

ATTACHMENT D
FINDINGS
AT&T JEFFERSON CELL TOWER USE PERMIT
ZONE FILE #2021-0018

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2021-0018, the Yolo County Planning Commission finds the following:
(A summary of evidence to support each FINDING is shown in Italics)

I. California Environmental Quality Act (CEQA) and Guidelines

That the recommended Mitigated Negative Declaration/Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. Mitigation Measures implemented in the project's Conditions of Approval assures that the project will have a less than significant effect on biological resources within the vicinity of the project.

Pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines, an environmental evaluation (Initial Study) has been circulated for 30 days for public review and to Responsible Agencies having jurisdiction over the project, with no significant comments noted. The proposed Mitigated Negative Declaration is the appropriate level of environmental review pursuant to Article 6, Section 15070 of the CEQA Guidelines (Attachment C).

II. Title 8 Yolo County Land Development Code

That the proposal is consistent with findings required for approval of a Use Permit (Section 8-2.217(e) of the Yolo County Code).

(1) The requested use is listed as a conditional use in the zoning regulations.

Pursuant to Section 8-2.1102(c)(4), large wireless telecommunications facilities constructed on parcels less than 40 acres, on lands zoned for agricultural, industrial, open space and recreational uses, shall be approved in all cases through the issuance of a Major Use Permit. The proposed project consists of a large tower over eighty feet in height that will be located on an Agricultural Intensive (A-N) zoned lot approximately 5 acres in area.

(2) The requested use is essential or desirable to the public comfort and convenience.

Wireless communication is widely used as an efficient communication system for business and personal use and is recognized by the California Public Utilities Commission as a necessary public service that provides an additional notification service for emergency communications. The area is currently underserved by wireless services.

(3) The requested use will not impair the integrity or character of a neighborhood or be detrimental to public health, safety or general welfare.

The proposed project will not create a significant effect on the character of the surrounding area. The facility would be located on a parcel accessed off Jefferson Boulevard/ State Route 84 and would not obstruct any scenic views. The surrounding area is comprised of agricultural and agricultural industry uses.

Wireless communication technology has been determined not to be detrimental to the public health, safety, or general welfare so long as the appropriate federal standards are implemented. As a condition of project approval, the proposed wireless telecommunications facility shall comply with, and at all times shall be maintained and operated in accordance with, all applicable FCC rules and regulations. Therefore, the proposed project does not pose a detrimental effect to public health, safety, or general welfare.

- (4) The requested use will be in conformity with the General Plan.

The Yolo County General Plan designates the subject property as Agriculture (AG).

The project is consistent with the following General Plan Policies:

Public Facilities and Services Policy PF-11.2: Encourage expanded coverage and enhanced quality for communication technology, such as mobile connectivity, high-speed wireless internet access, and emergency communication systems.

Economic Development Policy ED-1.4: Encourage the telecommunications industry to install and maintain high-speed high-capacity telephone and Internet service throughout the county so that businesses can effectively compete.

- (5) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

All necessary infrastructure and utilities will be required of the proposed project. A 20-foot wide access and utility easement would overlay improvements to the existing gravel driveway and a 10-foot wide utility easement for electrical lines will be granted to the applicant upon approval of the project.

- (6) The requested use, if located in an agricultural zone, will serve and support production of agriculture, the agricultural industry, or is otherwise agriculturally related.

The proposed project is located in an agricultural zone and would improve communication and wireless services for the rural residents and agricultural industry in the area.

- (7) The requested use, if located in an agricultural zone, and if proposed on prime farmland, cannot be reasonably located on lands containing non-prime farmland.

The proposed project is located on Prime Farmland within the Agricultural Intensive Zone; however, the 2,000 square foot lease area is within an area previously disturbed for homesite development, including a home and barn.

The project meets the Development Standards set forth in Yolo County Code Section 8-2.1102(e), as addressed below.

- (1) The site is adequate for the development of the proposed wireless communication facility.
The project site is located on a 5-acre agricultural property that contains a home and barn in addition to adjacent farmed areas. Access is available from State Route 84

and utilities will be extended to the facility.

- (2) Opportunities to collocate the subject facility on an existing facility have either been exhausted or are not available in the area.
There is currently inadequate cell phone and other wireless services reception in the project vicinity. According to the applicant and local residents, there is a gap in the service area. The closest available towers are approximately three miles to the northeast and northwest. The proposed facility would greatly improve service not currently available in the area.
- (3) The facility as proposed is necessary for the provision of an efficient wireless communication system.
The proposed facility is specifically designed to work in conjunction with the other wireless facilities in the region. The proposed location currently receives poor or no reception as the area includes gaps in coverage and capacity. The applicant's proposal to increase these wireless services to a significant portion of the underserved area is considered necessary for enhancing services and expanding coverage.
- (4) The development of the proposed wireless communication facility will not significantly affect the existing onsite topography and vegetation; or any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource.
The project is not anticipated to require significant grading and thus would not impact the existing topography, with the exception of limited trenching and tower footings. Little vegetation will be removed for the proposed project as it would use an existing roadway and the lease area covers an area of approximately 2,000 square feet. An access easement will be granted by the property owner over an existing gravel drive way for access to the site from Jefferson Blvd/SR 84. SR 84 is not a scenic roadway. Avoidance and Minimization Measures as well as Mitigation Measures would be implemented through the Conditions of Approval to protect an adjacent slough and reduce any potential impacts to endangered species or previously undiscovered cultural resources.
- (5) The proposed wireless communication facility will not create a hazard for aircraft in flight and will not hinder aerial spraying operations.
The project site is approximately 9.5 miles northwest of the Franklin Field Airport, the nearest airport. The cell tower will not require approval from the Federal Aviation Administration since it is less than 200 feet in height. The proposed facility and height of the tower will have no known potential to create an additional hazard for aircraft or to hinder aerial spraying operations.
- (6) The applicant agrees to accept proposals from future applicants to collocate at the approved site.
The project proposal is designed to allow for a future carrier on the tower and with additional space on the ground for equipment.
- (7) The applicant agrees to reserve space and/or provide conduit available for the County and emergency communications.
As a condition of project approval, the applicant is required to cooperate with the County in providing for use of the tower.