



RESOLUTION NO. 2527

APPLICATION NUMBER: CUP2017-0106

A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, GRANTING A CONDITIONAL USE PERMIT TO ESTABLISH A 75-FOOT HIGH WIRELESS TELECOMMUNICATIONS FACILITY DESIGNED AS A MONO-EUCALYPTUS TREE AT THE CITY'S LESTER WATER TREATMENT FACILITY LOCATED AT 2970 RIMPAU AVENUE IN THE A (AGRICULTURAL) ZONE. (APPLICANT: JD FOX WITH WIRELESS DEVELOPMENT RESOURCES, LLC.)

WHEREAS, the application to the City of Corona, California, for a conditional use permit under the provisions of Chapter 17.92, Title 17, of the Corona Municipal Code, to establish a 75-foot high wireless telecommunications facility designed as a mono-eucalyptus tree at the city's Lester Water Treatment Facility located at 2970 Rimpau Avenue in the A (Agricultural) Zone, has been duly submitted to said City's Planning and Housing Commission;

WHEREAS, on February 11, 2019, the Planning and Housing Commission conducted a duly noticed public hearing regarding the Project, at which all persons wishing to testify in connection with the Conditional Use Permit were heard and the Conditional Use Permit was comprehensively reviewed.

WHEREAS, after close of said hearing, the Planning and Housing Commission by formal action, found that all the conditions necessary to grant a conditional use permit as set forth in Corona Municipal Code Section 17.92.110 do exist in reference to CUP2017-0106 based on the evidence presented to the Commission during said hearing; and

WHEREAS, at the conclusion of the hearing the Planning and Housing Commission approved a Negative Declaration (ND) which was prepared pursuant to California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"), the State CEQA Guidelines and the City of Corona Local CEQA Guidelines and which included an analysis of the environmental impacts of this Conditional Use Permit (CUP). The ND indicated that all potential environmental impacts from this CUP either had no impacts or are less than significant.

WHEREAS, the Planning Commission based its recommendation to approve the

Conditional Use Permit on certain conditions of approval, the findings set forth below and adoption of the ND.

NOW THEREFORE, THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Findings. As the decision-making body for this Conditional Use Permit, the Planning and Housing Commission has reviewed and considered the information contained in the ND, the initial study and the administrative records for this Conditional Use Permit, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the ND, the initial study and the administrative record, including all written and oral evidence presented to the Planning and Housing Commission, the Commission finds that potential environmental impacts of this Conditional Use Permit are either no impact or less-than-significant.

SECTION 2. Conditional Use Permit Findings. Pursuant to Corona Municipal Code (“CMC”) section 17.92.110 and based on the entire record before the Planning and Housing Commission, including all written and oral evidence presented to the Commission, the Commission hereby makes and adopts the following findings:

1. An initial study (environmental assessment) has been conducted by the City of Corona so as to evaluate the potential for adverse environmental impacts. The initial study shows there is no substantial evidence in light of the whole record that the project may have a significant or potentially significant adverse effect to the environment. Therefore, pursuant to Section 15070 of the State CEQA guidelines and Section 6.01 of the city’s Local CEQA Guidelines a negative declaration was prepared for the project.
2. All the conditions necessary for granting a Conditional Use Permit as set forth in Section 17.92.110 of the Corona Municipal Code do exist in reference to CUP2017-0106 for the following reasons:
 - a. *The proposal will not be detrimental to the public health, safety convenience and general welfare, because any radiofrequency emissions from such installations are governed by limits placed by the Federal Communications Commission for human exposure. The proposed telecommunications facility is also required to adhere to FCC regulations and prior to construction the applicant shall obtain all required permits from local and federal agencies.*
 - b. *The proposed use is not detrimental to the other existing and permitted uses in the general area of the project site and relates properly to the surrounding roadways because the wireless telecommunications facility meets the building setback criteria of the zone, was designed as a mono-eucalyptus to be indistinguishable from the surrounding environment and is in a location where existing buildings, vegetation*

and other structures provide the greatest amount of screening.

- c. Reasonable conditions as necessary are being imposed to the project to protect public health, safety, and welfare and to establish full compliance with the applicable development standards of the Agricultural Zone.*
 - d. CUP2017-0106 will not significantly impact the existing circulation system because a service technician will visit the site periodically throughout the year for routine maintenance and will utilize a parking space within the parking lot, and sufficient parking is provided at the Lester Water Treatment Facility to accommodate this activity. Therefore, the proposed use will not impact the level of service on the surrounding streets.*
3. The proposal is consistent with the General Plan for the following reasons:
- a. The proposed project will fulfill General Plan Goal 7.13 which promotes having an adequate, safe, and orderly supply of telecommunication infrastructure to support existing and future land uses within the City because it will allow the telecommunications carrier to fill a gap currently experienced in this area of the city.*
 - b. The project will fulfill General Plan Policy 7.13.2 which provides for the continued development and expansion of telecommunications systems for access of data and information and communication purposes because it will improve and provide convenient access to wireless service.*
4. The proposal is consistent with the U (Utility) Zone for the following reasons:
- a. The proposed wireless telecommunications facility is a permitted use in the Agricultural Zone and has been designed to comply with the development standards of the Agricultural Zone, as the proposed facility meets the required setbacks of the Agricultural Zone. The zone's maximum height limit of 30 feet can be exceeded per the municipal code under a conditional use permit.*

BE IT FURTHER RESOLVED that a copy of this resolution be delivered to the City Clerk of said City and a copy thereof be sent to the applicant therefore at the address of said applicant as set forth in the application for said conditional use permit.

Adopted this 11th day of February, 2019.

Mitchell Norton, Chair
Planning and Housing Commission
City of Corona, California

ATTEST:

Jennifer Killman
Administrative Assistant, Planning and Housing Commission
City of Corona, California

I, Jennifer Killman, Administrative Assistant to the Planning and Housing Commission of the City of Corona, California, do hereby certify that the foregoing resolution was regularly introduced and adopted in an adjourned regular session of said Planning and Housing Commission duly called and held on the 11th day of February, 2019, and was duly passed and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Jennifer Killman
Administrative Assistant, Planning and Housing Commission
City of Corona, California