

Comments on Wireless Telecommunication Facilities (WTF) Ordinance Revisions. VERSION II 09-24-24

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Date Wed 10/23/2024 12:04 PM  
To Planning Department <planning@edcgov.us>

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Dear Planning Commissioners,

10-23-24

I have not had a chance to fully review the version, and life is getting in the way, so I will submit these comments as I believe they are still relevant.

I did get a chance to review the WTF Providers letter and definitely disagree with the need for Balloons or or similar simulation AND the need for a one-mile radius for notification. If those are the people to be served by it, why not notify them and let them decide on how they may comment on a project.

I hope to attend the Hearing tomorrow, either in person or via ZOOM.

Thank you,

Ken Greenwood

Straight Shot Consulting

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Dear Board of Supervisors,

09-24-24

I apologize for the lateness of these comments. I do suggest that we collect and DIGEST more information and don't make too many hasty decisions. We have to live with the decision, and those adjacent to the facilities have that "Life Sentence" I have referred-to for the last 6+ years. Let's have staff come up with one more Draft, and we can work from there.

Overall, it is a good effort, particularly the 1X setback!

Perhaps I should hit the high points of what's missing from the proposed Revision.

1. One mile notice around all proposed WTF's. The Wireless Industry (WI) representatives always mention the useful distance for any of their WTF is one mile. So let's make sure that EVERY property owner is fully noticed when one of these is proposed. Yeah it costs a little extra, but it is the right thing to do. Those who may desperately need that reception or those who don't want to see it in their near-view, deserve to know what is proposed. The spirit of CEQA and Planning Law suggest more notice is better than less notice.

1.1. This notice should be done EARLIER in the Planning process (for all projects for that matter), perhaps at the "Early consultation" step as mentioned for Schools and \_\_\_\_\_ in the proposed text. Page \_\_\_\_\_

2. Balloons for a week X 2, dates mentioned in the One-Mile Notice as above. Why? Photo-simulation from a "scenic byway" is meaningless as the traveling public is just that; "Traveling Through" the area. What really counts is that "Life Sentence" that the neighbors get from their living room window, deck and such, for the rest of their lives. Depending on the closeness to their home, it could be an imposing detriment to their view. Recall that a good view is a definite PLUS to the value and desirability of any residential parcel/home. And yes, it can and will effect property values well into the future.

3. Project Complete before Operation: I have noticed that a number of towers from the 2018 ATT Federally subsidized BLITZ took a long time to "complete" all their Conditions of Approval and the one off Snow's Road was running on a generator for quite a while, and the road and drainage had not been completed. That's absurd. Therefore, a simple statement in Conditions: "All conditions of Approval SHALL be satisfied prior to network operation of the Facility." Seems quite simple.

4. Access from County and Private Roads: All gates and encroachments shall be up to paved standards and all gates will be at least 30 feet from edge of roadway to accommodate service vehicles without blocking traffic. The current construction site on Pleasant Valley Road, west of Oak Hill Road (Tiger Lily project?) is an example of how NOT to do it!

5. "Meaningful Alternative Location Analysis" (more bellow), there should be an identification of the "BEST SERVICE TO THE POLYGON" location. This location would be illustrated regardless of the usual excuses (they didn't answer our letter, no electricity or telephone hard-line to the site, etc.) used to deny consideration of a particular location that would otherwise give the best (and usually least intrusive) location for best service. We should identify this location "for the public good" regardless of cost or other earthly constraints. This "Best" site should be identified (and if not the chosen site, why not?) as a part of this Alternative analysis.  
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Other comments: (BTW: Your drafts should have numbered lines as this IS basically a legal document. It would make referencing and locating items of interest much more efficient.)

6. Page 1, Sec B: Why delete "Including transmission and relay towers, dishes, antennas and other similar facilities."?? If not in the WTF Ord, where will they be dealt with? WTF?

7. Page 1, Sec B: Consider adding: ...environmental and HUMAN effects of RFR... Yes, we are part of the environment, but we should be REAL CLEAR about what is NOT on the table for discussion.

8. Similarly, there was a suggestion from the Planning Commission hearing that El Dorado County should put something in there that this can all change when/if we suddenly find out that RFR is in fact harmful to the environment and HUMANS. "The Feds made us do it" should be loud and clear.

9. Page 1, Sec B: Last Sent: Why strike this? It goes further to insulate the BOS and especially the Residents of El Dorado County (who foot the BILL for all this) from future liability.

