



**COUNTY OF EL DORADO
COMMUNITY DEVELOPMENT AGENCY
DEVELOPMENT SERVICES DIVISION**

Date: January 17, 2017
To: Planning Commission Agenda of: February 23, 2017
From: Jennifer Franich, Associate Planner
**Subject: AT&T CAF-II Project Conceptual Review
Pre-Application PA16-0008 / AT&T Connect America Fund Phase II**

This is a conceptual review of a proposal to install Wireless Communications Facilities for the Connect America Fund Phase II (CAF-II) Project. The CAF-II Project is a Federal Communications Commission (FCC) program to bring High-Speed Internet to under-served rural areas throughout the United States. The facilities would provide capacity for both High-speed internet and cellular data.

Two example sites are proposed for this Conceptual Review. The Nashville site, located in the Nashville area east of Highway 49, would be a new 155 to 160-foot tall lattice tower. The Buffalo Hill site, located in the Greenwood area, would be a new 155 to 160-foot tall monopine tower.

This report is intended to assist the applicant in identifying potential project issues and solutions, consider alternative designs, and receive early feedback from the Planning Commission in an informal workshop, thereby improving the quality of a future development application.

Project Description:

AT&T proposes the installation of several Wireless Communications Facilities for the purposes of High-speed internet and cellular data in collaboration with the Federal Communications Commission (FCC) Connect America Fund.

The Connect America Fund (CAF) is the FCC's program to expand access to voice and broadband services for areas where they are unavailable. Through one component of the program, called CAF Phase II, the FCC provides funding to local telephone companies to subsidize the cost of building new network infrastructure or performing network upgrades to provide voice and broadband service in areas where it is lacking. To ensure CAF support is used efficiently, the FCC has focused on rural areas that are clearly unserved or underserved by unsubsidized service providers. Areas within El Dorado County have been identified as eligible for infrastructure through this program.

The proposal would require a Conditional Use Permit and conformance with the Wireless Telecommunications Facilities section of the Zoning Ordinance.

Pre-Application Information

Applicant: AT&T Mobility I Epic Wireless Group, Inc.

Request: Pre-application for review of a project to install Wireless Telecommunications Facilities for the purposes of high-speed internet and cellular data throughout the County.

Site 1: Nashville

Location: West side of Sand Ridge Road, approximately 1.75 miles east of the intersection with Hwy 49, in the Nashville area (Supervisory District 2).

APN: 092-031-52

Acreage: 29.7 acres

General Plan: Rural Residential – Important Biological Corridor (RR-IBC) (Exhibit C)

Zoning: Rural Lands Ten-Acre (RL-10) (Exhibit D)

Site 2: Buffalo Hill

Location: North side of Slinger Mine Road, approximately 250 Feet west of the intersection with Spanish Dry Diggins Road, in the Greenwood area (Supervisory District 4).

APN: 061-720-55

Acreage: 1 acre

General Plan: Medium Density Residential – Important Biological Corridor (MDR-IBC) (Exhibit C)

Zoning: Two-Acre Residential (R2A) (Exhibit D)

General Plan Land Use Designation/Consistency

Land Use: The Nashville site has a General Plan designation of Rural Residential – Important Biological Corridor, and the Buffalo Hills site designated Medium Density Residential – Important Biological Corridor (MDR-IBC).

A Conditional Use Permit is required to be found consistent with the General Plan. A formal application for a Conditional Use Permit to install and operate the facilities would be reviewed for consistency with applicable policies of the General Plan, including, but not limited to: General Plan 2.2.5.21 (Land Use Compatibility), 5.1.2.1 (Adequacy of Public Services and Utilities), 5.2.1.2 (Adequate Water Quality and Quantity), 6.2.3.2 (Adequate Access for Emergencies), 6.5.1.2 (Analysis of Noise Effects), 7.3.3.4 (Wetland Buffers), and 7.4.4.4 (Oak Canopy Retention and Replacement).

Zoning Consistency

The project area is would include different locations throughout the county, and thus a variety of zones. The Nashville site is zoned Rural Lands Ten-Acre (RL-10), and the Buffalo Hills site is zoned Two-Acre Residential (R2A).

Site development standards: RL-10

Building Height (Ag Structure):	50 feet
Building Height (Non-Ag Structure):	45 feet
Setbacks (Ag Structure):	50 feet
Setbacks (Non-Ag Structure):	30 feet

Site development standards: R2A

Building Height:	45 feet
Setbacks (Ag Structure):	50 feet
Setbacks (Front, Rear):	30 feet
Side Setbacks:	20 feet

For both zones, Communication Facilities are listed in the table of Use Types (Table 130.21.020 – Agricultural, Rural Lands and Resource Zone Districts Use Matrix and Table 130.24.020 – Residential Zone Use Matrix) as requiring either an Administrative Permit or a Conditional Use Permit, with reference to subsection 130.40.130, Communication Facilities, for specific regulations.

This section stresses the importance of minimizing potential visual impacts through limiting the number of facilities through co-location.

Small communication facilities that do not exceed five square feet and do not protrude more than 18 inches from the mounting surface or extend more than three feet above the roofline may be allowed by right in any zone (130.40.130)(B)(1).

Certain building- or roof-mounted antennas and co-location projects may be allowed by Administrative Permit.

In both the RL-10 and R2A zoned, new towers or monopoles require a Conditional Use Permit.

