



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

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

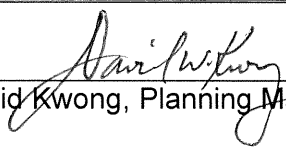
Project Name: I-5 and Pocket Road Monopole Extension
Project Number: P05-154
Project Location: East of I-5, south of Pocket Road on the southernmost parcel of land adjacent to and south of the Klotz Ranch Planned Unit Development on an existing monopole
Assessor's Parcel No.: 031-0200-044
Applicant: Metro PCS-Rama Gulati
Action Status: Approved Action Date: 10/26/06

**REQUESTED
ENTITLEMENT(S):**

- A. Environmental Determination: Categorically Exempt (CEQA Guidelines Section 15301);
- B. Special Permit Major Modification to increase the height of an existing $\pm 80'$ tall telecommunications monopole by $10'$ to $\pm 90'$, then move the antennas from the present elevations of $\pm 65'$ to $\pm 90'$ within the Agriculture (A) zone.

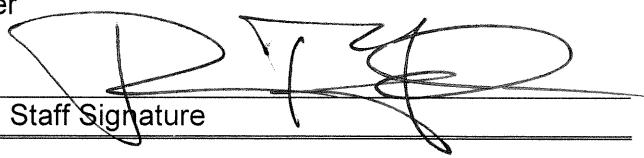
ACTIONS TAKEN: On 10/26/06, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Approved the Environmental Determination, and approved the Special Permit Major Modification to increase the height of an existing $\pm 80'$ tall telecommunications monopole by $10'$ to $\pm 90'$, then move the antennas from the present elevations of $\pm 65'$ to $\pm 90'$ within the Agriculture (A) zone.

Action certified by:


David Kwong, Planning Manager

Sent to Applicant: 10/27/06

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 (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); 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 11/6/06. 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 the proposed project is exempt from environmental review pursuant to Section 15301 of the 2006 California Quality Act and Guidelines based on the following Findings of Fact:

The Planning Commission of the City of Sacramento finds as follows:

1. The City of Sacramento's Environmental Planning Services has reviewed the I-5 and Pocket Cell Tower project (P05-154) ("Project") and has determined the Project is exempt from review under the California Environmental Quality Act as follows:
 - a. The Project is exempt under California Environmental Quality Act and/or Guidelines, Section 15301 (b), which includes minor alteration of existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

- b. The factual basis for the finding of exemption is as follows: the project would increase the height of an existing cell tower by ten feet, and no other construction or development would occur.
2. The Planning Commission has reviewed and considered the Environmental Planning Services determination of exemption and the comments received during the Project hearing and has determined the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

B. Special Permit Major Modification to increase the height of an existing $\pm 80'$ tall telecommunications monopole by 10' to $\pm 90'$, then move the antennas from the present elevations of $\pm 65'$ to $\pm 90'$ within the Agriculture (A) zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. Granting the Special Permit Modification is based upon sound principles of land use in that:
 - a. The project proposes to increase the height of an existing telecommunication tower, thereby not increasing the number of telecommunications towers in the community;
 - b. The project will utilize an existing non-residentially used location, and
 - c. The proposed site is consistent with wireless facility siting, Design Guidelines, and Policy.
2. Granting the Special Permit Modification would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. The proposed 10' height extension has the capacity to contain all the cables within the pole structure and will serve multiple carriers on one pole;
 - b. The increased height will not significantly impact the surrounding area because the monopole and antenna are constructed of a non-reflective material and the appurtenances will be made to match the color of the monopole.
3. The proposed project is consistent with the General Plan Policy of promoting and supporting communications facilities within the City. The proposed pole height increase is also consistent with the General Plan Goal to "Continue to improve and provide communication and utility services to all areas of the City". The applicant has reduced the proposed height increase to lessen the project's visual and aesthetic impact.

Conditions of Approval

C. Special Permit Major Modification to increase the height of an existing $\pm 80'$ tall telecommunications monopole by 10' to $\pm 90'$, then move the antennas from the present

elevations of $\pm 65'$ to $\pm 90'$ within the Agriculture (A) zone is approved subject to the following Conditions of Approval:

1. The applicant shall obtain all necessary permits prior to commencing construction;
2. Size and location of the 10' monopole extension shall conform to the plans submitted. The applicant shall use non-reflective painting or materials to match the tower at the point of attachment and connection points on all sides and on all equipment, cables, connections, panels and any other appurtenance;
3. Any additional antenna or pole height (10' pole extension is approved with this application), or increased height for the relocated antenna array, (± 92 feet above ground level is the maximum approved height), shall require a modification of the Special Permit;
4. Should the applicant discontinue operation of the telecommunications facility, the applicant will be responsible for the removal of all equipment, including but not limited to the: equipment cabinet, antennas, cables, appurtenances, and power line to the facility within six (6) months of the ceasing of operations;

Building Division

5. The monopole and foundation shall be analyzed to show they have sufficient capacity for the new loading condition. The building comments are Code requirements and cannot be waived.