

## RESOLUTION NO. 2022-188

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15183, 15301, AND 15303 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER LICENSE AGREEMENT WITH CROWN CASTLE FIBER, LLC, FOR SMALL CELL WIRELESS COMMUNICATIONS FACILITIES

**WHEREAS**, Crown Castle Fiber, LLC (Crown Castle) seeks to enter into a master license agreement (MLA) with the City of Elk Grove (City) for small cell wireless communications facilities (collectively, the “Project”); and

**WHEREAS**, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource code §§21000 et seq.; and

**WHEREAS**, the Project is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15183, 15301, and 15303.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds no further environmental review is required under the California Environmental Quality Act (CEQA) for the Project pursuant to State CEQA Guidelines Sections 15183, 15301, and 15303 based upon the following finding:

#### **California Environmental Quality Act (CEQA)**

Finding: No further environmental review is required for the Project under CEQA pursuant to State CEQA Guidelines Sections 15183, 15301, and 15303.

Evidence: The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines Section 15378).

Staff has analyzed the MLA and has determined no further environmental review is necessary and the Project is exempt from further CEQA review pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning for which an EIR was certified), Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures). The proposed Project consists of an MLA for the deployment of Small Cell Wireless Communications Facilities that addresses the processing of permits for individual small cell facilities; their operation and maintenance; and their location, design, and technical specifications.

Title 23 of the Elk Grove Municipal Code is the primary implementing tool of the General Plan and describes the required entitlements and development standards for small cell facilities. The MLA is consistent with General Plan policies related to community infrastructure and development density. An EIR was certified by the City Council in conjunction with the approval of the General Plan (SCH# 2017062058). Approval of the

MLA will not create a significant new impact inconsistent with the General Plan EIR. Pursuant to CEQA Guidelines Section 15183, no further CEQA review is required for the approval of the proposed approvals of the amendments and the agreement.

Approval of the small cell wireless communications facilities that would be approved by the MLA are also exempt from CEQA under CEQA Guidelines Sections 15301 and 15303. Section 15301 exempts from CEQA minor alteration to existing public or private structures. Similarly, Section 15303 exempts from CEQA the construction of small cell facilities, including the installation of new equipment and facilities. Here, the MLA will authorize the installation of facilities at various sites within the City. The new facilities are to be installed on existing City light poles, and the new facilities will be less than 28 cubic feet, with the specifically proposed facilities being much less than half the size of the existing poles. Therefore, the approval of the MLA is exempt from CEQA review pursuant to CEQA Guidelines Sections 15301 and 15303.

**AND BE IT FURTHER RESOLVED** that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute a Master License Agreement with Crown Castle Fiber, LLC, in substantially the form presented, which sets forth the terms and conditions for the deployment of Small Cell Wireless Communications Facilities, including permit processing for individual small cell facilities; their operation and maintenance; and their location, design, and technical specifications.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 27<sup>th</sup> day of July 2022




BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2022-188**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )       ss  
CITY OF ELK GROVE         )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 27, 2022 by the following vote:*

**AYES:**        **COUNCILMEMBERS:** *Singh-Allen, Suen, Hume, Spease, Nguyen*

**NOES:**       **COUNCILMEMBERS:** *None*

**ABSTAIN:**   **COUNCILMEMBERS:** *None*

**ABSENT:**   **COUNCILMEMBERS:** *None*

  
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**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**