10. Page 1, Sec B. 1.a. and b.: Why delete these statements? Are they covered elsewhere?
11. Page 2, Sec D 1. a.: Last sentence: What is meant by "No additional equipment"?
12. Page 3, Sec 3. a.: Beside those "Scenic Roads", "500 feet from any Residential Zone or existing Residential use" should be included, maybe even 100 feet.
13. Page 3, Sec 3. a.: How is this "Administrative Permit" noticed to property owners? They should know of the proposed project.
14. Page 3, Sec 3. a. (1.): What "center" does this refer to? Perhaps clearer to say "areal center" of the roof area.
15. Page 3, Sec 3. b.: Again, why limit these protections to only those traveling by?? It is the RESIDENTIAL uses within 1000' (vs 500') that are going to have to live with it. Recall the Life sentence!
16. Page 4, Sec 4: There was a recent project at Oak Ridge HS that involved a light standard... It was going to be "upgraded SUBSTANTIALLY to support the multiple towers that may co-locate at the site. Projects like that (ESPECIALLY on or within 500-1000' of School Grounds) should be noticed to all parents AND be subjected to a CUP/Public Hearing. I seriously wonder if many or any of the parents of ORHS knew what was going on at that location. We should make sure they do.
17. Page 4, Sec 5. a.: Replacement pole that is \_\_\_% larger in diameter that is exempt. And just what is a "replacement tower"
18. Page 4, Sec 5. b. & c.: Good to see the words "required" and "shall" being used (vs "encouraged" and "should" AKA: meaningless non-standards).
19. Page 4, Sec 5. d.: "...natural features or vegetation of the site" Consider the EDH Business park and the mix of new and old (50= foot redwoods and such) landscaping as well as the native grassland and riparian vegetation... How's that going to work? At the very least, it shouldn't be a "bare tower" as suggested at the Planning Commission for the tower adjacent to a residential development.
20. Page 5, Sec 6. a. & b.: Why are these being deleted? No discussion/explanation in the Planning Commission summary Matrix. Should be retained unless covered elsewhere.
21. Page 5, Sec 7. a. & b.: We should reach out 1000' to adjacent/nearby Residential Zones AND any established Residential use regardless of Zoning.
22. Page 6, Sec 8. a.-e.: Why delete this discussion of Standards for back-up generators? Is it covered elsewhere?
23. Page 6, Sec 9: How is "Substantially" defined. There needs to be a % of change Standard or similar. I would suggest 10-15% increase in diameter or X-sectional dimensions, etc.

24. Page 7. Table 1: As long as there is public Notice REQUIRED for those per Ordinance, perhaps. It would be better to include MRE than less Notice to the public. Remember, this might be a ticking time bomb and liability to the County could become significant, and perhaps lessened by more complete Public Notice and disclosure.
25. Page 8. Table 1: Substantial once again needs definition.
26. Page 8. Sec E: Per Comment 2, Balloon simulation MUST be part of this! The "Aesthetics" of the residents (vs "traveling public") is far more important. Bring on the Dirigibles! (Balloons)
27. Page 8. Sec F. 2.: "Adjacent" needs to be replaced with "within 500' of a Residential Zone or established Residential use regardless of Zone.
28. Page 8. Sec F. 2. (Cont): Replace "(1) times" with 1.1 times (as 10% increases in height are allowed in the future). This 1.1 would accommodate that increase.
29. Page 9. Sec F. 2.: Waivers are only allowed after analysis of better siting to reduce aesthetic intrusion to Residential uses within 500 feet, and secondarily to road views. (Thank you for the "may be considered")
30. Page 8. Sec 4. a.-f.: Why delete these? Or do add: "Adjacent Residential and those within 500 (preferably 1000') of residential zones and established uses." We must shield these from Residential views!
31. Page 10. Sec 13.: Trees grow higher with time, ridge lines don't. The WI's have submitted comments (attachment 5) on this and I would agree that 15' above a conifer tree is going to be surpassed in 5-10 years or less. ALSO, "the review shall stress analysis of, and impacts on, Residential uses."
32. Page 11. Sec I. 1. & 2.: School and Homeowner's Association notice EARLY is good. Please also make part of the "Notice " to contact Student's Parents and Individual Homeowners within the Association as a good faith or "should" effort (recognizing it is difficult to legally require such notice).
33. Page 11. Sec K: "Additional Sites and Needs Analysis" Hallelujah Brothers and Sisters! But as before in comment 5, show the BEST site AND REQUIRE 2 Registered letters, e-mail X 2, phone calls X 2 and at least one documented site visit to knock on the door. The letters they send out look like junk mail. People throw them away. Once is not enough!
34. Page 11. Sec N.: Five-Year Review: Staff Level? Overriding previous CUP Conditions? (Is that LEGAL?) I don't think so! Recent reviews from Planning Commission indicate to me that there is room for improvement. The WI letter (Attachment 5) suggests only if a "valid" complaint... This needs "tightening" to include NOTICE 1000' minimum (and you might get that "Valid Complaint"...) and a site visit, including attempts to contact people who live on the road serving the site. Bottom line, this is INADEQUATE to serve the "Public Interest."
35. Page 11. Glossary: "Adjacent"... The word adjoining is used to define... NO!! You can't use the same word root to define another word!  
It also needs to be 1000' of Notice.

36. Page 13. Modifications: "Substantially" needs to be quantified via % or some measurable standard. Otherwise useless.

37. Page 13. "Stealth Design": Great concept, but very subjective. Hopefully Staff will take it seriously when reviewing projects.

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Thank you very much for this opportunity to comment. This is a decent attempt to make the WTF Ordinance workable (especially with my suggest changes!).

I again apologize the lateness, but life gets in the way for stuff that doesn't pay!

Thanks again,

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