can be made.

[2] Ibid.
[3] Ibid.