

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



Agenda of: April 23, 2015

Staff: Mel Pabalinas

SPECIAL USE PERMIT

FILE NUMBER: S14-0011/Verizon Wireless Telecommunications Facility–Merrychase Drive

APPLICANT: Verizon Wireless

AGENT: Complete Wireless Consulting

ENGINEER: HMM Design Group

REQUEST: Special Use Permit to allow the construction and operation of a wireless telecommunication facility consisting of an 85-foot tall mono-oak pole with a maximum of eight panel antennas, an equipment shelter, and related ground equipment within a 31 foot x 34 foot lease area.

LOCATION: North of U.S. Highway 50, approximately 574 feet west along Merrychase Drive from its intersection with Cambridge Road, in the Cameron Park area, Supervisorial District 2. (Exhibit A)

APN: 082-421-05 (Exhibit B)

ACREAGE: 0.70 acre

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: Planned Commercial-Design Control (CP-DC) (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;
2. Approve Special Use Permit S14-0011 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 commercially developed lot with an automotive service shop (European Performance), which was approved under Design Review Permit DR86-0033 and Special Use Permit S86-0030 in 1986. The approved commercial development consists of a 4,300 square foot building housing the shop, a parking lot area, and landscape area with three oak trees. Site elevation varies from approximately 1,174 feet along its southern property line to 1,169 feet along the northern property line. Access to the site is via an existing driveway off Merrychase Drive.

Exhibit E is an aerial photo of the site which shows the subject site's land use and zoning designation, and surrounding uses, which consist primarily of commercial uses. The nearest residential use is an apartment complex located at the northwest corner of Greenwood Lane and Merrychase Drive, approximately 412 feet west of the project site.

Project Description: In accordance with Section 130.14.210(D)(5a) (New Towers and Monooaks) 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 proposed facility would be confined within a 31-foot by 34-foot fenced lease area (Exhibit F). The facility includes a 10-inch diameter, 85-foot monooak with a total of eight antennas at two panel antennas per each of the four sectors located at the 77-foot elevation (Exhibit G). The antennas would be covered with socks for further camouflaging. The monooak has been designed as a mono-oak with broad leaf oak foliage that matches the surrounding oak trees and would be painted to simulate a natural brown bark using Kelly Moore "Log Cabin" color (ID # KMA76). The facility has been designed for three additional carriers for co-location, which will require a revision of this special use permit when proposed.

The wireless facility includes a 16 feet 10 ½ inches x 11 feet 6 inches pre-manufactured equipment shelter housing the electronic components operating the facility and a diesel generator providing a back-up source of power. The facility would be confined in an 8-foot tall precast concrete block wall with two gate openings on the western and eastern perimeters. Vines would be planted on three sides of the wall providing vegetative screening. Each shelter and generator would be constructed on a cement slab.

The facility would be powered by existing power lines adjacent the project site. New overhead power lines would be extended from an existing transformer in the north to a drop pole adjacent to the project site. The lines would be extended into the facility via a 5-foot wide utility trench which runs along long front section of the landscape area of the parking lot (Exhibit H). Construction of the facility would have a minor effect to the roots of an adjacent Blue oak tree (Tree #141); however, to avoid full impact of the tree, protection measures detailed in the Arborist Report by Foothills Associates (dated September 17, 2014) shall be applied and implemented as conditions to the project (Exhibit I).

The location of the facility exceeds the minimum yard setbacks (10 feet from the front and five feet from side and rear) required under the zoning. It is located approximately 114 feet from the northern perimeter line along Merrychase Drive, seven feet to the eastern perimeter line, 110 feet to the western perimeter line, and 45 feet to the southern perimeter line. It is sited approximately 60 feet from the automotive service shop on the property (Exhibit F).

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 an existing commercially developed property surrounded by other commercial uses. The facility is designed to blend with the vegetative setting on the property and immediate area (General Plan Policy 2.2.5.21- Development Compatibility). The facility would have direct and adequate access to utilities necessary for operation (General Plan Policy 5.1.2.1- Adequate Utilities and Public Services) and site access off Merrychase Drive (General Plan Policy 6.2.3.2- Adequate Access). In accordance with General Plan Policy 6.5.1.7, the anticipated noise effects generated by standard facility operation would be minimized with the use of perimeter precast concrete block wall and application of sufficient setbacks.

Zoning

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 J. These photos demonstrate the facility blending with the setting of the property and surrounding area thereby minimizing any aesthetic or visual impacts.

F. **Development Standards:**

1. **Screening:** The facility would be enclosed behind an 8-foot tall precast concrete block wall minimizing views of the ground equipment. The wall would have vines planted on its exterior, providing landscape cover to the facility. The broad leaf oak design of the monooak would blend with the existing oak canopy on site and in the immediate area.

2. **Setbacks:** The location of the facility complies with the minimum setback standards of the Planned Commercial Zone District. There is no specific setback requirement corresponding to the monooak.

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 would be applied requiring 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 project exhibits. 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 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). A submitted RF analysis report (dated August 27, 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 K).
- 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 three additional carriers. 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. Camerado Springs Middle School, which is located approximately 500 feet west of the proposed project site along Merrychase Drive, was consulted as part of the Technical Advisory Committee (TAC) review of the project; however, no response was received. There is no active CC&R that affects the property.

Exhibit L details the project description which includes a summary of site selection and the anticipated improvement to the wireless coverage in the local 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: Agency comments from Air Quality Management District, Environmental Health-Solid Waste Division, and Cameron Park Fire Department have been applied as project conditions of approval.

The Cameron Park Design Review Committee (CPDRC) reviewed the proposed project and posed concerns regarding visibility of the facility. CPDRC recommended screening of the ground equipment with perimeter block wall around the lease area and planting of trees along Merrychase Drive. The project was revised replacing the original cyclone fencing with a precast concrete wall, but elected not to plant the trees as this could limit the visibility of the existing automotive shop business from the frontage road. County staff further recommended that vines be planted along wall, which would add landscape screening to the wireless facility.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit M) to determine if the project has a significant effect on the environment. Based on the Initial Study, a Negative Declaration concluding that the project would not pose any significant impacts has been prepared.

In accordance with State Legislation (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 (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 \$2,210.00 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

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.

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.....	Preliminary Grading Plan
Exhibits I.....	Arborist Report; March 9, 2015
Exhibit J.....	Photosimulations
Exhibit K.....	Radio Frequency Report; August 27, 2014
Exhibit L.....	Project Narrative
Exhibit M.....	Negative Declaration/Initial Study