

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



Agenda of: November 12, 2015

Staff: Joe Prutch

SPECIAL USE PERMIT

FILE NUMBER: S15-0007/Indian Creek Verizon Wireless

APPLICANT: Verizon Wireless

AGENT: On Air LLC, Alan Heine

REQUEST: Special Use Permit to allow the construction of a wireless telecommunication facility consisting of a 75 foot monopine tower with six panel antennas, equipment shelter, related ground equipment, emergency standby generator, and a gravel and paved access drive.

LOCATION: On the north side of Green Valley Road, approximately 750 feet east of the intersection with Mortara Circle, in the Placerville area, Supervisorial District 4. (Exhibit A)

APN: 317-250-56 (Exhibit B)

ACREAGE: 16.26 acres

GENERAL PLAN: Low Density Residential with IBC Overlay (LDR/IBC) (Exhibit C)

ZONING: Residential Estate Five-Acre (RE-5) (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; and
2. Approve Special Use Permit S15-0007 based on the Findings and subject to the Conditions of Approval/Mitigation Measures as presented.

PROJECT INFORMATION

Project Description: Special use permit request to allow the construction of a wireless telecommunications facility consisting of a 32 by 32 foot lease area with an 11.5 by 17 by 10.5 foot equipment shelter surrounded by an eight foot tall chain link fence topped with one foot of barbed wire, and a 70 foot monopine tower with six panel antennas at the 67 foot level. With manufactured pine tree branches atop the pole the monopine will have an ultimate height of 75 feet. The tower height will allow for two additional carriers to collocate antennas and microwave dishes. An approximately 435 foot-long, 12 foot wide access road would be built to the tower facility from the beginning of an existing paved driveway from Green Valley Road. This new access road will be mostly gravel with some areas paved where the road slopes range from 15 – 19 percent. One hammerhead turnout will be constructed near the end of the new access road. A 7 by 13 foot concrete pad near the equipment shelter will accommodate a 30kW emergency standby generator. Two HVAC units facing east will be mounted to the equipment shelter to keep the indoor equipment cool.

The tower is being proposed at this location to handle capacity issues in the area and, to a lesser extent, cover gaps in coverage (Exhibit E). The existing wireless system in the area is becoming overwhelmed by more users and uses that are enhanced by 4G operational attributes. This requires more capacity and the only way to overcome the signal loss is to build a new facility.

Site Description: The project site is located on the front half of a 16.26 acre parcel, ranging in elevation from 1,465 to 1,555 feet. No development would occur on the rear half of the lot. There is a single family home and garage on the front half of property with a paved 12-foot wide driveway from Green Valley Road and a gravel road leading to other out buildings. There is a small pond and creek located in the rear half of the lot that will not be impacted by this project. The parcel is covered in grasses and oak trees and spotted with pine and various other trees. The existing and proposed structures will be visible from Green Valley Road and nearby residences. The monopine is situated between other oak and pine trees on the property. The nearest off-site residence is approximately 470 feet east of the proposed tower location while the nearest property line is 123 feet to the east. An elementary school and college are located along Green Valley Road over 1,800 feet east of the project site.

STAFF ANALYSIS

The parcel is zoned Residential Estate Five-Acre (RE-5). Zoning Ordinance Section 130.14.210(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 130.14.210 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.

Land Use Compatibility

The site is surrounded by rural residences on five plus acre properties. One undeveloped property is adjacent and to the west and one agricultural property is adjacent and to the northeast. 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 privately owned. 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 130.14.210 of the Zoning Ordinance. The tower and antennas would be painted natural colors and covered in fake branches to blend with the surrounding vegetation. Very little, if any, of the ground equipment would be visible to the public from Green Valley Road as the lease area is approximately 300 feet uphill from the road. The tower would be visible from Green Valley Road and neighboring residences because of its overall height. As proposed and conditioned, the communication tower would be consistent with these policies.

Utilities: Verizon Wireless proposes to utilize the current electrical feed located 485 feet from the tower site, along the entrance driveway. They propose to bore from that location over to the site to avoid dust from trenching. They will also utilize the existing UG Fiber connection located 500 feet from the tower along Green Valley Road. The connections would be made underground. No other utilities are required to operate the site.

