TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 10-005 (AT&T)

APN: 009-611-045

DATE: NOVEMBER 9, 2010

Needs: For the Planning Commission to consider the applicant's request to construct a new wireless communication facility located at Paso Robles High School, 801 Niblick

Road.

Facts:

1. The proposed facility would consist of a new 80'-tall cellular mono-pole with flush-mounted cellular antennas, and separate equipment building. Sports lighting fixtures will be incorporated on to the pole in a manner that will be consistent with the other sports lighting poles.

2. The new monopole will be located in the vicinity of the baseball fields and will replace an existing field light standard.

- 3. The property is zoned R1 (Single Family Residential) and the General Plan designation is PF (Public Facilities).
- 4. Ordinance No. 934 amended the zoning code to allow cellular facilities in the R1 zoning district with the approval of a Conditional Use Permit (CUP). The amendment requires that cellular facilities be associated with public or quasipublic facilities such as schools and be camouflaged so that they are not noticeable from the street.
- 5. The proposed monopole will appear similar to the other light standards, except that it will have the addition of the flush mount antennas and be larger in diameter (10-inches). The existing light poles at the high school vary in height from 75 to around 90-feet tall.
- 6. There is one existing cellular mono-pole/sports lighting pole currently located at the sports fields at the high school (CUP 07-007). A second facility (CUP07-012) was approved by the Planning Commission and is scheduled to be constructed soon. This application (CUP 10-005) if approved, would provide for the third combination sports lighting/cellular pole located at the sports fields at the high school.

- 7. The Development Review Committee (DRC) reviewed this project at its meeting of September 20, 2010, where the Committee recommended that the Planning Commission approve the request.
- 8. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement CEQA. Section 15303 exempts new construction of small structures. The monopole and equipment building would be small structures.

Analysis and Conclusions:

Conclusions: As stated above, if approved this facility would be the third of its type approved for the sports fields at the high school. The Commission with the previous approval of CUP 07-007 (on a 4-2 vote) & CUP 07-012 (on a 4-3 vote) made the findings that:

- The request to install the facility at the high school meets the Zoning Regulations requiring that the site be public or quasi-public;
- The facility will have a camouflaged design, consisting of a new 80'-tall sport light/monopole blending with other similarly designed poles, at the school;
- Since the antennas will be incorporated with sports lighting and blend with other similar "utility structures," the project would be consistent with Land Use Element Policy 2B, relating to visual identity, including utility infrastructure.

New telecommunication facilities in the City are required to be camouflaged. In this case the mono pole/sports light standard will appear very similar to other lights and will "blend in." However, as can be seen from the attached photo simulation (Attachment 2), the antennas will be visible to the naked eye. The question for the Commission is whether this particular installation meets the intent of the City's regulations that requires camouflaging. Given the remoteness of the site and the fact that there are tall sports lights and at least one existing cellular facility in the area of the proposed facility appears to blend in with the other poles in the vicinity. The equipment building associated with the new facility and the fencing is also compatible with other buildings and fences in this area of the school.

Policy

Reference: Zoning Code, General Plan, Economic Strategy

Fiscal

Impact: None

Options: After consideration of any public testimony, the Planning Commission should

consider the following options:

