

ATTACHMENT 7

RESOLUTION NO. PC-2022-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A 69-FOOT-HIGH WIRELESS TELECOMMUNICATIONS FACILITY DESIGNED AS A FAUX EUCALYPTUS TREE AT 11616 HESPERIA ROAD (CUP22-00005)

WHEREAS, AT&T Mobility has filed an application requesting approval of Conditional Use Permit CUP22-00005 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to a 7.67 gross acre parcel with a lease area of 1,173 square feet within the General Commercial (C2) Zone at 11616 Hesperia Road and includes Assessor Parcel Number 0415-081-50; and

WHEREAS, the Application, as contemplated, proposes to construct a 69-foot-high wireless telecommunications facility designed as a faux eucalyptus tree on the subject property; and

WHEREAS, AT&T Mobility has also filed Variance VAR22-00002 to exceed the 35-foot height limitation; and

WHEREAS, the subject site operates as a church and school facility. The surrounding properties consist of vacant sites and single-family residential homes; and

WHEREAS, the subject site has zoning designation of General Commercial (C2) and Rural Residential (RR-1), but the project location is only within the C2 zone. The properties to the north and south are zoned C2 and RR-1. The properties to the west are zoned RR-1 and the properties to the east are zoned C2; and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15303, New Construction or Conversion of Small Structures; and

WHEREAS, on June 9, 2022, the project was presented to the Planning Commission as a 62-foot-high wireless telecommunications facility designed as a faux water tower. The Planning Commission had concerns regarding the design and the location of the proposed facility. The Planning Commission voted 5-0 to continue the item to a future meeting to provide the applicant with additional time to relocate the wireless facility and redesign the wireless tower; and

WHEREAS, on September 8, 2022, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced September 8, 2022 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The site for the proposed use is adequate in size and shape to accommodate the proposed use, as the site can be accommodated without infringing on required setbacks and will be consistent with the surrounding area.
- (b) The wireless facility will not generate additional traffic trips or noise levels; therefore, it will not have a substantial adverse effect on abutting property, or the permitted use thereof.
- (c) The proposed project is consistent with the goals, policies, standards and maps of the adopted Land Use Plan, Development Code and all applicable codes and ordinances adopted by the City of Hesperia.
- (d) The site for the proposed use will have adequate access through Sycamore Street and the conditions of approval will ensure that an access easement is recorded on the property to provide the facility legal access into the site.
- (e) The proposed project is consistent with the adopted General Plan of the City of Hesperia and the development standards of the General Commercial (C2) zone in conjunction with the proposed variance.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP22-00005, subject to the conditions of approval as shown in Attachment "A."

Section 4. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 8th day of September 2022.

Roger Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission