ATTACHMENT 1
BOARD OF SUPERVISORS FINDINGS
Verizon at Rancho Alegre
Case Nos. 16RZN-00000-00002 and 14CUP-00000-00016

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 Sections 15061 (b)(3), 15303, and 15304.

Please see Attachment 2 (Environmental Document: Notice of Exemption) to this board letter dated May 10, 2016, incorporated herein by reference.

2.0 ADMINISTRATIVE FINDINGS
2.1 REZONE

A. In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

2.1.1 The request is in the interests of the general community welfare.

The rezone is in the interest of the general community as it would update the subject parcel's zoning from Ordinance 661 to zoning under the County's Land Use and Development Code. Ordinance 661 is outdated and does not provide for telecommunications facilities. The County is currently preparing another package of consistency rezones throughout the county and this project rezone is consistent with that effort.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.

Pursuant to the discussion in Sections 6.2 and 6.3 of Planning Commission staff report dated March 17, 2016, (Attachment 5 to this Board Letter), herein incorporated by reference, the rezone is consistent with the Comprehensive Plan, the requirements of the Zoning Ordinance (Land Use and Development Code), and State Land Use Law requiring vertical consistency between an agency's Comprehensive Plan and its Zoning Ordinance. The rezone does not involve an amendment to the Local Coastal Program.

2.1.3 The request is consistent with good zoning and planning practices.

The rezone is consistent with good zoning and planning practice because it updates antiquated regulations and allows for a modern use not contemplated under the antiquated regulations to be permitted on the subject lot consistent with current zoning.

2.2 CONDITONAL USE PERMIT FINDINGS

A. Findings required for all Conditional Use Permits. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

2.2.1 The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed.

The subject 138.69-acre parcel is zoned 100-AG, Agriculture and is located within the Santa Ynez Rural Area of the County. Adjacent parcels are zoned 100-AG. Surrounding development consists of the National Forest and Lake Cachuma. The subject parcel is developed with Boy Scout Camp.

The proposed facility consists of one 50 ft tall antenna support structure designed to resemble a faux eucalyptus tree, and a 900 square foot lease area containing a new electrical pedestal, a telco box, two GPS antennas, two cabinets, 48 VC power plant, intersect box, transformer, four raycaps, four service lights, an ice bridge which protects the cables to the tower from inclement weather, trenching for the hybrid cables, and a new 132 diesel gallon emergency generator would temporarily serve the facility in the event of a power failure. The 32kw generator would be located on a separate 72 square foot concrete slab and stored inside the lease area. In the event of an accidental spill, the fuel would be contained within the enclosure on the concrete pad and would not be discharged off site. The lease area will be fenced with chain link fencing. The facility will be accessed by an existing driveway.

The proposed lease area and faux eucalyptus will be set back approximately 2,372 feet from Highway 154. The proposed antenna support structure will protrude into the skyline and be visible to eastbound travelers on SR 154. However, the visibility will be limited to approximately 3-5 seconds, and will be visible while the vehicle is navigating a curve in the highway, at a distance of approximately 2,372 feet (as measured in a straight line extended due south between the structure and SR 154). The antenna support structure will not be visible to westbound travelers due to intervening topography and existing mature vegetation. In addition, the proposed faux eucalyptus structure has been strategically placed behind a 30-foot tall ridge to minimize its

visibility from public views. The design of the antenna support structure as a faux eucalyptus tree effectively utilizes the existing onsite and surrounding trees and topography to blend the project into the surrounding natural environment. Technical requirements dictate that wireless facilities be sited in a manner that provides clear line-of-site transmission of signals.

The Central Board of Architectural Review (CBAR) conceptually reviewed the proposed design and determined that the proposed design of the facility will be compatible with the existing visual character of the surrounding area. The project is conditioned to require: 1) the antennas to be painted in a non-reflective color to blend into the existing natural setting and to reduce their visibility; 2) the project to receive preliminary and final CBAR approval prior to issuance of the Zoning Clearance; 3) that the only exterior lighting is a security light that will be Dark Sky compliant and approved by the CBAR; and 4) that all onsite vegetation be maintained for the life of the project (Condition Nos. 3, 5, and 6) in the Planning Commission Action letter dated April 6, 2016. (Attachment 5 to this Board Letter), herein incorporated by reference.

Therefore, 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.

2.2.2 Within the inland area, significant environmental impacts will be mitigated to the maximum extent feasible.

No significant environmental impacts will result from the project. The project is exempt from environmental review pursuant to Sections 15303 and 15304 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).

The proposed project consists of the construction and use of an unstaffed telecommunications facility within an approximately 900 sq ft lease area with ground disturbance on slopes of less than 5 percent, landscaping, and trenching where the surface is restored. A 50 ft high antenna support structure, cabinets and associated equipment, and a 72 sq ft concrete slab with a diesel emergency generator and fuel tank will be located inside of the fenced lease area. The 50-foot tall antenna support structure will be designed to look like a eucalyptus tree. This design will blend the facility in with the existing mature trees in the surrounding rural, agricultural area to the maximum extent feasible. The 900 sq ft lease area will be located on flat ground within the project site. No trees are located within the footprint of the facility or utility trench.

