COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT

Agenda of: January 22, 2015

Staff: Mel Pabalinas

SPECIAL USE PERMIT

FILE NUMBER: S14-0007/Verizon Wireless Telecommunications Facility–Missouri Flat

APPLICANT: Verizon Wireless

AGENT: Complete Wireless Consulting

ENGINEER: Borges Architectural Group, Inc

REQUEST: Special Use Permit to allow the construction and operation of a wireless telecommunication facility consisting of a 75-foot tall mono-oak with six panel antennas, equipment shelter, and related ground equipment within 30 foot x 40 foot lease area.

LOCATION: South side of U.S. Highway 50, approximately 2,800 feet south of the intersection with Missouri Flat Road, in the Diamond Springs area, Supervisorial District 3. (Exhibit A)

APN: 327-213-34 (Exhibit B)

ACREAGE: 12.42 acres

GENERAL PLAN: Commercial/Medium Density Residential (C/MDR) (Exhibit C)

ZONING: Commercial/One-Acre Residential-Design Control (C/R1A-DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;

2. Approve Special Use Permit S14-0007 based on the Findings and subject to the Conditions of Approval as presented.

ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal for Planning Commission consideration is provided in the following sections.

Site Description: The proposed facility is located on a 12.42-acre parcel with a mild topography from its high point in the southwest area of the property to its low point area in the southeast. A residence exists on the commercial-zoned southwest portion of the property. The site is located in mixed oak woodland dominated by blue oak with interior live oak. A total of 6.73 acres of oak woodland canopy occupies the property, which equates to 54 percent canopy coverage. The understory is relatively open and includes poison oak and various grasses wild oat and bedstraw.

Exhibit E is an aerial photo of the site which shows the subject site's land use and zoning designation and surrounding uses.

Project Description: In accordance with Section 130.14.210(D)(5a) (New Towers and Monopoles) and applicable standards under Section 130.14.210.E thru J of the Zoning Ordinance, this special use permit request would allow the construction and operation of a wireless telecommunications facility by Verizon Wireless. The facility would be confined within a 30-foot by 40-foot fenced lease area (Exhibit F). The facility includes a 10-inch diameter, 70-foot mono-oak with six antennas (two panel antennas per each of the three sectors) (Exhibit G). The mono-oak has been designed as a mono-oak with broad leaf oak foliage that matches the existing surrounding vegetation and would be painted to simulate a natural brown bark. The Verizon antennas, which would be covered with socks, are proposed be installed at the maximum height of the pole; however, the foliage would extend another five feet to an overall structure height of 75 feet. The facility has been designed for one additional carrier to be collocated at an approximate elevation of 58 feet on the mono-oak. Future collocation shall require a revision of this special use permit.

The facility also includes a pre-manufactured equipment shelter housing the electronic components operating the facility and a diesel generator providing a back-up source of power (Exhibits F and H). Utility trenching would occur to accommodate necessary infrastructures for power and telecommunication (Exhibit I).The facility would be confined in a six-foot tall chain link fence with brown privacy slats. A one-foot tall, three-strand barbed wire would be installed above the chain link fence for security purposes.

Access to the facility would be via an existing shared graveled driveway off Missouri Flat Road that serves the existing residence on the property. From this driveway, another dirt driveway would be utilized to serve the facility. This 12-foot wide driveway would be resurfaced with a four inch compacted aggregate base and include emergency turnouts (Exhibit I). The driveway terminates at the proposed facility with hammerhead design to accommodate vehicular turnaround.

The location of the facility is within the commercial-zone portion of the property and exceeds the minimum required commercial-zone setbacks (10 feet from the front and five feet from side and rear). It is located approximately 350 feet to the nearest northern perimeter, 533 feet to the northeastern perimeter (along Missouri Flat Road), 387 feet to the western property perimeter, and 152 feet to the southern perimeter, 360 feet to the eastern perimeter, and is located

approximately 235 feet from the residence on the property.

A total of 14 interior live oak and blue oak trees ranging up to 10 inches in trunk diameter would be removed with the construction of the facility. This amount of oak trees equates to 0.02 acre (<1%) of the existing 6.73 acre oak woodland canopy. Impact to oak canopy shall be conducted in accordance with General Plan Policy 7.4.4.4 including the required oak canopy replacement through on-site replanting of three blue-oaks and one interior live oak saplings in an area southwest of the facility. The replacement canopy would encompass 0.03 acre (or four mitigation oak trees), which is greater than the canopy removed resulting from project implementation (Exhibit J).

Consistency Analysis: A Special Use Permit is subject to consistency determination with applicable policies of the General Plan and provisions of the Zoning Ordinance. The following details the project consistency with these policies and provisions.

General Plan

There is no specific General Plan policy that regulates the construction and operation of a wireless facility. However, elements of the proposed facility are subject to consistency with applicable development policies in the General Plan.

The proposed facility is on a residential property that is predominantly surrounded by existing residential and commercial uses. The facility is designed to blend with the vegetative setting on the property and immediate area (GP 2.2.5.21 under Development Compatibility under Land Use Element). The facility would have direct and adequate access to utilities necessary for operation (G.P. 5.1.2.1-Adequate Utilities and Public Services under Public Services and Utilities) and site access off Missouri Flat Road (G.P. 6.2.3.2 -Adequate Access under Public Health, Safety, Noise Element).

