

ATTACHMENT 7

RESOLUTION NO. PC-2022-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO INSTALL A 93-FOOT-HIGH WIRELESS TELECOMMUNICATIONS FACILITY ON AN EXISTING 172-FOOT-HIGH SOUTHERN CALIFORNIA EDISON TOWER LOCATED NORTH OF RANCHERO ROAD AND WEST OF MAPLE AVENUE (CUP22-00020)

WHEREAS, Dish Wireless has filed an application requesting approval of Conditional Use Permit CUP22-00020 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to an approximately 6.00 gross acre parcel with a lease area of 150 square feet within the Utility Corridor (UC) zone located north of Ranchero Rd and west of Maple Ave and includes Assessor Parcel Number 0405-383-14; and

WHEREAS, the Application, as contemplated, proposes to install a 93-foot-high wireless telecommunications facility on an existing 172-foot high Southern California Edison tower on the subject property; and

WHEREAS, the subject site is within the Southern California Edison electric transmission corridor, which runs northwest to southeast, and is developed with existing transmission towers and associated equipment. A City owned water tank exists to the west and the remaining surrounding properties are vacant; and

WHEREAS, the subject site has zoning designation of Utility Corridor (UC). The properties to the north and to the west are zoned Rural Residential with a 2 ½ acre minimum lot size; the properties to the south and to the east are zoned Utility Corridor (UC); 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 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 include similar colors to be consistent with the existing development.
- (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 based on the required access easement from Ranchero Road to the south.
- (e) The proposed project is consistent with the adopted General Plan of the City of Hesperia and the development standards of the Utility Corridor (UC) zone.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP22-00020, 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