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Recommended Findings
Eagle Vines – AT&T Facility

**PLANNING COMMISSION HEARING – MAY 6, 2020
RECOMMENDED FINDINGS**

**EAGLE VINES WIRELESS TELECOMMUNICATIONS / AT&T
USE PERMIT #P18-00410-UP
580 SOUTH KELLY ROAD, AMERICAN CANYON, CA 94503
APN #057-060-007**

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Mitigated Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The Commission has read and considered the Mitigated Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration is based on independent judgment exercised by the Commission.
3. The Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act.
4. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
5. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Conservation, Development & Planning Department, 1195 Third Street, Room 210, Napa, California.
6. Considering the record as a whole there is no evidence that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.

USE PERMIT:

The Commission has reviewed the use permit request in accordance with the requirements of the Napa County Code §18.124.070 and makes the following findings:

7. The Commission has the power to issue the Use Permit under the Zoning Regulations in effect as applied to property.

Analysis: Section 18.20.030 (k) of the County Code allows the Planning Commission to approve use permits for major telecommunication facilities in the AW (Agricultural Watershed) zoning district that exceed the authority for staff approval of smaller facilities.

8. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The use permit application has been filed and notice and public hearing requirements have been met pursuant to Sections 18.119.220 and 18.124.040 (B) of the

Napa County Code. The hearing notice and intent to adopt a Mitigated Negative Declaration were posted on February 16, 2020, and copies were forwarded to appropriate persons on the mailing list. The public comment period ran from February 16, 2020, through March 17, 2020.

9. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the Use Permit for the telecommunication facility as proposed and conditioned would not affect the health, safety or welfare of the County. Various County Departments have reviewed the project and commented regarding the necessity for building permits, fire protection and similar requirements. The proposed cell tower will be camouflaged as a “faux-pine” tree and will be effectively unnoticeable from nearby major roads or other public gathering places. The project is also conditioned to conform with requirements and standards from other applicable Napa County Departments and agencies with authority over this project.

10. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: Compliance with the Zoning Ordinance

The proposed use is consistent with the Agriculture Watershed: Airport Compatibility Combination (AW:AC) zoning district regulations, as conditioned, including setbacks and height. Major Telecommunication Facilities are conditionally permitted uses in the AW District (Napa County Code Section 18.20.030(K)). The proposed project is also substantially in conformance with the County’s Telecommunication Ordinance (Chapter 18.119) by creating a new telecommunications facility that expands the County’s emergency response network.

Analysis: Consistency with the General Plan

The proposed telecommunications facility is consistent with Goal CC-1 of the Community Character Element of the General Plan, which mandates that the County should “preserve, improve and provide visual access to the beauty of Napa County.” The proposal is for a 55-foot tall monopine, designed as a “faux-pine” tree to blend in with existing golf course and agricultural operations on adjacent properties. The proposed facility would also be consistent with Policy CC-14 of the Community Character Element since it is designed to be effectively unnoticeable from nearby roadways as demonstrated by the photo-simulations.

The project is also consistent with General Plan Conservation Policy CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove that adequate water supplies are available to serve the proposed use without causing significant negative impacts to shared groundwater resources. The project as proposed has no employees and no uses which require water, therefore it will have no impact on the groundwater sources of the area consistent with both the General Plan and Napa County Code.