In accordance with General Plan Policies 6.5.1.1 and 6.5.1.7 (Public Health, Safety, Noise Element), the noise generated from the facility would come from the operation of two air conditioners mounted externally on the northern wall of the equipment shelter and a standby diesel power generator for emergency use in the event of a power outage. These equipments are anticipated to generate noise based on the manufacturer specifications tailored for this facility. Staff has reviewed the specifications and verified conformance with the standards of the policies. Couple with sufficient setbacks of the facility from the bordering properties (see discussion above), varying site topography, and buffering from surrounding vegetation, noise from the intermittent operation of these equipments are anticipated to occur at a less than significant level.

Site development would require the preservation and removal of oak trees, in accordance with General Plan Policy 7.4.4.4 (Oak Canopy Preservation and Replacement under Conservation and Open Space Element). The submitted Oak Tree Preservation and Replacement Plan dated November 5, 2014 would preserve a total of 6.71 acre of canopy and remove 0.02 acre of canopy, which would be mitigated through on-site replanting.

Zoning Ordinance

Section 130.14.210.E thru J of the Zoning Ordinance details the applicable criteria for wireless facilities. Below is an analysis of these standards.

E. **Visual:** Photo-simulations of the facility are provided in Exhibit K. These photos demonstrate the facility blending with the setting of the property and surrounding area thereby minimizing its visual impacts.

F. **Development Standards:**

1. **Screening:** The facility would be enclosed within a chain link fence with privacy slats installed for minimizing views of the ground equipment. The mono-oak would blend with the existing tree canopy and vegetation on site and in the surrounding properties.

2. **Setbacks:** The facility is sited at a location on the property that exceeds the minimum standard Commercial Zone District yard setbacks of 10 feet front, five feet side, and five feet rear (Exhibit F). The nearest neighboring residence is located to the south approximately 235 feet from the facility.

3. **Maintenance:** Maintenance personnel would visit the site approximately once or twice a month during which the facility would be inspected to ensure proper operation. Conditions are recommended to require that the colors and materials of the equipment building and ground support equipment be maintained at all times and to be consistent with the features depicted in the visual simulations and elevations. A condition of approval has been included requiring the perpetual maintenance of the facility.

G. **Radio Frequency (RF) Requirements:** Section 130.14.210.G of the County Code requires that the applicant submit a report or summary of the estimates of non-ionizing radiation generated by the facility and maximum electric and magnetic field strengths at the edge of the facility site, as regulated by the Federal Communication Commission (FCC). A submitted RF analysis report (dated June 30, 2014) confirms compliance with the FCC Regulations under 47 C.F.R Section 1.1307(b) (3) and 1.1310 (Radio Frequency Radiation Exposure Limits) (Exhibit L).

H. **Availability:** This section requires that all communication facilities be available to other carriers as long as structural or technological obstacles do not exist. The monooak would be constructed with the ability to accommodate an additional carrier; however, no specific location and quantity antenna have been identified. Any separate future collocation would require a revision to this use permit, subject to review by the County.

I. **Unused Facilities:** This section requires that all obsolete or unused communication facilities be removed within six months after the use of that facility has ceased or the facility has been abandoned. The project has been conditioned to comply with this requirement.

J. **Other Permit Requirements:** This section required certain notification for telecommunication projects located within 1,000 feet of a school or in subdivisions

governed by CC&Rs. This project parcel is not governed by CC&Rs. The County consulted with Herbert C. Green Middle School, which is a part of the Mother Lode Union School District and is located at the northwest corner of Forni Road and Golden Center Drive, approximately 500 feet from the proposed project site. At the time of writing of the staff report, the District has not completed its review of the project. Any comments by the District shall be forwarded for the Planning Commission's consideration.

Exhibit M details the project description which includes a summary of site selection and the anticipated improvement to the wireless coverage in the local area. Another goal is to create one structure that could potentially accommodate other wireless service providers serving the area. The supplied analysis found the project site to be the most optimum to achieve their needed coverage area.

Based on the above, the project is found to be consistent with the applicable General Plan policies and provisions of the Zoning Ordinance. Additional discussion is provided under Findings of Approval.

Agency and Public Comments: The El Dorado-Diamond Springs Fire Department reviewed the special use permit and recommended conditions of approval regulating the construction and operation of the facility.

The proposed facility was reviewed for consistency with the Missouri Flat Design Guidelines by the Diamond Springs-El Dorado Community Advisory Committee. The committee's lone concern involves ensuring that the visibility of the facility is minimized, which is adequately addressed with the mono-oak design of the mono-oak and use of chain link fencing with privacy slats.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit N) to determine if the project has a significant effect on the environment. Based on the Initial Study, a Mitigated Negative Declaration has been prepared as specific impacts to Biological Resources have been identified requiring a mitigation measure to minimize the effects to a less than significant level.

Note: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a department fee after approval, but prior to the County filing the Notice of Determination (NOD) on the project. This fee plus a $50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The fee shall be forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Conditions of Approval
Findings

Exhibit A.....Location Map
Exhibit B.....Assessor's Parcel Map
Exhibit C.....General Plan Land Use Designations Map
Exhibit D.....Zoning Designations Map
Exhibit E.....Aerial Photo
Exhibit F.....Site Plan
Exhibit G.....Elevation Plan
Exhibit H.....Equipment Shelter and Generator
Exhibit I.....Preliminary Grading Plan
Exhibit J.....Revised Tree Survey, Preservation and Replacement Plan for the Missouri Flat Verizon Site; November 5, 2014
Exhibit K.....Photosimulations
Exhibit L.....Radio Frequency Report; June 30, 2014
Exhibit M.....Project Narrative
Exhibit N.....Proposed Mitigated Negative Declaration and Initial Study