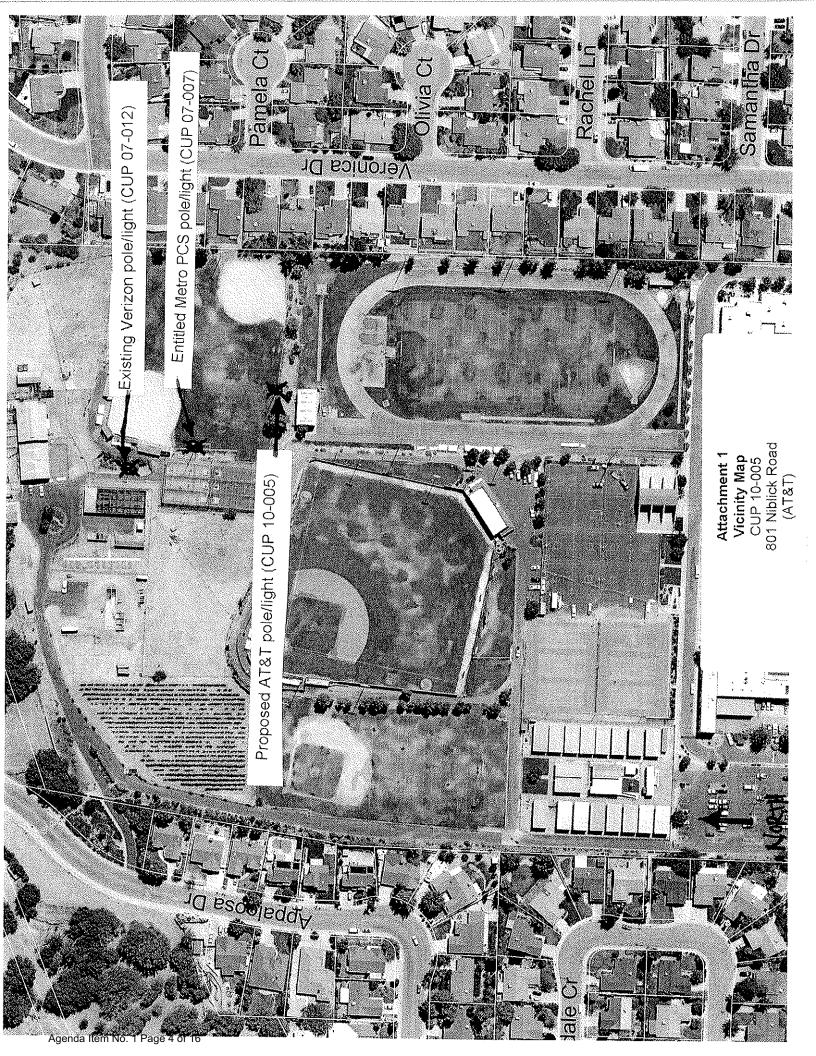
a). Determine that the proposed design is considered camouflaged and adopt the attached resolution granting approval of Conditional Use Permit 10-005.

- b). Determine the proposed design is not camouflaged, deny the application, and direct the applicant to present a design that complies with the intent of the City's regulations.
- c). Amend, modify or alter the above noted options.

Attachments:

- 1. Location Map
- 2. Photo simulations of existing and proposed appearance of location
- 3. Resolution approving CUP 10-005
- 4. Newspaper notice and mail affidavits

H:/darren/CUP/CUP10-005AT&T/StaffReport

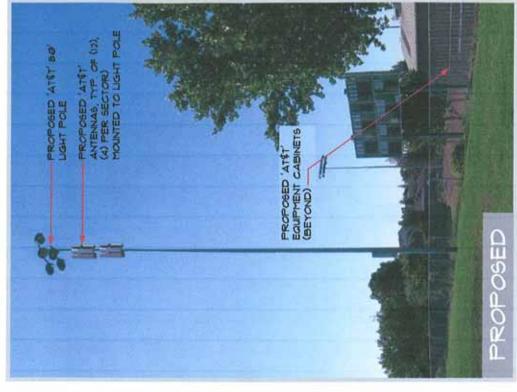




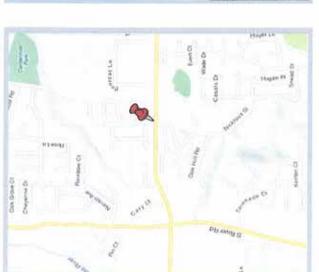
PASO ROBLES HIGH SCHOOL Paso Robles, CA 93446 801 Niblick Road SBL046-01











CUP 10-005 801 Niblick Road Photo Simulation Attachment 2 (AT&T)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT 10-005 (AT&T)

APN: 009-611-045

WHEREAS, section 21.16.200.D.2 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for transmission and receiving stations in the R1 zoning district; and

WHEREAS, the applicant, Verizon Wireless, has filed a Conditional Use Permit application to construct a wireless communication facility as a sports light standard located at 801 Niblick Road; and

WHEREAS, the school installation meets the Zoning Regulations requiring that the site be public or quasi-public; and

WHEREAS, the facility will have a camouflaged design, consisting of a new 80'-tall sport light/monopole blending with other similarly designed poles at the school; and

WHEREAS, separate equipment would be located inside of a new 8'x14' equipment shelter; and

WHEREAS, and since the antennas will be attached to a sports field light pole and blend with other similar "utility structures," the project would be consistent with Land Use Element Policy 2B, relating to visual identity, including utility infrastructure; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 9, 2010, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 10-005 subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
A	Title Sheet
В	Boundary Plan
C	Overall Site Plan
D	Equipment and Antenna Plan
E	South Elevation
F	East Elevation

