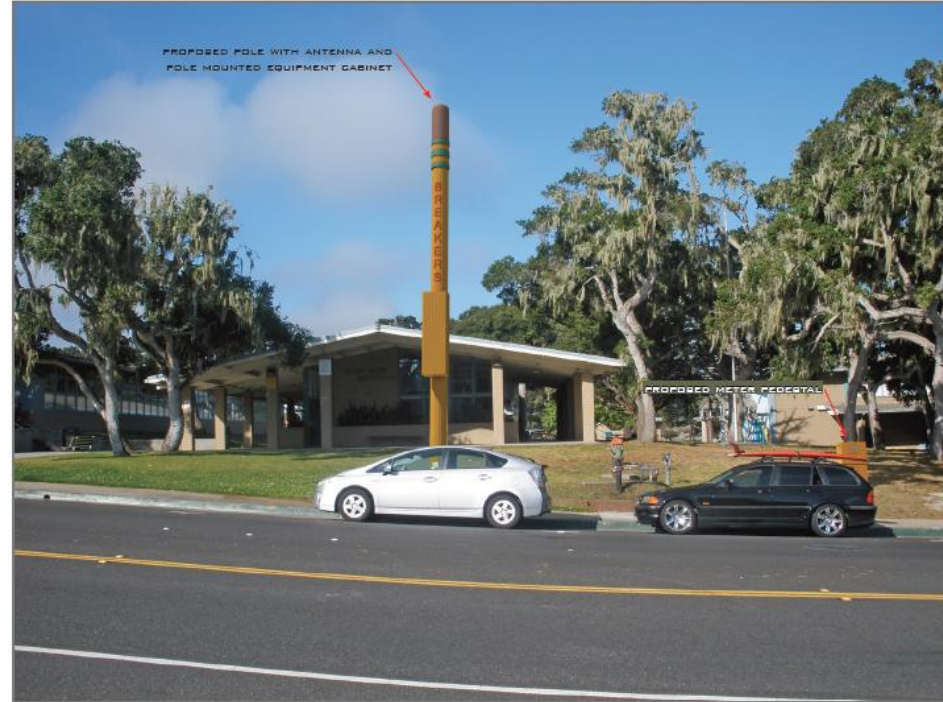


Use Permit #17-1111



Alternatives



Approved Project Site



Federal Telecommunications Act

State and local governments retain all their traditional authority except that local regulations cannot:

1. Prohibit or effectively prohibit personal wireless services;
2. Unreasonably discriminate among functionally equivalent services; or
3. Regulate based on environmental impacts from radiofrequency (“RF”) emissions.

Local Code & Findings

- PGMC permits wireless equipment in any district, except O, with a Use Permit (PGMC §23.64.060)
- Planning Commission approved the project, finding it met Use Permit requirements (PGMC §23.70.080(a)(4))

Local Code & Findings

Findings Required for Approval (PGMC §23.70.080(a)(4)):

(A) The use is allowed within the applicable zoning district and complies with all applicable provisions of these regulations;

(B) The use is consistent with the general plan, the local coastal program, and any applicable specific plan;

(C) The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use;

(D) The use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city; and

(E) The location, size, design, and operating characteristics of the use are compatible with the existing and future land uses in the vicinity.

Staff Recommendation

1. Determine that the project is exempt from CEQA, and that the exceptions from Section 15300.2 do not apply.
2. Uphold the Planning Commission approval of Use Permit Application #17-1111, subject to the Planning Commission-recommended findings and conditions.