

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: June 26, 2014

Staff: Joe Prutch

SPECIAL USE PERMIT

FILE NUMBER: S13-0014/AT&T Silva Valley Parkway Cellular Site (Mono-Oak)

APPLICANT: AT&T Mobility

AGENT: Allen Fink/DSI

ENGINEER: Jeffery Rome Associates

REQUEST: Special Use Permit to allow the construction of a wireless telecommunication facility consisting of a 65-foot mono-oak tower with 12 panel antennas, 2 microwave dishes, equipment shelter and related ground equipment.

LOCATION: Approximately 250 feet north of the end of Cabrito Drive and approximately 700 feet east of Silva Valley Parkway, in the Serrano El Dorado Hills Specific Plan area, Supervisorial District 1. (Exhibit A)

APN: 121-190-35 (Exhibit B)

ACREAGE: 3.2 acres

GENERAL PLAN: Open Space in the Serrano El Dorado Hills Specific Plan (Exhibit C)

ZONING: Open Space (OS) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration

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

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

2. Approve Special Use Permit S13-0014 based on the Findings and subject to the Conditions of Approval.

PROJECT INFORMATION

Project Description: Special use permit request to allow the construction of a wireless telecommunications facility consisting of a 25 foot by 34 foot lease area; 15 foot by 24 foot equipment shelter surrounded by a 7-foot CMU split face block wall, and a 65 foot mono-oak tower with 12 panel antennas and 2 microwave dishes. An approximately 800 foot long by one-foot wide trench would be excavated from the north corner of the equipment shelter downhill to the east side of Silva Valley Parkway.

Access to the project would be provided by a proposed 12-wide access easement along the existing paved driveway within El Dorado Irrigation District’s 42 foot wide road easement. The driveway begins at the end of Cabrito Drive, a private subdivision cul-de-sac road and ends at the project site.

Site Description: The site is located on a 3.2-acre parcel, approximately 926-feet above sea level. There are two existing water tanks and various accessory buildings on the site. The parcel is elevated on a knoll and is predominantly screened by the existing vegetation on three sides. The sides and tops of the water tanks are painted to look like the surrounding vegetation. The nearest existing residential property is located approximately 250 feet south of the proposed tower location.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	OS	AP	Water Tanks
North	OS	AP	Open space and school
South	OS and R1	AP	Open space and single-family residences
East	OS	AP	Open space
West	OS and R1	AP	Open space and school

STAFF ANALYSIS

The parcel is zoned OS. County Code Section 17.14.210(D)(5b) permits wireless communication facilities in the OS Zone District with an approved Special Use Permit, provided they follow standards and permitting requirements defined in Section 17.14.210 E-J of the County Code. These standards include screening, compliance with setbacks, and proper maintenance.

Project Issues: The primary issues with this project are aesthetics and land use compatibility. Other discussion items include emergency access and utilities.

Aesthetics: The proposed block wall enclosure would be visible from various surrounding local views. The top of the tower would be visible from various points in the surrounding area. The tower is designed to be a “mono-oak” (first in the County) to attempt to disguise the antennas and tower with brown and green colors and materials to mimic an oak tree. The antennas would each be painted to match the broadleaf oak tree leaves. The tower pole would include full bark cladding intended to mimic an oak tree trunk. As conditioned for the stated attributes, the facility is anticipated to be adequately camouflaged. Photo simulations are provided in Exhibits F-1 to F-3.

Land Use Compatibility: The site is immediately surrounded by open spaces on all sides. Further beyond the open spaces are residences to the south and a school to the northwest. Policy 2.2.5.21 directs that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. A cellular telecommunications facility is considered similar to a public utility facility, though owned privately. The project would be compatible and consistent with the open space land use designation because it has been designed to blend with the surrounding vegetation and colors of the water tank facility, as directed by Section 17.14.210 of the Zoning Ordinance. The facility components would be painted colors that would blend with the vegetation and the existing structures. As proposed and conditioned the communications tower would be consistent with these policies.

Adequate Access for Emergencies: The site is located at the end of an approximately 800 foot access driveway from Cabrito Drive, a private subdivision road. Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The access driveway is existing and currently being used by EID personnel. The plans were reviewed by the El Dorado Hills Fire Department for emergency ingress/egress capabilities. The Fire Department stated that they would be able to provide the site with fire and emergency medical services with incorporation of conditions of approval to include KNOX boxes installed to allow for emergency access through all gates and exterior doors. Therefore, the project would be in compliance with the General Plan Policy.

Utilities: Approximately 800 feet of trenching would be required to underground a four inch conduit from the electrical transformer located within the equipment shelter to a 36” by 60” vault located on the east side of Silva Valley Parkway. The trench would be located across EID’s water tank property and Serrano Associates, LLC vacant open space property as shown in the attached Sheet A-0 (Exhibit E-1). The trench is being located over the vacant open space property in a way to avoid any oak tree root zones. Trench location photos are included in Exhibit G.

Conclusion: The project has been reviewed in accordance with the General Plan policies for land use compatibility and access requirements, and it is found to be consistent with the General Plan.

Design and Development Standards

Section 17.14.210.B of the County Code requires that all wireless providers collocate their equipment on existing sites where possible. The tower is being proposed to provide in-building coverage in the local area and to fill up the cellular communications gap in coverage. Another goal is to create one structure that could potentially accommodate other wireless service providers serving the area. The coverage map identifies the project site to be the most optimum in providing in-building services to the Silva Valley Parkway corridor both north and south of Serrano Parkway. Coverage maps are included in Exhibit H.