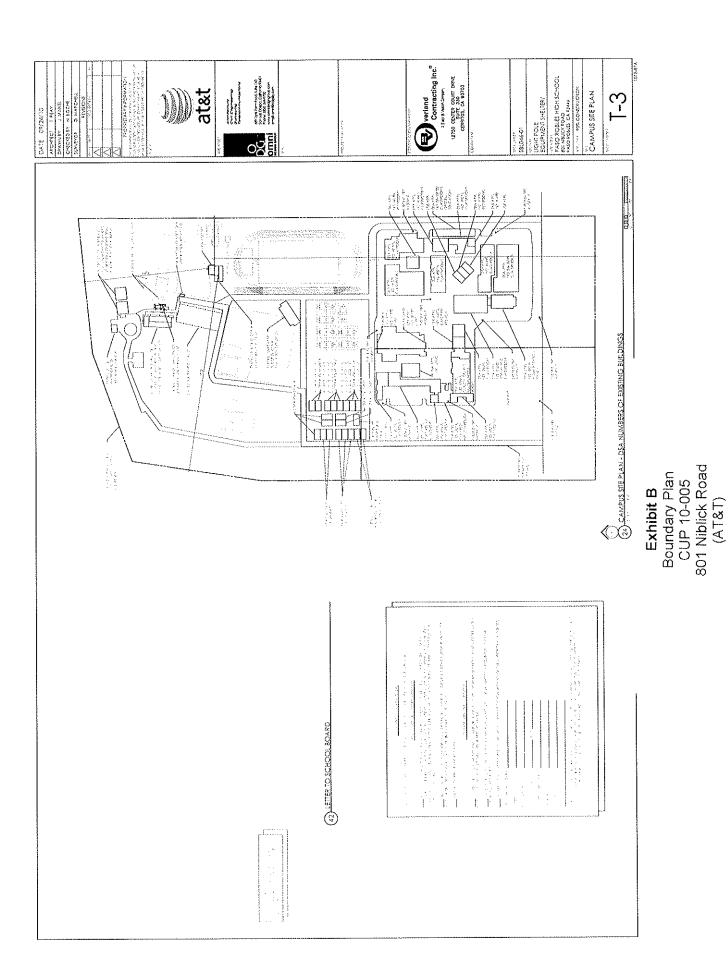
- 2. This Conditional Use Permit (CUP) authorizes the construction of a wireless communication facility at 801 Niblick Road, where the antenna panels would be attached to a new 80'-tall sport light pole, in a manner described in attached exhibits.
- 3. This project approval shall expire on November 9, 2012, unless a building permit is issued for the project, or unless a time extension request is filed with the Community Development Department prior to expiration.
- 4. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 5. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 6. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

PASSED AND ADOPTED THIS 9 th day of 1 Vote:	November, 2010 by the following Roll Call
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
ATTEST:	CHAIRMAN, JOEL PETERSON
RON WHISENAND, SECRETARY OF THE	PLANNING COMMISSION

