

**COUNTY OF EL DORADO PLANNING AND BUILDING
DEPARTMENT
PLANNING COMMISSION
STAFF REPORT**



Agenda of: January 9, 2020

Staff: Aaron Mount

CONDITIONAL USE PERMIT

FILE NUMBER: CUP18-0012/Horizon Tower Bavarian Hills (Camino/Apple Hill)

APPLICANT/AGENT: Horizon Tower, c/o John Merritt

PROPERTY OWNER: Richard and Leslie Bush

REQUEST: Conditional Use Permit to allow the construction and operation of a 125-foot high monopine wireless communication facility within a 40-foot x 40-foot fenced lease area. The tower is designed to carry four carriers, each with up to four sectors of three antennas and three RRUS, 12 antennas total and 12 RRUS total for each carrier.

LOCATION: Northern terminus of High Hill Road, approximately 2,800 feet northwest of the intersection with Carson Road, in the Camino/Apple Hill area, Supervisorial District 3. (Exhibit A)

APN: 048-090-004 (Exhibit B)

ACREAGE: 52.24 acres (Exhibit B)

GENERAL PLAN: Agricultural Lands-Agricultural District (AL-A) (Exhibit C)

ZONING: Planned Agricultural-Twenty Acre (PA-20) and Timber Production (TPZ). The project is within the TPZ zoned portion of the property. (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;

2. Adopt the Mitigation Monitoring Reporting Program in accordance with California Environmental Quality Act Guidelines Section 15074(d), incorporated as Conditions of Approval; and
3. Approve Conditional Use Permit CUP18-0012 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of this Conditional Use Permit would allow for the operation of an unmanned wireless communication facility consisting of a 125-foot high monopine tower to be constructed at 2650 High Hill Road (APN 048-090-004) in the Camino/Apple Hill area. The height of the proposed tower is needed to create direct line of site to provide broadband internet and wireless network coverage in the rural areas of the County. Section 130.40.130 of the Zoning Ordinance regulates Wireless Communication facilities, which allows the use within the agricultural zoning districts, subject to the approval of a Conditional Use Permit by the Planning Commission. Staff has determined that the proposed project is consistent with the applicable El Dorado County General Plan policies and Zoning Ordinance requirements.

PROJECT INFORMATION

Setting: The project site is located at 2650 High Hill Road (APN 048-090-004) in the Camino/Apple Hill area. The 52.24-acre parcel includes an existing single family residence, a vineyard, a winery, and portion that is a managed forest for timber production. The lease site is located approximately 2 miles south of South Fork of the American River and 0.5 west of South Canyon Creek (Exhibit A), and the parcel consists of approximately three quarters vineyard and one quarter managed forest (Exhibit E), at an elevation of approximately 2,800 feet. There are no potentially jurisdictional waters within the project site. The project parcel and proposed lease is identified as flood zone “X (Unshaded)”. The parcel is not within an Airport Compatibility Zone or within an earthquake fault zone.

The project parcel is surrounded to the east, south and west by agricultural uses and to the north by a golf course. The proposed facility is approximately 900 feet west of the onsite residence and 300 feet southeast of the nearest offsite residence.

Project Description: The unmanned wireless telecommunication facility consists of a 40-foot by 40-foot, 1,600-square foot enclosed compound (lease area) within the northwest portion of the project parcel. The compound will include a 125-foot monopine tower designed to carry four carriers, each with up to four sectors of three antennas and three RRUS, 12 antennas total and 12 RRUS total for each carrier, (Exhibit F), and eight pre-manufactured equipment cabinets. The proposed lease area is accessed from High Hill Road to an existing driveway for which a portion of the driveway is proposed as a 20-foot wide Horizon Tower non-exclusive access and utility easement. Within the easement, a new approximately 1,500-foot long graveled access route will utilize the existing vineyard unpaved driveway and yet to be improved forested area driveway. The lease area will not interfere with the existing residential and agricultural uses of the property as it would be in an undeveloped portion of the parcel and has been found to have no impact on

the agricultural operations. Horizon Tower, the applicant, is a tower development company. Verizon has committed to locating on the tower and therefore the project is not a speculative tower.

