

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



Agenda of: December 11, 2014

Staff: Joe Prutch

SPECIAL USE PERMIT

FILE NUMBER: S14-0008/Alibi Verizon Wireless Cell Site

APPLICANT: Verizon Wireless

AGENT: Epic Wireless, Mark Lobaugh

REQUEST: Special Use Permit to allow the construction of a wireless telecommunication facility consisting of a 107.5 foot monopine tower with six panel antennas, equipment shelter, related ground equipment, emergency standby generator, and a gravel access drive.

LOCATION: On the south side of Union Mine Road, approximately one mile southeast of the intersection with Highway 49 and Union Mine Road, in the El Dorado area, Supervisorial District 3. (Exhibit A)

APN: 331-270-01 (Exhibit B)

ACREAGE: 8.51 acres

GENERAL PLAN: Medium Density Residential (Exhibit C)

ZONING: Residential Estate Five-Acre (RE-5) (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 S14-0008 based on the Findings and subject to the Conditions of Approval as presented.

PROJECT INFORMATION

Project Description: Special use permit request to allow the construction of a wireless telecommunications facility consisting of a 22 by 46 foot lease area with a 12 by 16 foot concrete equipment shelter surrounded by a six foot tall chain link fence topped with one foot of barbed wire, and a 102.5 foot monopine tower with six panel antennas at the 99.5 foot level. With manufactures pine tree branches atop the pole the monopine will have an ultimate height of 107.5 feet. An approximately 350 foot long and twelve foot wide access road would be built from the end of an existing paved driveway to the tower facility. One turnout will be added along the existing paved driveway and a hammerhead turnout will be constructed near the top of the new access road. A ten by five foot concrete pad adjacent to the equipment shelter will accommodate a 30kW emergency standby generator with a 132 gallon gas tank. Two HVAC units will be mounted to the equipment shelter to keep the indoor equipment cool.

The tower height will allow for two additional carriers to collocate antennas and microwave dishes.

Site Description: The site is located on an 8.51-acre parcel, approximately 1,810 feet above sea level. There is a single family residence and detached garage and carport in the middle of the site with a paved 12 foot wide driveway leading from Union Mine Road to the structures. The parcel is on a hillside with an elevation range of 1,710 to 1,840 feet and is heavily vegetated with oak, pine trees, and grasses. The existing and proposed structures will not be visible from public roads or nearby residences. Only the top portion of the monopine will be visible. The nearest existing residence is located over 500 feet from the proposed tower location while the nearest property line is 52 feet to the west. Trees surrounding the monopine are approximately 50-60 feet in height with one tree measuring approximately 100 feet.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	MDR	Single Family Residence
North	R1A and R1	MDR and HDR	Single Family Residences
South	AE	MDR	Undeveloped Agricultural Land
East	RE-10	MDR	Single Family Residences
West	AE	MDR	Undeveloped Agricultural Land

STAFF ANALYSIS

The parcel is zoned Residential Estate Five-Acre (RE-5). Zoning Ordinance Section 17.14.210(D)(5b) permits wireless communication facilities in the RE-5 Zone District with an approved Special Use Permit, provided the applicant follows standards and permitting

requirements defined in Section 17.14.210 E-J of the Zoning Ordinance. These standards include screening, compliance with setbacks, and proper maintenance.

General Plan: Policy 5.6.1.4 states, “Special Use Permits shall be required for the installation of community telecommunications facilities (e.g. microwave towers) in residential areas to ensure that siting, aesthetics, environmental issues, surrounding land uses, and health and safety concerns are considered.” The applicant has designed the wireless communication facility in compliance with County regulations addressing siting and surrounding land uses, aesthetics, environmental issues, and health and safety concerns.

Oak Canopy

Policy 7.4.4.4 allows 40 percent of the existing oak canopy to be removed from a project site when the site contains 80-100 percent oak woodland canopy cover.

According to the “*Tree Survey, Preservation, and Replacement Plan for the Alibi Verizon Site*” (Foothill Associates, 05/09/14 and 10/16/14), the majority of the 8.51 acre property is composed of montane hardwood-conifer woodland. Approximately 6.21 acres of oak canopy exists on the property, therefore the site has a total oak canopy coverage of 73 percent. The proposed development will require removal of eight trees or 0.03 acres of oak tree canopy. An oak woodland canopy map is included in Exhibit G. Removal of these trees will have no significant effect in the quality of oak woodland habitat in and around the project site. Under the Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.4.4.4 (Option A), 200 trees must be planted for every acre of impacted oak tree canopy. Based on the formula of 0.03×200 , the applicant will be required to replant six oak trees. The Plan recommends the replacement trees be two black oaks, three blue oaks and one interior live oak. There are small clearings within the existing woodland on the property for planting of oak trees. The project will be conditioned accordingly.

Land Use Compatibility

The site is surrounded by rural residences to the north and east with Union Mine High School approximately 1,000 feet to the east. Undeveloped agricultural land abuts to the south and west, as hilly land that is covered mostly with oaks and other trees and grasses. Policy 2.2.5.21 directs that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. A cell tower facility is considered similar to a public utility facility, though owned privately. The project would be compatible and consistent with the adjacent residential and agricultural land use designations because it has been designed to blend with the surrounding vegetation and colors, as directed by Section 17.14.210 of the Zoning Ordinance. The tower and antennas would be painted natural colors and covered in fake branches to blend with the vegetation. None of the ground equipment would be visible to the public. As proposed and conditioned, the communication tower would be consistent with these policies.