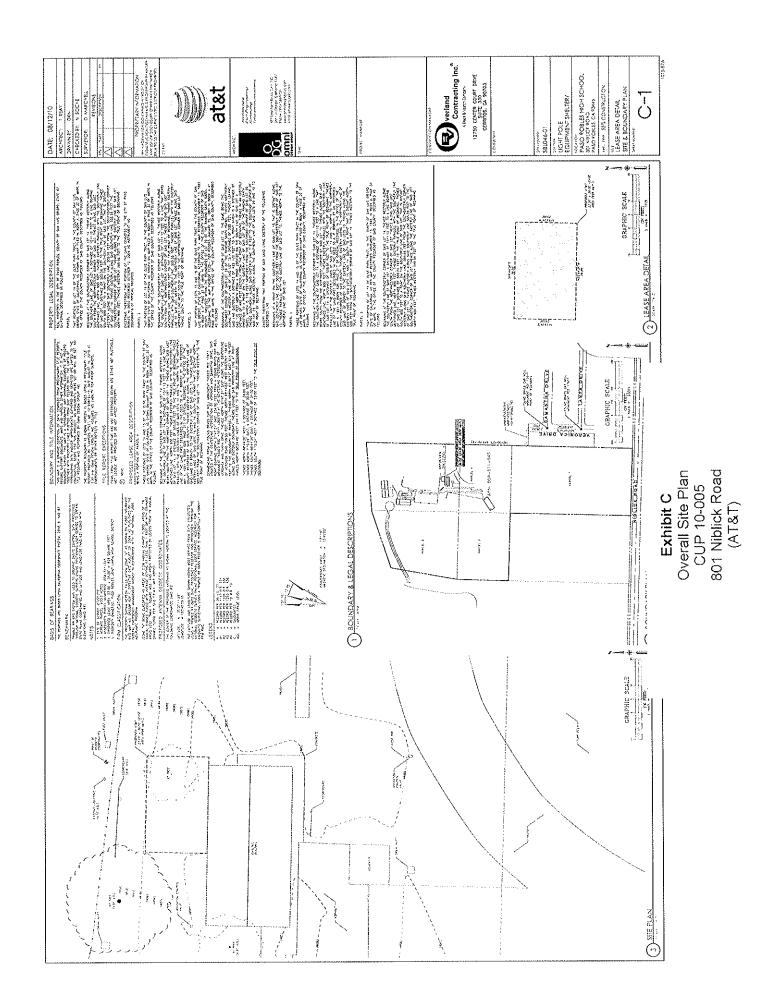
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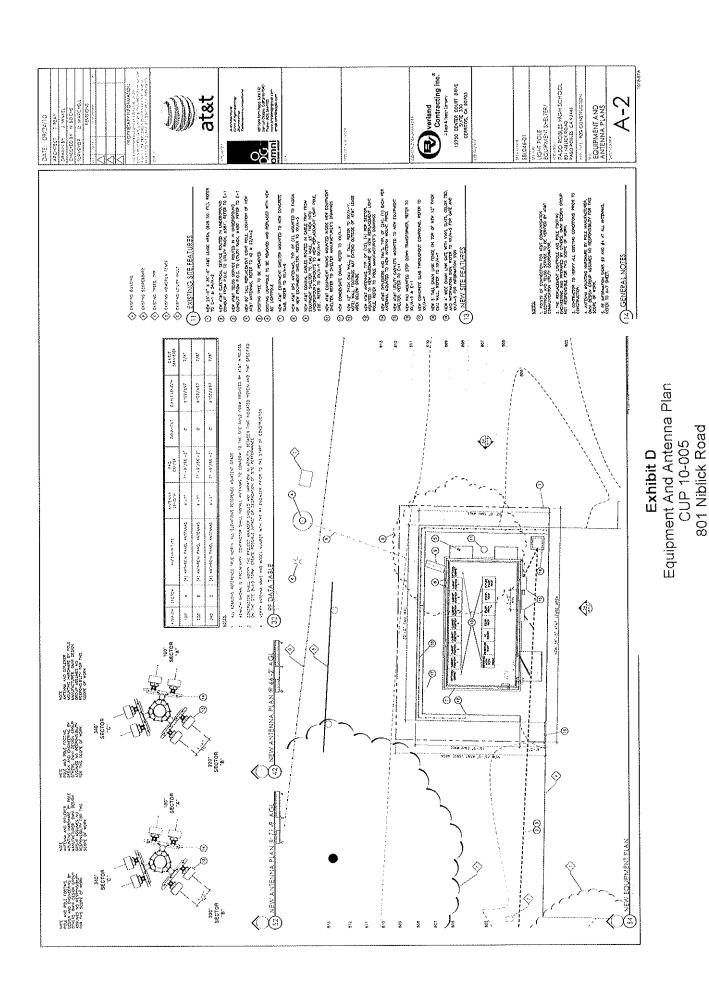
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Exhibit A
Title Sheet
CUP 10-005
801 Niblick Road
(AT&T)



