



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

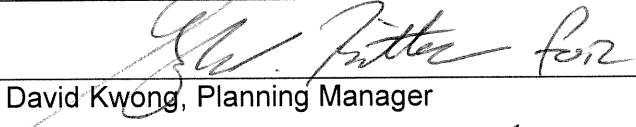
New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: Valley Hi Wireless Communications Facility
Project Number: P05-106
Project Location: 6161 Valley Hi Drive
Assessor's Parcel No.: 117-0320-066
Applicant: Ken Stockero
Action Status: Approved Action Date: 08/24/06

REQUESTED ENTITLEMENT(S): A. Environmental Determination: Exempt (15303 d);
B. Special Permit to construct a 70' telecommunications facility in the single family residential (R-1) zone.

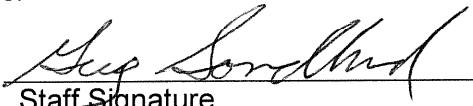
ACTIONS TAKEN: On 8/24/06, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Determined that the proposed project was exempt from environmental review pursuant to Section 15303 [b] of the California Environmental Quality Act; Approved the Special Permit to construct a 70' telecommunications facility in the single family residential (R-1) zone.

Action certified by:


David Kwong, Planning Manager

Sent to Applicant: 08/25/06

By:


Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 09/04/06. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

A. Environmental Determination: Categorical Exemption. The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15303 d of the California Environmental Quality Act, based on the following Findings of Fact:

1. The Project is exempt under Section 1503 of the CEQA Guidelines;
2. The factual basis for the finding of the exemption is as follows: the project would construct a 70' telecommunications facility, which is a small facility qualifying for the exemption, and there is no evidence that the project would have a significant impact on the environment; and
3. Upon approval of the Project, the project planner shall file or cause to be filled a Notice of Exemption with the Sacramento County Clerk

B. The Special Permit for the proposed telecommunications facility is approved subject to the following Findings of Fact:

1. Granting the Special Permit is based upon sound principles of land use in that:
 - A. The facility will improve telecommunications coverage for the area; and
 - B. Locating antennas completely within a shielded structure is a preferred siting option.
2. Granting the Special Permit would not be detrimental to the public welfare nor would it result in the creation of a public nuisance in that:
 - A. Installation of the monopole and antennas will be subject to building standards and permits; and

B. The antennas are required to comply with federal standards with respect to electro-magnetic frequencies.

3. The proposed project is consistent with the General Plan Policy of promoting and supporting communications facilities within the City as well as the Guidelines for Telecommunications Facilities (GP Section 7-10).

Conditions Of Approval

The **Special Permit** for the construction of a 70 foot cellular telecommunications facility is hereby approved subject to the following conditions:

1. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
2. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits.
3. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Ordinance.
4. The applicant shall obtain all necessary federal telecommunications permits prior to commencing construction.
5. The coax cables shall run along the interior of the legs of the tower structure.
6. Size and location of the panels shall conform to the plans submitted. The applicant shall use non-reflective paint on all equipment on the tower to prevent glare. Each new item on the tower including cables, brackets, supports, etc. shall be painted to match the monopole.
7. The height of the antennas and related support structure shall be limited to 70± feet. Any additional antennas (two 6 antenna panels are approved), or increased height for the structure (70± feet), shall require a modification of the Special Permit.
8. Should the applicant ever discontinue using the tower for wireless services then the applicant shall remove all equipment on the tower and the equipment cabinets within six months of termination.
9. The proposed cable run from the tower to the equipment cabinets shall be attached to the interior tower leg or existing cable run. The new cable run shall either be ground level, or underground.
10. Any graffiti and garbage/trash shall be removed in a timely manner.
11. Provide a 4 hour fire-rated wall between lease area and existing structure.
12. Provide appropriate Knox access for the site.

Advisory Notes

1. Any storage of batteries or flammable liquids shall be in compliance with the 2001 California Fire Code.