To ensure that the project operates within FCC limits, the County required the applicant to submit a report prepared by a qualified third party that estimates the proposed project's radio frequency emissions and determines whether or not they comply with the Federal requirements. As discussed in Section 4.0 of this staff report and incorporated herein by reference, the applicant provided a Radio Frequency Electromagnetic (RF-EME) Compliance report prepared by Hammett & Edison, Inc., Consulting Engineers, July 3, 2014 as part of the proposed project. The report concludes

that for any person anywhere at ground level, the maximum RF exposure level due to the proposed telecommunications facility is calculated to be 0.0056 mW/cm^2 which is 1% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building would be 0.77% of the public exposure limit. There are no two story buildings located onsite. The closest residence onsite is located northwest approximately 1,500 feet from the proposed telecommunications. The report verifies that the facility would operate in compliance with the applicable FCC limits. In addition, the project is conditioned to require final CBAR approval to ensure that the project is visually compatible with the surrounding area, that lighting is shielded to avoid spillover, that vegetation is protected, and that radiofrequency emissions are monitored to ensure compliance with FCC standards.

For all of these reasons, this finding can be made.

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

The unstaffed facility will not generate traffic other than during installation and for periodic maintenance required on an as-needed basis. Access to the project site will be provided from Highway 154, a state highway. The existing roadway infrastructure is adequate to serve the facility. Therefore, the existing streets are sufficient to serve the project and this finding can be made.

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

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, the facility will be unstaffed and will not require any public services such as water, sewage, police or fire. Power and telephone service currently exist at the site and will be sufficient to serve the project. Therefore, this finding can be made.

2.2.5 The proposed 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 6.2 and 6.3 of the Planning Commission staff report dated March 17, 2016, (Attachment 5 to this Board Letter), and incorporated herein by reference, the facility complies with the Federal health and safety standards and therefore will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. Additionally, the antenna support structure is designed to resemble a eucalyptus tree, which blends the facility in with the surrounding natural environment. The faux tree support structure will reduce the visibility of the antennas. The facility has been carefully sited and designed to be visually compatible with the surrounding area. The proposed antenna support structure will protrude into the skyline and be visible to eastbound travelers on SR 154.

However, the visibility will be limited to approximately 3-5 seconds, and will be visible while the vehicle is navigating a curve in the highway, at a distance of approximately 2,372 feet (as measured in a straight line extended due south between the structure and SR 154). The antenna support structure will not be visible to westbound travelers due to intervening topography and existing mature vegetation. Therefore, this finding can be made.

2.2.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, the project will be in conformance with all applicable provisions of the LUDC, and the Comprehensive Plan. Therefore, this finding can be made.

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

The project site is located within the Rural area of the Lake Cachuma area. The 50 foot tall antenna support structure, which will be partially visible from public viewing areas, will resemble a faux eucalyptus tree, with the antennas concealed within the faux tree structure. The equipment lease area will contain cabinets and a generator and will be finished with an earth-toned non-reflective coating, and will not be visible from public viewing areas. The 900 sq ft lease area will be surrounded by chain link fencing. As discussed in Section 6.4 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, the Central Board of Architectural Review conceptually reviewed the project and determined that the 50 ft tall faux eucalyptus tree antenna support structure would be the most appropriate support structure to visually blend the facility in to the existing rural setting, which includes mature trees on the subject parcel and surrounding area; and to lessen its impact on public views. Therefore, this finding can be made.

3.0 Additional findings required for Commercial Telecommunication Facilities.

A. All Commercial Telecommunication Facilities. In compliance with Subsection 35.44.010.G of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit for a commercial telecommunication facility the review authority shall first make all of the following findings:

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

The project site is located within the Rural area of the Lake Cachuma area. The 50 foot

tall antenna support structure, which will be visible from public viewing areas, will be designed to resemble a eucalyptus tree, with the antennas concealed within the faux tree. The equipment associated with the facility will be finished with an earth-toned non-reflective coating, and will not be visible from public viewing areas. The 900 sq ft lease area will be surrounded by chain link fencing and landscaped to blend with the surrounding uses. As discussed in Section 6.4 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, the Central Board of Architectural Review conceptually reviewed the project and determined that the 50 ft tall faux eucalyptus tree antenna support structure would be the most appropriate support structure to visually blend the facility in to the existing rural setting, which includes mature trees on the subject parcel and surrounding area; and to lessen its impact on public views. Therefore, this finding can be made.

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

Technical requirements dictate that wireless facilities be sited in a manner that provides clear line-of-site transmission of signals. The design of the antenna support structure as a faux eucalyptus tree effectively utilizes the existing onsite and surrounding trees so that the facility blends into the surrounding natural environment. The lease area and monopole will be set back approximately 2,372 feet (as measured in a straight line extended due south between the structure and SR 154). As a result, the antenna support structure is located in an area that will minimize visibility from public viewing areas.

