

RESOLUTION NO. 2010-631

Adopted by the Sacramento City Council

November 4, 2010

ADOPTING FINDINGS OF FACT AND DENYING THE T-MOBILE RIVERSIDE MONOPINE PROJECT (P07-153)

BACKGROUND

- A. On September 9, 2010, the City Planning Commission conducted a public hearing on, and denied the T-Mobile Riverside Monopine.
- B. On September 20, 2010, the project applicant filed a timely appeal of the Planning Commission's action to the City Council.
- C. On November 4, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1)(d), and received and considered evidence concerning the T-Mobile Riverside Monopine.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. Based on the verbal and documentary evidence received at the hearing on the T-Mobile Riverside Monopine, the City Council denies the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.
- Section 2. The City Council denies the Project entitlements based on the following findings of fact:
 - A. Environmental Determination: The project is denied, and the California Environmental Quality Act (CEQA) does not apply to projects that are denied by the public agency. No action or further findings pursuant to CEQA are required.
 - B. The Special Permit to construct a new pine tree monopole with antennas and associated equipment in the General Commercial zone is hereby denied based upon the following findings:
 - 1. Granting the Special Permit is not based upon sound principles of land use in that:
 - A. A new monopine will be visually obtrusive against the backdrop of only a few mature evergreen trees;

- B. The monopine will be located only 10 feet from the nearest residentially zoned parcel.
 - C. The construction of a new monopine represents the least desirable siting option in the Telecommunications Siting Guidelines.
2. Granting the Special Permit would be detrimental to the public welfare or result in the creation of a public nuisance in that:
- A. The installation of the monopine will result in the creation of a visual nuisance. While there are a few mature evergreen trees on the property to the east of the subject location, they are not enough to for a proper backdrop to camouflage a monopine tree antenna
3. The proposed project is consistent with the General Plan Policy of promoting and supporting communications facilities within the City as well as the Guidelines for Telecommunications Facilities (GP Section 7-10).

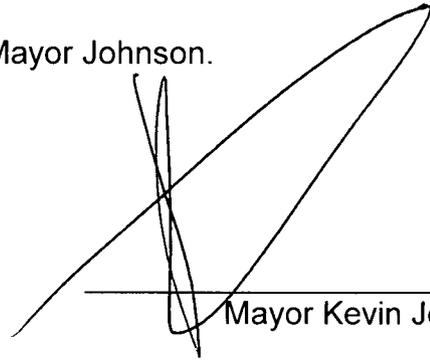
Adopted by the City of Sacramento City Council on November 4, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Tretheway.

Noes: Councilmembers Hammond, Waters and Mayor Johnson.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk