

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



Agenda of: November 13, 2014

Staff: Bianca Dinkler

SPECIAL USE PERMIT

- FILE NUMBER:** S14-0004/Verizon Wireless Communication Facility (Mono-Pine)
- APPLICANT:** Verizon Wireless
- AGENT:** Alan Heine
- ENGINEER:** HMH Design Group
- REQUEST:** Special Use Permit to allow the construction of a wireless telecommunication facility consisting of an 85-foot monopine tower with antennas mounted at 78-feet, equipment shelter, and related ground equipment.
- LOCATION:** The northwest side of Lake Vista Lane, approximately 1,050 feet west of the intersection with Arroyo Vista Way, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)
- APN:** 126-051-17 (Exhibit B)
- ACREAGE:** 10.0 acres
- GENERAL PLAN:** Low Density Residential (LDR) (Exhibit C)
- ZONING:** Estate Residential 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 S14-0004 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 an 85-foot monopine with three Verizon Wireless antennas that each measure 6 feet tall by 12 inches wide by 7 inches deep mounted at the 78 foot pole height, and a 12x16 foot equipment shelter within a 22x40 foot lease area enclosed with a six foot tall fence of slatted chain link or other solid non-combustible material. Access to the site would be provided by a 15-foot non-exclusive Verizon Wireless access easement off the existing driveway located at the end of Lake Vista Lane, a private road within the Arroyo Vista Subdivision. (Exhibit F-1 and F-4)

Site Description: The site is located on a 10.0-acre parcel, approximately 1,082-feet above sea level. There is a single-family residence and one accessory structure on the site. The parcel is slightly elevated and is screened from long distance views by existing vegetation. The closest residence is located approximately 400 feet north of the proposed tower location.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	LDR	Single-family residence and an accessory structure
North	RE-10	LDR	Single-family residence
South	RE-5	LDR	Single-family residence
East	RE-5	LDR	Single-family residence
West	RE-10	LDR	Undeveloped

STAFF ANALYSIS

The parcel is zoned Estate Residential Five-Acre (RE-5). Paragraph 17.14.210 D.5.b of the El Dorado County Zoning Ordinance permits wireless communication facilities in the RE-5 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 Zoning Ordinance. These standards include screening, compliance with setbacks, and proper maintenance.

GENERAL PLAN

Aesthetics: The proposed mono-pine tower would be visible from various points in the surrounding area and views. The wireless communication tower would be designed to resemble a Grey Pine tree with antennas located in faux branches. The tower pole would be painted to

match the bark color of a Grey Pine tree. Photo simulations are provided in Exhibits H-1 to H-2. The mono-pine design will camouflage the facility to blend in with the surrounding vegetation.

Land Use Compatibility: The site is surrounded by residentially zoned parcels. Policy 2.2.5.21 requires development projects to 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 privately-owned. The project would be compatible and consistent with the Low Density Residential (LDR) land use designation because it has been designed to blend in with the surrounding vegetation and colors as directed by Section 17.14.210 of the Zoning Ordinance. As proposed with recommended conditions, the wireless communications facility would be consistent with these policies.

Adequate Access for Emergencies: The site is located at the end of Lake Vista Lane, a private subdivision road in the Arroyo Vista Subdivision. 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 would be from an existing driveway that serves the single-family residence on site. A 420-foot gravel road extension from the driveway would be constructed to go around an existing accessory structure. 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: Verizon Wireless proposes to utilize the current electrical feeds located approximately 475-feet away from the tower site, along the entrance driveway. They propose to bore from that location over to the site to avoid damage from trenching. The connections would be made underground.

Oak Tree Canopy: No oak trees will be required for installation of the cell tower facility. The arborist report recommends only pruning of the existing oak tree canopy is required. Staff recommends a condition requiring said pruning to be performed by a qualified professional arborist or forester to ensure continued viability of the subject oak trees. (*Oak Canopy Survey for the Property at 1521 Lake Vista Lane, El Dorado Hills El Dorado County, CA*, Natural Investigations Co, September 25, 2014).

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

ZONING ORDINANCE

Design and Development Standards

Section 17.14.210.B of the Zoning Ordinance requires that all wireless providers collocate their equipment on existing sites where possible. Another goal is to create one structure that could

potentially accommodate other wireless service providers serving the area. The applicant provided a site justification statement identifying the proposed site as the most optimum in providing services to the Salmon Falls Road corridor. The proposed tower would allow up to three antenna elevations for other carriers to collocate in the future.

Development Standards: Section 17.14.210 E-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 changes that are being requested under this action. The four simulations include a view looking west from Arroyo Vista Way at Lake Vista Lane and a view looking northeast from Lakehills Drive representing the skyline silhouette. 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 H-1 to H-2.

- F. **Development Standards:**
 - 1. **Screening:** The applicant is proposing to place equipment cabinets and support equipment within a 12x16 foot equipment shelter located within a 22x40 foot lease area. The lease area will be surrounded by a six foot tall fence of chain link or other solid non-combustible material. The shelter will be painted to match the natural color scheme. The tower pole will be painted to match the natural color scheme and will have tree limbs resembling a Grey Pine. The antennas will be painted to match the branch color and will have pine needle socks installed around them to reduce visual impact. As illustrated in the photo simulations, site plan, and elevations, the tower and ground equipment are designed to blend with the native oak and pine tree vegetation in compliance with standards under Section 17.14.210 of the Zoning Ordinance.
 - 2. **Setbacks:** The RE-5 Zone District requires a 30-foot front, side, and rear setback from property lines for a structure. The telecommunications facility and equipment shelter are located over 100 feet from all property lines (Exhibit F-1) and is therefore consistent with the RE-5 Zone District setback 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 regular 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 Radio Frequency (RF) analysis dated June 2, 2014 (Exhibit I) found that for a person anywhere at ground level, the maximum RF exposure level due to the installation of antennas was calculated to be 0.054 mW/cm² which is 0.90 percent of the applicable public exposure limit. The maximum calculated level at the second floor of any nearby residence is 2.0 percent of the applicable public exposure limit. 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 (Exhibit J).

- 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 constructed with three each, 6 feet tall by 12 inches wide by 7 inches deep, Verizon Wireless antennas mounted at the 78 foot elevation. The remaining portion of the tower will be able to accommodate up to three antenna elevations to 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 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 within 1,000 feet of a school, however it is located on residentially zoned land governed by CC&R's. As such, the application was routed to the Arroyo Vista Homeowners Association.

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: To date, one phone call was received requesting general information on the proposed project.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit J) 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.....Title Sheet, Sheet T-1, May, 21, 2014
Exhibit F-1.....Overall Site Plan, Sheet C-1, May 21, 2014
Exhibit F-2.....Project Area Enlargement, Sheet C-2, May 21, 2014
Exhibit F-3.....Plot Plan/Site Topography, Sheet C-3, May 21, 2014
Exhibit F-4.....Plot Plan/Site Topography, Sheet C-4, May 21, 2014
Exhibit G-1.....Site Plan, Sheet A-1, May 21, 2014
Exhibit G-2.....Elevations, Sheet A-2, May 21, 2014
Exhibit G-3.....Elevations, Sheet A-3, May 21, 2014
Exhibit H-1.....Photo Simulations, May 21, 2014
Exhibit H-2.....Photo Simulations, May 21, 2014
Exhibit I.....Proposed Negative Declaration and Initial Study