The support facilities will be enclosed within the lease area, and will not be visible from public viewing areas. As designed, situated and screened, the above ground support facility would not increase the visibility of the facility or decrease public safety. Furthermore, the above ground facility would minimize necessary grading and site disturbance in order to avoid potential environmental impacts and blend into the surrounding natural environment. The associated equipment is designed with a non-reflective finish. The antenna support structure will be coated with non-reflective material resembling tree bark. The leased premises will remain unlit except for a manually operated switch light which limits lighting to the area of the equipment in the immediate vicinity of the antennas support structure. The project is designed to minimize its visibility from public views. Therefore, this finding can be made.

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

The lease area and monopole will be set back approximately 2,372 feet (as measured in a straight line extended due south between the structure and SR 154). The antenna support structure will not be substantially visible from public viewing areas as it will be camouflaged as a faux eucalyptus tree to blend in and integrate with the natural environment. This design will maximize the structure's compatibility with the surrounding area, and effectively utilizes the existing surrounding vegetation so that the site blends into the surrounding rural area. The antennas and associated equipment will be finished and/or painted in a non-reflective colors and textures to blend them into the

existing natural setting and further reduce their visibility to the maximum extent feasible. Therefore this finding can be made.

3.1.4 The facility complies with all required development standards unless granted a specific exemption by the review authority as provided in Subsection 35.44.010.D. (Additional development standards for telecommunication facilities).

(1) 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:

(a) Would not increase the visibility of the facility or decrease public safety, or

(b) 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

(c) Would avoid or reduce the potential for environmental impacts.

The support facilities would be enclosed within a 900 square foot lease area containing a new electrical pedestal, a telco box, two GPS antennas, two cabinets, 48 VC power plant, intersect box, transformer, four raycaps, four service lights, an ice bridge which protects the cables to the tower from inclement weather, trenching for the hybrid cables, and a new 132 diesel gallon emergency generator would temporarily serve the facility in the event of a power failure. The 32kw generator would be located on a separate 72 square foot concrete slab and stored inside the lease area. In the event of an accidental spill, the fuel would be contained within the enclosure on the concrete pad and would not be discharged off site. The lease area will be fenced with chain link fencing. The facility will be accessed by an existing driveway. If the equipment storage area was installed below-ground, the boundaries of the proposed lease area would potentially extend into the existing mature oak trees and vegetation to accommodate the required grading. This would result in the potential removal of mature oak trees and vegetation to accommodate the required grading. As discussed in Section 6.4 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, the project complies with all required development standards. Therefore, this finding can be made.

3.1.5 The applicant has demonstrated that the facility shall be operated within the frequency range allowed by the Federal Communications Commission and complies with all other applicable safety standards.

As discussed in Section 4.0 of the Planning Commission staff report dated March 17, 2016, (Attachment 5 to this Board Letter), and incorporated herein by reference, a radiofrequency emissions report (Hammett & Edison, Inc., Consulting Engineers, July 3, 2014) was prepared as part of the proposed project. The report concludes that for any person anywhere at ground level, the maximum RF exposure level due to the proposed telecommunications facility is calculated to be 0.0056 mW/cm^2 which is 1% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building would be 0.77% of the public exposure limit. There are

no two story buildings located onsite. The closest residence onsite is located northwest approximately 1,500 feet from the proposed telecommunications. As a part of the project conditions (Condition No. 9, "FCC Compliance"), a verification measurement report will be required within 30 days of final building clearance to confirm adherence to these requirements. Therefore, this finding can be made.

3.1.6 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.

As discussed in Section 6.3 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, the purpose of the proposed project is to provide the needed 4G coverage for the project site area and to improve coverage and capacity. According to the Network Service Maps & Coverage Information, included as Attachment H (Dewayne Bonham, Verizon Wireless Engineer and Jay Higgins, agent), of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter) the proposed project site location was selected by Verizon in order to provide needed coverage and capacity which is currently lacking in this area of Lake Cachuma. Therefore, this finding can be made.

3.1.7 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 in Section 6.3 of the Planning Commission staff report dated March 17, 2016 (Attachment 5 to this Board Letter), and incorporated herein by reference, there are no existing support structures within the vicinity of project site which could accommodate co-location of the proposed facility. Additionally, there were no suitable alternative sites in the vicinity that could provide adequate coverage area without causing significant visual impacts.

The antenna support structure has been designed as a faux eucalyptus tree in order to blend in with existing mature trees located on the subject parcel and within the immediate project site area. This design will maximize the structure's compatibility with the surrounding area, and effectively utilizes the existing landforms and trees so that the site blends into the surrounding natural environment. The antennas and equipment will be painted in a non-reflective color to blend them into the existing natural setting and to further reduce their visibility to the maximum extent feasible. Therefore the applicant has demonstrated that the facility design and location is the least intrusive means feasible to provide the needed coverage and this finding can be made.