Adequate Access for Emergencies

The site is located on a residential parcel fronting Union Mine Road. A 350 foot long paved twelve foot wide driveway provides access from Union Mine Road to the residence. 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 the resident and could be used by emergency vehicles. A small turnout will be built midway between Union Mine Road and the residence. The additional 350 feet of access road from the residence to the cell tower site will be built to proper size and materials to accommodate emergency vehicles and include a hammerhead turnout near the top of the road. The Diamond Springs/El Dorado Fire Protection District would be able to provide the site with fire and emergency service protection with incorporation of conditions of approval to include KNOX boxes installed to allow for emergency access through gates and exterior doors, and approval of grading plans for the new access road to the site. Therefore, the project would be in compliance with this General Plan Policy.

Conclusion

Staff finds that the project, as proposed and conditioned, conforms to the General Plan.

Zoning Ordinance: Section 17.14.210 of the County Zoning Ordinance regulates wireless communication facilities. Section 17.14.210.B of the Zoning Ordinance requires that all wireless providers collocate their equipment on existing sites where possible. The tower is being proposed to provide additional coverage and capacity in the El Dorado area and along Highway 49. Another goal is to create one structure that could potentially accommodate other wireless service providers serving the area.

Section 17.14.210.E thru J of the Zoning Ordinance requires that all wireless communication facilities meet certain criteria. Below is an analysis of these standards.

- E. Visual: Photo-simulations show the development that is being requested under this action. The three simulations include a view looking southeast from Highway 49 at Union Mine Road, a view looking south along El Dorado Street, and a view looking east from Highway 49. In the first two simulations the monopine will be visible near the top of the hill, but not visible along Highway 49 south of the Union Mine Road intersection. The use of manufactured branches, pine needle socks and non-reflective green and brown paint will help camouflage the pole and antennas to better blend with the surroundings. The photo simulations would be used during the plan check permit process to ensure that the project conforms to the approved exhibits. Photo simulations of the proposed wireless facility are included as Exhibit F.

- F. Development Standards:
 - 1. Screening: The applicant is proposing to place equipment cabinets and support equipment within a 12 by 16 foot equipment shelter to be surrounded by a 6-foot tall chain link fence with one foot of barbed wire. The ground equipment will not be visible to the public because of the heavy vegetation on the 8.51 acre property. The pole tower will be monopine with dark brown color pole and tree branches made to mimic a pine tree. The antennas will be painted to match the pine needles. As illustrated in the photo simulations, site plan, and elevations, the tower and ground equipment are designed to blend with the existing surroundings, consistent with Zoning Ordinance Section 17.14.210

2. Setbacks: The RE-5 Zone District requires a 30-foot front, side, and rear setback from property lines for the telecommunications facility and components. The *Overall Site Plan, Sheet A-1* (Exhibit E-1), shows the side property line is 52 feet from the corner of the fenced lease area, 61 feet from the base of the pole, and 65 feet from the equipment shelter, consistent with the RE-5 zone district standards.
3. Maintenance: Maintenance personnel would visit the site approximately 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 to be consistent with the features depicted in the visual simulations and elevations. A condition of approval has been included requiring the continued maintenance of the facility.

G. Radio Frequency (RF) Requirements

Section 17.14.210.G of the Zoning Ordinance 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 July 2, 2014, found that the tower antennas are predicted to contribute less than five percent of the Maximum Permissible Exposure limits. The report concluded that the RF emissions from this tower will not exceed the maximum permissible human exposure limits set by the FCC.

H. Availability

Section 17.14.210.H of the Zoning Ordinance 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 107 feet tall with Verizon antennas mounted at the 100 foot level. The remaining lower portions of the tower will be able to accommodate up to two other carriers.

I. Unused Facilities

Section 17.14.210.I of the Zoning Ordinance 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 Zoning Ordinance provides 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 on residentially zoned land not governed by any homeowner's association. The Union Mine High School is located approximately 1,000 feet from the project site. As such, the application was routed to the Mother Lode School District during initial consultation and no comments were received.

Conclusion

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.

Noise: The project includes two air conditioning units and one emergency standby generator that are the primary noise sources. Because of the site's isolated location from nearby residences and dense vegetation, it is not expected that noise generated by the project would impact any sensitive receptors. The closest sensitive receptor (residence) is more than 500 to the north, while the closest property line is 52 feet to the west.

Policy 6.5.1.7 of the General Plan states that noise created by new point noise source shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses, such as residences. In community regions the exterior noise level standard is applied at the nearest property line. Noise data for typical air conditioner units and backup generators was provided with the application. This data shows that noise levels for the air conditioning units are 50.0 dB at the nearest property line to the west, which is below the 55 dB nighttime, 60 dB evening, and 70 dB daytime thresholds from Table 6.2. The generator will create noise levels of 56.8 dB at the nearest property line; above the nighttime threshold but below the evening and daytime thresholds. Since periodic testing of the generator would only occur during daytime hours, as conditioned, no noise mitigation measures would be warranted for the project. Noise from the facility is not likely to be heard by nearby residences.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist Form and Discussion of Impacts, Exhibit I) to determine if the Special Use project may have 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, and a Negative Declaration has been prepared.

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 Map
Exhibit D.....	Zoning Map
Exhibit E-1.....	Overall Site Plan, Sheet A-1; June 26, 2014
Exhibit E-2.....	Enlarged Site Plan, Sheet A-2; June 26, 2014
Exhibit E-3.....	Equipment and Antenna Layouts, Sheet A-3; June 26, 2014
Exhibit E-4.....	Southern Elevations, Sheet A-4.1; June 26, 2014
Exhibit E-5.....	Northern Elevations, Sheet A-4.2; June 26, 2014
Exhibit F.....	Visual Simulations (three pages)
Exhibit G.....	Oak Woodland Canopy Map
Exhibit H.....	Verizon Coverage Maps (two pages)
Exhibit I.....	Proposed Negative Declaration and Initial Study