

ATTACHMENT D

FINDINGS HARLAN RANCH CELL TOWER USE PERMIT ZONE FILE #2024-036

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2024-036, the Yolo County Planning Commission approves the proposed Major Use Permit. In support of this decision, the Planning Commission makes the following findings:
(A summary of evidence to support each FINDING is shown in *Italics*)

I. California Environmental Quality Act (CEQA) and Guidelines

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

The Initial Study/Negative Declaration (Attachment C) 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 [14 CCR § 15070(a)]. Pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines, an environmental evaluation (Initial Study/Negative Declaration) 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 Negative Declaration is the appropriate level of environmental review pursuant to Section 15070 of the CEQA Guidelines.

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)(7), 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 installing a new 140-foot-tall monopole cell tower and associated equipment that will be located on an 23.79-acre Agricultural Intensive (A-N) zoned parcel.

(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. This Project would expand AT&T's network and improve call quality, signal strength, and wireless connection services in Yolo County (as shown in Attachment F) to benefit residents, travelers, agricultural operations, public services, and roadway safety in the area.

(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 from County Road 99 and would not obstruct any scenic views. The surrounding area is comprised of agricultural uses to the east, west, and south, and residential uses located to the north (within the City of Woodland). The applicant proposes to locate the cell tower approximately 500 feet south of the Woodland city limits in order to soften the visual impact on the nearby residential uses, while remaining close enough to fill the service coverage gap. The aesthetic changes introduced by the Project would be consistent with the existing visual character of the vicinity which currently includes five power poles along the west side of CR 99, north of the access road, and several poles to the south of the access road extending into the distance.

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 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 15-foot-wide access and utility easement would overlay improvements to the existing dirt driveway from the access road off County Road 99 to the 900-sf lease area.

- (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. The proposed project will be implemented in such a manner that does not substantially diminish the agricultural productive capacity of the project site, nor result in the conversion of prime farmland to a non-agricultural use. Soil disturbance would be limited to approximately 0.09 acre of the site.

- (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, within a 900-sf lease area, is located on Prime Farmland within the

Agricultural Intensive Zone. The applicant provided an alternative site analysis that assessed 10 other potential sites and concluded that the proposed site was the most feasible option. The alternative sites assessed were not feasible due to the inability to acquire and/or lease the ground space, or the locations were in an area that would not adequately fill the existing coverage gap.

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

- (1) The site can provide all necessary infrastructure for the development of the proposed wireless communication facility. The minimum parcel size required for a large telecommunication facility shall be two (2) acres.

The project site is located on an approximately 23.79-acre agriculturally zoned property that is undeveloped and currently planted in irrigated row crops. Access is available from County Road 99 via an existing access road. The site contains existing wooden utility poles which will provide energy to the site via an approximately 200' power/fiber joint trench electrical easement.

- (2) Opportunities to co-locate the subject facility on an existing facility have either been exhausted or are not available in the area.

The applicant provided coverage maps (see Attachment F) detailing a gap in the service area due to inadequate cell phone and other wireless service reception in the project vicinity. The closest available towers are approximately 1.2 miles to the north and northwest. The proposed facility would greatly improve service not currently available in the area. The applicant provided an alternative site analysis which identified 10 nearby sites with the potential to fill the identified coverage gap in this portion of the county. Justification was provided for each alternative site, concluding that none of the alternative sites analyzed were feasible options.

- (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, as shown in Attachment F. 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. Wireless communication facilities proposed to locate in a designated scenic corridor, including areas identified by the General Plan as providing scenic value, may require stealth design elements to mitigate visual impacts.

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 900 square feet. An access easement will be granted by the property owner over an existing dirt driveway for access to the site

from County Road 99. The flat topography and agricultural/rural residential character of the Project site does not provide scenic vistas, which typically are views of extensive open spaces or views from elevated topographic positions. The project site is not located in a designated scenic corridor or area identified by the General Plan as providing scenic value.

The project would be conditioned to implement Avoidance and Minimization Measures to protect identified sensitive species and natural communities. The project's Conditions of Approval also include protocols if any cultural, tribal cultural, or human remains are inadvertently discovered once ground-disturbing activities commence.

- (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 4.65 miles east of the Watts-Woodland 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 co-locate at the approved site.

The project proposal is designed to allow for a future carrier to co-locate on the tower and within the proposed equipment lease area on the ground.

- (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.