Adequate Access for Emergencies

The site is located on a residential parcel fronting Green Valley Road. An existing paved driveway currently provides access from Green Valley 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 for the facility will come off the paved driveway and wind its way uphill to the lease area. The Fire Department has conditioned this access road to be gravel up to 15 percent slopes and paved above 15 to 19 percent slopes. The applicant estimates that 90 feet of the access road will need to be paved while the rest can be graveled. A hammerhead turnaround will be built within 50 feet of the lease area. 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.

Oak Canopy

The applicant has designed the project, including the location of the lease area, access road, and hammerhead turnout, to avoid all oak tree canopy on the site. Because no oak trees will be impacted by the proposed development, no oak tree mitigation is required and the project is consistent with Policy 7.4.4.4 of the General Plan.

Conclusion

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

Zoning Ordinance: Section 130.14.210 of the County Zoning Ordinance regulates wireless communication facilities. Section 130.14.210.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 capacity and coverage in the Placerville area and along Green Valley Road. Another goal is to create one structure that could potentially accommodate other wireless service providers serving the area.

Section 130.14.210.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 two simulations include a view looking directly north from Green Valley Road near the existing driveway and a view looking northwest from Green Valley Road 600 feet east of the driveway. In the first simulation the monopine will be visible near the top of the hill, but will be screened by other oak trees nearby. In the second simulation the monopine is barely visible through the oaks trees along Green Valley Road. 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 G.
- F. Development Standards:
 - 1. Screening: The applicant is proposing to place equipment cabinets and support equipment within an 11.5 by 17 foot equipment shelter to be surrounded by an eight foot tall chain link fence with one foot of barbed wire. The ground equipment and shelter will barely be visible to the public because of the distance from the road or neighbor residences and the oaks trees around the lease area. The pole tower will be monopine with brown color pole and tree branches made to mimic a pine tree. The antennas will be painted and socked 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 130.14.210
 - 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 *Plot Plan and Site Topography, Sheet C-1* (Exhibit E), shows the fenced lease area is well over 30 feet from all property lines, 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 and the generator would be tested. 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. Conditions of approval have been included requiring the continued maintenance of the facility and specific times of the day for testing the generator.

- 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). The RF Report dated March 19, 2015, found that the tower antennas are predicted to contribute less than one percent of the Maximum Permissible Exposure limits to any person on the ground or to the second floor elevation of a nearby building. 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 130.14.210.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 75 feet tall with Verizon antennas mounted at the 67 foot level. The remaining lower portions of the tower will be able to accommodate up to two other carriers.
- I. Unused Facilities: Section 130.14.210.I of the Zoning Ordinance requires that all obsolete or unused communication facilities be removed within six months after the use of the facility has ceased or the facility has been abandoned. The project has been conditioned to comply with this requirement.
- J. Other Permit Requirements: Section 130.14.210.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 CC&Rs and there is no school within 1,000 feet of the proposed tower. The elementary school and college are located over 1,800 feet east of the project site.

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 130.14.210.E through J.

Noise: The project includes two air conditioning units and one emergency standby generator that are the primary noise sources. The air conditioning units could run throughout the day; however the generator would only run for 20 minutes twice a month during testing and for longer durations during power failures.

Policy 6.5.1.7 of the General Plan states that noise created by a 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 rural regions, the exterior noise level standard is applied at 100 feet away from the residence. The nearest residence is 470 feet away, so noise calculations were done at 370 feet. 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 50 feet, or approximately 28 dB at 370 feet, 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 59.0 dB at 23 feet, or approximately 29 dB at 370 feet; again below the thresholds from Table 6.2. No noise mitigation measures are 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 (Exhibit H). Based on the Initial Study, measures have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as mitigated, would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared.

In accordance with California Department Fish and Game (CDFG) Code Section 711.4, the project is subject to a CDFG fee 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 CDFG fee 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

Findings

Conditions of Approval/Mitigation Measures

Exhibit A.....Location Map

Exhibit BAssessor's Parcel Number Map

Exhibit CGeneral Plan Map

Exhibit D.....Zoning Map

Exhibit EVerizon Coverage Maps

Exhibit F.....Site Plans and Elevations; dated January 14, 2015

Exhibit G.....Visual Simulations

Exhibit H.....Proposed Mitigated Negative Declaration and Initial Study