



MEMORANDUM

TO: Planning Commission

FROM: Brian Pedrotti, Community Development Director

BY: Shayna Gropen, Assistant Planner

SUBJECT: Consideration of a Resolution Denying With Prejudice Conditional Use Permit 23-006; New 55 Foot Wireless Telecommunication Facility; Location – 789 Valley Rd; Applicant – Verizon Wireless

DATE: February 20, 2024

SUMMARY OF ACTION:

Adoption of the proposed Resolution would formally deny the proposed project in accordance with the action taken by the Planning Commission at the February 6, 2024 meeting. The Planning Commission cannot reopen the public hearing or reconsider the CUP application at this February 20th Planning Commission meeting.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

None.

RECOMMENDATION:

Adopt a Resolution denying with prejudice Conditional Use Permit 23-006.

BACKGROUND:

At the regular meeting of February 6, 2024, the Planning Commission reviewed the proposed project, considered all the facts, presentation by staff, input from the applicant representatives, public testimony from the 31 public speakers, and took action to deny the proposed project based upon findings that the project is inconsistent with the Telecommunication Facilities Siting and Permit Submittal Requirements, as adopted by the City Council Resolution No. 4791, dated April 25, 2017 (the "Telecommunication Requirements").

The Planning Commission finds that the proposed project fails to meet the Telecommunication Requirements and is inconsistent with the General Plan, specifically the location of the proposed facility regarding unreasonable interference with views, incompatibility with surrounding architecture, failure to demonstrate the infeasibility of colocation, and the lack of substantial landscaping to obscure the facility.

Planning Commission

Consideration of a Resolution Denying With Prejudice Conditional Use Permit 23-006; New 55 Foot Wireless Telecommunication Facility; Location – 789 Valley Rd; Applicant – Verizon Wireless

February 20, 2024

Page 2

ANALYSIS OF ISSUES:

The prepared Resolution includes findings for denial of the proposed project with prejudice, consistent with the direction of the Commission. Findings that could not be made in the affirmative are indicated in bold italics in the attached Resolution. The Commission could not make a finding in the affirmative regarding compliance with all applicable provisions of the Development Code, the goals and objectives of the Arroyo Grande General Plan, and specifically, the Telecommunication Requirements. The project was found to be inconsistent with the following sections of the Telecommunication Requirements:

- Section (I)(A)(1) – The proposed facility does not avoid any unreasonable interference with views from neighboring properties.
- Section (I)(A)(6) – The proposed facility does not utilize a design that is compatible with the surrounding architecture.
- Section (I)(A)(6) - The proposed facility is proposed in residential designated zones because the OMU Zone allows multi-family residential land uses so it is a residential zone.
- Section (I)(A)(7) – The proposed facility utilizes the least preferred location option.
- Section (I)(D)(1) – The applicant did not sufficiently demonstrate that the proposed facility cannot be placed on an existing building or structure to be able to proposed a new standalone tower.
- Section (I)(D)(1) – The proposed facility did not utilize substantial landscaping or other screening should be provided to visually buffer any adjoining residential uses from the potential visual impacts of the facility.
- Section (II)(B)(2) – The applicant did not provide a sufficient explanation of site selection (reason the site was chosen over alternative sites).

ALTERNATIVES:

The following alternatives are provided for the Commission's consideration:

1. Adopt the attached Resolution to deny the proposed project;
2. Modify as necessary to confirm the Planning Commission's findings for denial from the February 6th meeting are correctly articulated and adopt the attached Resolution to deny the proposed project; or
3. Provide direction to staff.

ADVANTAGES:

Adoption of the Resolution would deny the proposed project, consistent with the action taken by the Planning Commission on February 6, 2024.

DISADVANTAGES:

None identified.

Planning Commission

Consideration of a Resolution Denying With Prejudice Conditional Use Permit 23-006; New 55 Foot Wireless Telecommunication Facility; Location – 789 Valley Rd; Applicant – Verizon Wireless

February 20, 2024

Page 3

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the Community Development Department has determined that CEQA does not apply to projects which a public agency does not approve pursuant to State CEQA Guidelines Section 15270.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

Attachments:

1. Resolution