



RESOLUTION NO. 2533

APPLICATION NUMBER: CUP2018-0003

A RESOLUTION OF THE PLANNING AND HOUSING COMMISSION OF THE CITY OF CORONA, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT TO ESTABLISH A 76-FOOT HIGH WIRELESS TELECOMMUNICATIONS FACILITY DESIGNED AS A MONO-EUCALYPTUS TREE ON A 0.69-ACRE PROPERTY LOCATED SOUTH OF CHASE DRIVE AND WEST OF SKYLINE DRIVE IN THE R-1A (SINGLE FAMILY RESIDENTIAL) ZONE. (APPLICANT: PETER BLIED OF PLANCOM, INC. FOR RENEGADE TOWERS).

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 76-foot high wireless telecommunications facility designed as a mono-eucalyptus tree on a 0.69-acre property located south of Chase Drive and west of Skyline Drive in the R-1A (Single Family Residential) zone (“Project”) has been duly submitted to said City's Planning and Housing Commission;

WHEREAS, on April 22, 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 findings necessary to grant a conditional use permit, as set forth in Corona Municipal Code Section 17.92.110, cannot be made exist in reference to CUP2018-0003 based on the evidence presented to the Commission during said hearing; and

WHEREAS, the Planning Commission based its decision to deny CUP2018-0003 on the findings set forth below.

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

SECTION 1. CEQA Findings. In accordance with Section 21080(b)(5) of the California Public Resources Code, the California Environmental Quality Act (CEQA) does not apply to projects that a public agency rejects or disapproves and, thus, the City is not required to prepare an initial study or adopt a negative declaration or EIR. If the Planning and Housing Commission disagrees with staff's recommendation to deny the conditional use permit and would like to further consider approval of the project, an initial study would need to be prepared to determine potential environmental impacts and mitigation measures associated with the Project prior to it being considered for possible approval. Therefore, no environmental analysis is being considered with CUP2018-0003 as the recommendation by staff is to deny the Project.

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. The findings necessary for the granting a Conditional Use Permit as set forth in Section 17.92.110 of the Corona Municipal Code cannot be made in reference to CUP2018-0003 for the following reasons:
 - a. *The Project would be detrimental to public health, safety, convenience and general welfare because the use associated with CUP2018-0003 is not aesthetically compatible with the low-density, single-family residential land uses surrounding the Project site. The mono-eucalyptus tree, block wall enclosure and utility cabinets are within the viewshed of the nearby existing single-family residential dwellings that are situated 20 feet above the Project. The residences to the east of the Project site would have a direct view of the Project site and the single mono-eucalyptus tree proposed to be installed a mere 130 feet from the backyards of such dwellings. Contrary to the City's design guidelines for telecommunications facilities, the proposed telecommunications facility would be readily distinguishable from the surrounding residential environment and there are no structures, trees, or landscaping that will provide even minimal screening of the telecommunications facility in a manner that is compatible with the surrounding residential environment.*
 - b. *The proposed land use associated with CUP2018-0003 would be detrimental to the existing single-family residential properties in the immediate area because the Project site is void of any building, structure, or vegetation that can adequately screen the mono-eucalyptus tree and associated equipment from the views of the nearby residential properties in order to minimize the aesthetic impact to the low-density residential neighborhood. Without any similar trees or landscaping in the vicinity of the mono-eucalyptus tree, the telecommunications facility will be easily*

perceived to be a fake tree, which further exacerbates the negative impact that the Project would have on the adjacent residential neighborhoods.

2. CUP2018-0003 is not consistent with the City's General Plan for the following reasons:
 - a. *The General Plan land use designation of the Project site is Low Density Residential which is primarily intended for single family residential development that does not exceed six dwelling units to the acre. Although, telecommunications facilities are allowed in residential zones with an approved conditional use permit, the proposed use associated with a conditional use permit needs to demonstrate compatibility with surrounding land uses to protect public health, safety, convenience and general welfare in order not to diminish the quality of life for the residents. The lone mono-eucalyptus tree and associated equipment, without any other nearby tall trees or other dense landscaping to serve as a means of screening the telecommunications facility, is not aesthetically compatible with the surrounding single-family residential land uses and is therefore inconsistent with the intent of the Low Density Residential land use designation.*
 - b. *General Plan Goal 1.8 is to assure the integrity, quality and livability of Corona's existing residential neighborhoods preserving those elements that give them character, cohesion and quality of life. The mono-eucalyptus tree and associated equipment proposed with CUP2018-0003 would be placed within an existing single-family residential neighborhood in which nearby residences would have a direct line of sight from their outdoor and interior living spaces to the proposed facility creating a negative aesthetic visual impact to the neighborhood. The single mono-eucalyptus tree, without any other nearby trees or dense landscaping to mask the fact that it is clearly a telecommunications facility, would contradict the residential character and quality of the surrounding neighborhoods.*
 - c. *General Plan Policy 1.8.12 provides that nonresidential uses should be located and designed to maintain the quality and character of the neighborhood and prevent traffic, noise, odor, lighting, and other adverse impacts on adjoining housing units. The Project site is located within an existing residential neighborhood and is surrounded by existing single-family dwellings. Because there are no other tall trees or structure or any form of dense landscaping to screen the telecommunications facility, the existing residences located 20 feet above the Project site are burdened with a direct view of the telecommunications facility, which is a nonresidential use. Rather than being indistinguishable from the surrounding environment to ensure that the quality and character of the residential neighborhood is preserved, the proposed land use associated with CUP2018-0003 would result in a noticeably fake tree being situated in the middle of an existing neighborhood without any visual buffers to mask the nonresidential character of the use. As such, CUP2018-0003 would not be in character with the residential neighborhood and would create a negative visual impact on existing residents that have a direct view of the Project site.*

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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 22nd day of April, 2019.

Karen Alexander, Chair
Planning and Housing Commission
City of Corona, California

ATTEST:

Jennifer Killman
Secretary, Planning and Housing Commission
City of Corona, California

I, Jennifer Killman, Secretary 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 22nd day of April, 2019, and was duly passed and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Jennifer Killman
Secretary, Planning and Housing Commission
City of Corona, California