Development Standards: Section 17.14.210.E thru J of the County Code requires that all wireless communication facilities meet certain criteria. Below is an analysis of these standards.

- E. **Visual:** Photo-simulations show the changes that are being requested under this action. The three simulations include a view looking southwest from the hiking trails above the tanks, a view looking northwest from Cabrito Drive and a view looking east and uphill from Silva Valley Parkway. The photo simulations would be used during the plan check permit process to ensure that the project conforms to the exhibits approved with the application. Photo simulations of the proposed wireless facility are included as Exhibits F-1 to F-3.

- F. **Development Standards:**
 - 1. **Screening:** The applicant is proposing to place equipment cabinets and support equipment within a 15 foot by 24 foot equipment shelter to be surrounded by a 7-foot tall CMU split face block wall with a 48 inch wide square tube access gate. The wall and gate will be painted to match existing walls at the water tank facility site. The pole tower will be a faux broadleaf oak tree with full bark cladding and fake tree limbs made to mimic an oak tree. The antennas will be painted to match the broadleaf oak tree leaves. As illustrated in the photo simulations, site plan, and elevations, the tower and ground equipment are designed to standards set by Zoning Code Section 17.14.210 to blend with the existing surrounding buildings and open space vegetation.
 - 2. **Setbacks:** The OS Zone District requires a 30-foot front, side, and rear setback from property lines for a structure such as a telecommunications facility and components. The Enlarged Site Plan, Sheet A-1 (Exhibit E-2), shows the side property line is 65 feet from the center of the proposed pole. The equipment shelter is 62 feet from the side property line, consistent with the OS zone district standards.
 - 3. **Maintenance:** Maintenance personnel would visit the site approximately once or twice a month, at which time the facility would be inspected to ensure proper operation. Conditions are recommended to require that the colors and materials of the equipment building, tower, 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 17.14.210.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). The RF analysis dated November 7, 2013, found that for a person anywhere at ground level, the maximum RF exposure level due to the installation of antennas was calculated to be 0.038 mW/cm^2 , which is 3.8 percent of the applicable public exposure limit. The maximum calculated level at the nearest residence is 1.0% of the public exposure limit, while the maximum calculated level at the Rolling Hills Middle School is 0.08%. The report validates the figures based on the FCC Regulations for measurements identifying quantitative standards for human exposure limits based on radio frequency emissions. Therefore, the risk of release of hazardous materials or emissions to the public was determined to be remote. A copy of the study is included as an attachment to the proposed Negative Declaration and Initial Study in Exhibit I.
- H. **Availability:** Section 17.14.210.H of the County Code requires that all existing communication facilities be available to other carriers as long as structural or technological obstacles do not exist. The tower would be constructed with AT&T antennas mounted at the 55 foot elevation and microwave dishes at 45 feet. The remaining lower portions of the tower may be able to accommodate other carriers.
- I. **Unused Facilities:** Section 17.14.210.I of the County Code 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:** Section 17.14.210.J of the County Code states certain notification requirements for projects located within 1,000 feet of a school or on residentially zoned lands governed by CC&Rs. The project parcel is not on residentially zoned land. However, the Rolling Hills Middle School is located within 1,000 feet of the proposed project site. As such, the application was routed to the Buckeye Union School District during initial consultation and no comments were received.

After review of the site plan and visual simulations, it has been determined that the proposed project complies with the zoning ordinance and the standards contained in Section 17.14.210.E through J. The aesthetic impacts associated with the project have been fully considered. As designed and conditioned, there are no unresolved issues with the project.

Public Comments: The project was reviewed by the Serrano El Dorado Owners' Association. In a letter dated February 12, 2014, their General Manager responded that they were "excited about the possibility of improving cell service in their community" but "had some concerns about the project that they will want to resolve." First, since Cabrito Drive is a private street owned by the Association, they will require that legal and practical impacts from this access

route are addressed to their satisfaction. Secondly, they want to assure the design of the project satisfies the aesthetic standards of the Serrano community and ask that the design be approved by Serrano's Architectural Control Committee.

To date, no public comments have been received concerning this project.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit I) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, therefore a Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Game Code Section 711.4, the project is subject to a fee of \$ 2,181.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,181.25 is 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

Attachments to Staff Report:

Conditions of Approval
Findings

Exhibit A.....Location Map
Exhibit B.....Assessor's Parcel Number Map
Exhibit C.....General Plan Land Use Designations Map
Exhibit D.....Zoning Designations Map
Exhibit E-1.....Site Plan, Sheet A-0; November 22, 2013
Exhibit E-2.....Enlarged Site Plan, Sheet A-1; November 22, 2013
Exhibit E-3.....Equipment Floor Plan, Sheet A-1.1; November 22, 2013
Exhibit E-4.....East and West Elevation, Sheet A-2; November 22, 2013
Exhibit E-5.....North and South Elevation, Sheet A-3; November 22, 2013
Exhibits F-1 to F-3.....Visual Simulations
Exhibit G.....Trench Location Photos (three pages)
Exhibit H.....AT&T Coverage Maps (two pages)
Exhibit I.....Proposed Negative Declaration and Initial Study