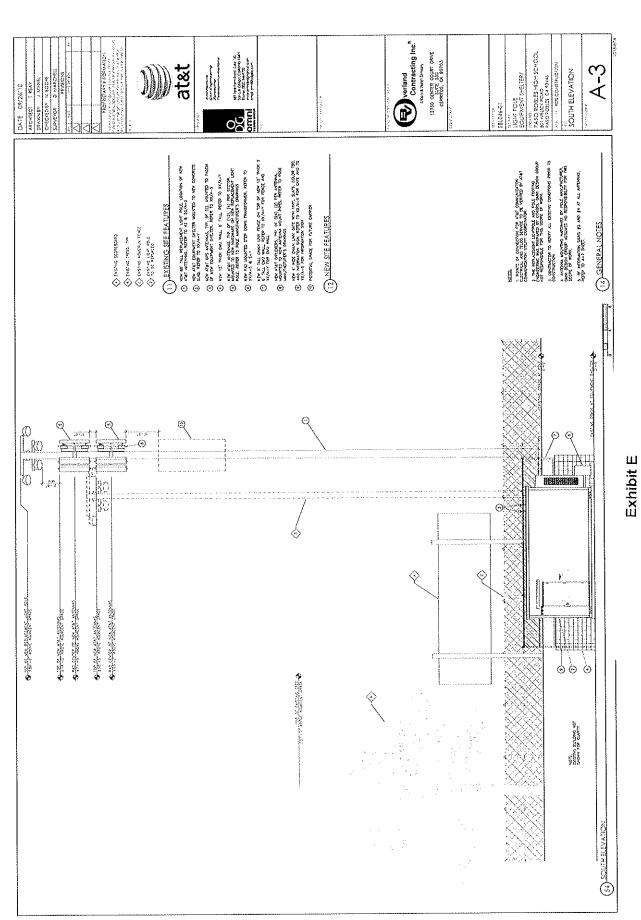
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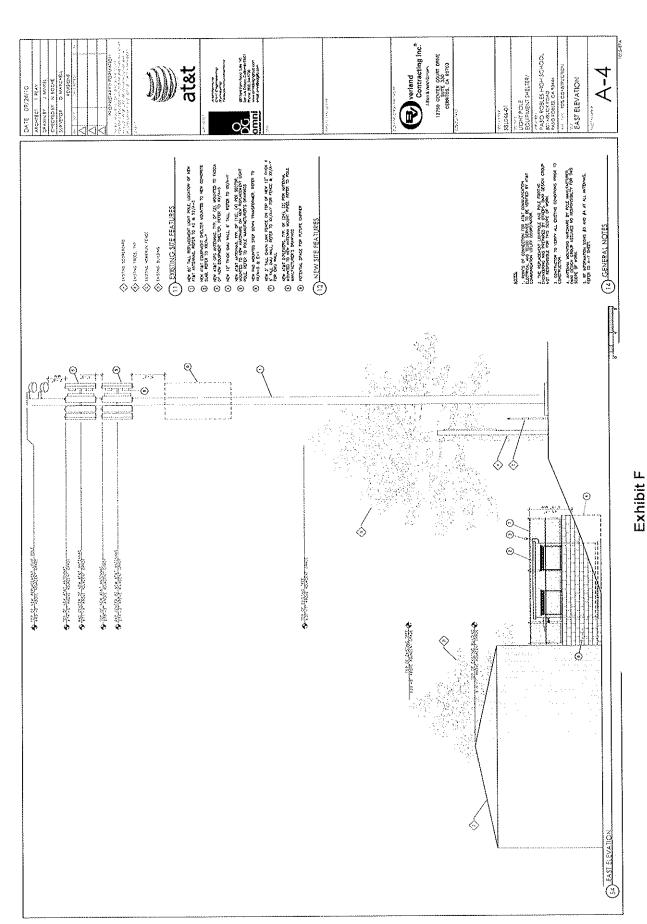


(AT&T)

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South Elevation CUP 10-005 801 Niblick Road (AT&T)



East Elevation CUP 10-005 801 Niblick Road (AT&T)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper:	Tribune
Date of Publication:	October 30, 2010
Hearing Date:	November 9, 2010 (Planning Commission)
Project:	CUP 10-005 (AT&T Wirless / Knight)
I, Theresa	Variano, employee of the Community
Development	Department, Planning Division, of the City
of El Paso de	Robles, do hereby certify that this notice is
a true copy of	a published legal newspaper notice for the
above named	project.
Signed:	Reusa Devano

Theresa Variano

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of EI Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 10-005, an application submitted by Tricla Knight on behalf of AT&T Wireless, requesting to install a wireless communication facility consisting of replacing an existing sports lighting pole with a new pole that would include sports lighting and cellular antennas. The intent is for the new pole to be of similar height and appearance as the other sports lighting poles. The pole is proposed to be located near the baseball fields at the Paso Robles High School, 801 Niblick Road.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, November 9, 2010, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing.

If you challenge the Conditional Use Permit application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing,

Darren R. Nash, Associate Planner October 30, 2010 6914574

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Theresa Variano</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for <u>Conditional Use Permit 10-005</u>

(AT&T / Tricia Knight) on this <u>29th</u> day of <u>October</u>, <u>2010</u>.

City of El Paso de Robles Community Development Department Planning Division

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