In addition to an analysis of the development standards of each site according to their zones, Section 130.40.130 C-H of the Zoning Ordinance requires that all wireless communication facilities meet certain criteria. Applications for the installation and operation of the facilities would be analyzed for consistency with the following:

- C. Visual simulations of the wireless communications facility, including all support facilities, shall be submitted. A visual simulation can consist of either a physical mock-up of the facility, balloon simulation, computer simulation or other means.
- D. Development Standards: All facilities shall be conditioned, where applicable, to meet the criteria below:
 - 1. Screening. All facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to blend with the surrounding area. The facility shall be painted or constructed with stealth technology to blend with the prevalent architecture, natural features, or vegetation of the site.
 - 2. Setbacks. Compliance with the applicable zone setbacks is required. Setback waivers shall be considered to allow flexibility in siting the facility in a location that best reduces the visual impact on the surrounding area and roads, subject to Zoning Administrator approval of a Minor Use Permit.
 - 3. Maintenance. All improvements associated with the communication facility, such as equipment shelters, towers, antennas, fencing, and landscaping shall be properly maintained at all times. Design, color, and textural requirements under the approved conditions shall be maintained to ensure a consistent appearance over time.
- E. Radio Frequency (RF) Requirements: The application for a discretionary permit shall contain a report or summary of the estimates of the non-ionizing radiation generated by the facility. The report shall include estimates of the maximum electric and magnetic field strengths in all directions from the facility to the property lines of the facility site.
- F. Availability. All existing communication facilities shall be available to other carriers as long as structural or technological obstacles do not exist.

- G. **Unused Facilities.** All obsolete or unused communication facilities shall be removed within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify the Department at the time of abandonment. All site disturbance related to the facility shall be restored to its pre-project condition.
- H. In order to protect the visual character of established neighborhoods and to protect school children from safety hazards that may result from a potentially attractive nuisance, in addition to the noticing requirements of Article 5, the following notification shall occur:
1. **School District Notification.** If the proposed wireless facility is located within 1,000 feet of a school, the appropriate school district shall be notified during the initial consultation.
 2. **Homeowners Association Notification.** For facilities proposed to be located on residentially-zoned land, the applicant shall identify any homeowners association which might govern the property and homeowners associations that are adjacent to the property. Any that are identified shall be notified during the initial consultation.

The applicant has indicated that in addition to the Nashville and Buffalo Hill sites, the proposed project may include several other sites as part of the CAF-II project implementation. Each site would be reviewed for consistency with the requirements in that zone, as well as the specific use criteria for Wireless Telecommunication Facilities.

Staff Analysis

The following is staff's discussion of project challenges and opportunities.

Multiple Facility Sites

The primary challenge with the proposed project would be the multiple site locations proposed for installation and operation of broadband internet and telecommunication facilities. In general, Conditional Use Permits are issued for one parcel, a cluster of parcels under a single owner, or even for a portion of a given parcel. This proposed project would include an array of sites with different owners, land use designation and zones, natural features, and, potentially, dissimilar facility design and equipment. As such, analysis for consistency with the Zoning Ordinance, General Plan, and other policies would be performed for each site.

Application Process

The project would require a Conditional Use Permit, or potentially several Conditional Use Permits. A Conditional Use Permit is a process for reviewing uses and activities that may be appropriate in the applicable zone but the potential for effects on the site and surroundings cannot be determined without a site specific review. In addition to providing a complete

application for a Conditional Use Permit, the applicant would be required to submit items included in the Wireless Facilities Supplemental Application. These include a Hazardous Materials Questionnaire, Electromagnetic Field/Radio Frequency Report, noise studies for any proposed back-up generators or air conditioning units, site and facility design features and visual simulations, and information about alternative site locations that have been reviewed. The Planning Commission would make the findings that the proposal is consistent with the General Plan, would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood, and is specifically allowed by a conditional use permit before approving the application.

Environmental Review

Processing of a formal development application would require an analysis of potential environmental impacts by the project. The proposed Conditional Use Permit(s) would constitute a project under CEQA. As such, an environmental analysis would be conducted to identify and mitigate potential environmental impacts. To avoid “piece-mealing”, the environmental impacts of each facility, as well as the cumulative impacts of all facilities proposed, would be analyzed. The appropriate form of CEQA document will be determined by the County following review of the proposed project locations, design, and other factors. At minimum, a Mitigated Negative Declaration evaluating these impacts may be required or a project-specific Environmental Impact Report (EIR) may need to be prepared.

NOTE: While staff will take utmost care to accurately represent County Codes, Policies and applicable past positions of staff, the Planning Commission, and the Board of Supervisors, it should be noted that matters discussed in the Pre-Application meeting should be not construed to bind, restrict or obligate the staff or review boards when processing a subsequent application. A more thorough review that occurs during the formal application process could reveal issues and circumstances that were not known or reviewed during the much shorter review of the Pre-Application review process. Further, it is incumbent on the part of the applicant to obtain and understand all applicable Codes and policies.

Attachments:

- Exhibit A-1.....Location Map (Nashville)
- Exhibit A-2.....Location Map (Buffalo Hill)
- Exhibit B-1.....Assessor’s Parcel Map (Nashville)
- Exhibit B-2.....Assessor’s Parcel Map (Buffalo Hill)
- Exhibit C-1.....Land Use Map (Nashville)
- Exhibit C-2.....Land Use Map (Buffalo Hill)
- Exhibit D-1.....Zoning Map (Nashville)
- Exhibit D-2.....Zoning Map (Buffalo Hill)
- Exhibit E-1.....Conceptual Plans (Nashville)
- Exhibit E-2.....Conceptual Plans (Buffalo Hill)
- Exhibit F-1.....Photosimulations (Nashville)
- Exhibit F-2.....Photosimulations (Buffalo Hill)

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