The tower will be built to allow for co-location opportunities with three future carriers. This current site was identified as the most optimum in providing additional services and capacity to the area. No potential co-locations were identified on existing facilities within the project vicinity (Exhibit G). Five other properties were considered, however the applicant either received no response or no interest by the property owners, buildable site would require removal of agricultural land, or access was restricted.

The project site lease area is within a managed forest. A stealth Monopine is designed to resemble a pine tree to blend in better with the surrounding environment. In this case, there are various trees on the property and is within an area with an active Timber Harvest Plan. The monopine would be similar in size, albeit taller, to the surrounding trees. The location proposed will not substantially degrade the existing visual character of the site and is not expected to result in a significant impact to scenic vistas and to the area's visual aesthetics as shown within Exhibit H.

The power utility will be installed from an existing pad mounted transformer located approximately 1,200-feet to the leased area in an underground utility trench. A telco conduit will be placed within the ground lease area with a vault located just east of the fenced compound for future expansion. A new ~1,500-foot long access route will utilize an existing vineyard unpaved road and a yet to be improved forested area road. The new access road will be improved gravel in portions with new fencing and a gate located between the forested area and the vineyard. The existing fencing is required for protection of the vineyard. The new access route will connect with an existing asphalt driveway with no planned improvements by Horizon Tower. The tower foundation depth is anticipated to be at least 30 feet below grade. The biological consultant assumes that depth to groundwater is greater than 50 feet below grade surface. No trees are proposed to be removed.

The unmanned facility will provide wireless high speed internet and enhanced wireless network coverage 24 hours a day, 7 days a week. Maintenance workers will visit the site approximately once a month. No generator is proposed at this time. As is required of all communications facilities that are licensed by the FCC, the non-ionizing radiation generated by the facility will be within Federal guidelines (Exhibit I)

Consistency: As discussed in the General Plan findings, the project is consistent with General policies 2.2.1.2 Land Use Designation; 5.1.2.1 requiring a determination of the adequacy of the public services and utilities to be impacted by that development; 5.1.2.2 requiring that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development; 6.2.3.2 requiring that the applicant demonstrate that adequate access exists; 7.5.1.3 requiring that cultural resource studies shall be conducted prior to approval; and 8.1.3.5, 8.1.4.1, and 8.4.2.1 requiring that the Agricultural Commission evaluate the project for impacts to agricultural resources.

As discussed in the Zoning findings, the project is consistent with the zoning designation, Chapter 130.39 Oak Resource Conservation, Section 130.40.130 Communication Facilities, Section 130.52.021 Conditional Use Permits, and 130.40.350.G development within the TPZ Zone District.

No specific comments were received from County departments or responsible agencies.

Environmental Review: Staff has prepared an Initial Study (Exhibit K) and has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared. Impacts to Biological resources were potentially significant but mitigated by a pre-construction bird survey (Condition of Approval 16). A Mitigation Monitoring Reporting Program (MMRP) shall incorporate these measures, which shall be applied as Conditions of Approval.

In accordance with California Fish and Wildlife Code Section 711.4, the project is subject to the current fee after approval, but prior to the County filing the Notice of Determination of 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 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

Attachments to Staff Report:

Findings
Conditions of Approval

Exhibit A.....Location Map
Exhibit B.....Assessor's Parcel Map
Exhibit C.....General Plan Land Use Map
Exhibit D.....Zone District Map
Exhibit E.....Aerial Map
Exhibit F.....Plan Set (7 pages)
Exhibit G.....Coverage Maps and Alternative Site Analysis
Exhibit H.....Visual Simulations
Exhibit I.....Radio Frequency Report
Exhibit J.....Agricultural Commission Memo dated May 9, 2019
Exhibit K.....Proposed Mitigated Negative Declaration and Initial Study