

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: March 6, 2013
Item No.: 4.a.
Staff: Lillian MacLeod

SPECIAL USE PERMIT REVISION

FILE NUMBER: S 03-0024-R-5 (Wedge Hill Site)

APPLICANT: AT&T Mobility

AGENT: Gordon Bell

REQUEST: Special use permit revision to upgrade the existing cell tower site with new antennas, radio and power cabinets, and other ancillary equipment.

LOCATION: On the south side of Wedge Hill Road, approximately 730 feet west of the intersection with Missouri Flat Road in the Diamond Springs area, Supervisorial District 2. (Exhibit A)

APN: 327-260-22

ACREAGE: 0.6 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit B)

ZONING: Residential – One acre (R1A) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Section 15303 of the CEQA Guidelines.

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Find the project is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures); and
2. Approve special use permit S03-0024-R-5 based on the findings in Attachment 2 and subject to the conditions in Attachment 1.

BACKGROUND: The original Special Use Permit, **S03-0024**, was approved by the County Zoning Administrator (ZA) on December 3, 2003 allowing Mountain Cellular to locate six antennas on an existing, abandoned water tower. The water tower measures approximately 66 feet in height while the antennas reached a maximum of 70 feet in height. The project included an equipment shelter situated at the base of the tower within an existing chain-link fence enclosure.

S03-0024-R-1 was approved by the ZA on September 21, 2005, allowing Verizon Wireless, who had acquired Mountain Cellular, to install three replacement antennas on the side of the tank at approximately 60 feet above ground level and to relocate the existing ground equipment within an adjacent equipment shelter. A backup generator was added within a new gated composite-fence enclosure.

S03-0024-R-2 was approved by the ZA on May 7, 2008, allowing Metro PCS to collocate three pipe-mounted antennas at a maximum height of 72 feet and to install up to three radio cabinets within the existing equipment shelter.

S03-0024-R-3 was approved by the ZA on January 21, 2009, allowing AT&T to collocate eight wireless antennas (three proposed and five future) over three sectors, at two centerline heights of 49.5 and 70 feet. Additionally, AT&T installed up to six radio cabinets (two proposed and four future) within a new 260 square foot slatted-fence enclosure. The existing chain-link fence enclosure was replaced with composite fencing to match the existing Verizon Wireless equipment shelter.

S03-0024-R-4 was approved by the ZA on July 7, 2010, allowing Verizon Wireless to add three new panel antennas with LTE technology alongside their existing three antennas at the 54 foot level of the water tank. One GPS antenna was installed in the Verizon equipment shelter.

Site Summary: Currently, 15 wireless antenna are collocated on the water tower – six with the original application and the first revision, three with the second revision, three with the third revision (with the potential for five more in the future), and three with the fourth revision. In addition, one GPS antenna was installed with the fourth revision. Counting the five future AT&T antennas approved under the third revision, the potential for 20 wireless antennas have been approved at this site.

STAFF ANALYSIS

Project Description: The applicant is proposing to revise special use permit S03-0024 to install three new antennas and six remote radio units (RRUs) onto the existing water tower. Two of the three antennas will replace existing ones, resulting in a net increase of one new antenna. The new antennas will have Long Term Evolution (LTE) technology that increases data speeds for wireless handsets and computers. In addition, one GPS antenna, one radio cabinet, and two stacked battery cabinets will be added to the existing AT&T equipment shelter.

Site Summary: This project will bring the total antenna count to 16 wireless and two GPS antennas. AT&T's future antenna collocations approved under S03-0024-R-3 have been reduced to four remaining with the approval of this project.

Site Description: The site is located on Wedge Hill Road, approximately 730 feet west of Missouri Flat Road at approximately 1,880 feet above mean sea level. The site is developed with a multi-carrier, wireless communication facility located on an existing 1924-era water tower. Ancillary ground equipment supporting the existing wireless collocations are located directly under the water tower in adjacent fenced compounds. The site is accessed from an existing gravel driveway off of Wedge Hill Road and is surrounded by single-unit residential dwellings. The closest dwelling on an adjoining parcel is located approximately 115 feet away from the water tower.

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 facility in compliance with County regulations addressing siting and surrounding land uses, aesthetics, environmental issues, and health and safety concerns. All project-related concerns have been evaluated under the Zoning discussion below.

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

Zoning Ordinance: The proposed use is permitted in the One-acre Residential (R1A) Zone District in compliance with Paragraph 17.14.210.D.3 that allows collocation of wireless telecommunication providers on water tanks subject to evaluation against the following specific criteria:

1. **Height.** Two of the three new antennas will be located against the side wall and below the roofline of the water tower. The third antenna will be mounted on top of an existing antenna and will not exceed the height limit on an existing structure regulated under this paragraph.
2. **Design.** Under the conditions of approval, the antennas and mounting brackets will be required to blend with the design and color of the water tank to reduce its visual impact.
3. **Ancillary Structures.** The existing and proposed equipment are to remain on the ground directly below the water tank, screened from public view by existing slatted and solidly fenced enclosures.
4. **Public Utility Easement.** The water tank is not located within a public utility easement that would require authorization by the provider.

Development Standards: Subsections 17.14.210.E through J of the Ordinance requires that all wireless communication facilities meet certain criteria. Below is an analysis of these criteria:

- E. **Visual:** Photo-simulations, Exhibits E1 and E2, visually reflect the changes that are being requested under this action. When approved by the Zoning Administrator, the photo-simulation exhibits will be used during the plan check permit process to ensure compliance.
- F. **Development Standards:**
1. **Screening:** The new antennas and equipment shelter will not create a significant visual impact to the surrounding area as the facility will increase by only one new antenna. It will be mounted on top of an existing antenna that already projects above the tower to increase its height by seven feet to 73 feet from ground level. However, its dimensions, at approximately 11.7 inches long by 6 inches wide, will present a low visual profile at that height. The color schemes of antenna and equipment have been conditioned to match the approved and existing colors of the facility.
 2. **Setbacks:** The request for co-location will not expand the lease area, so the setbacks required in the R1A zone district will be maintained.
 3. **Maintenance:** The project will be conditioned to require continual maintenance of the facility.
- G. **Radio Frequency (RF) Requirements:** AT&T has submitted a *RF EME Compliance Report* dated November 1, 2012 indicating the total maximum power density produced by all carriers on the water tank, including the proposed antennas, will be 11.70 percent of the FCC's general public limit and 2.34 percent of its occupational limit, based on worst-case predictive modeling at the nearest walking/working surface. The report concluded the cumulative RF-EME (radio frequency electro-magnetic emissions) will not exceed the maximum permissible human exposure limits set by the FCC.
- In compliance with AT&T's *RF Exposure: Responsibilities, Procedures & Guidelines*" (December 9, 2011), the following signage will be required at the site:
1. One green "INFO 1" sign posted at or next to the access gate.
 2. One, yellow "CAUTION" sign posted at the base of the tower. (Exhibits H and I)
- H. **Availability:** The project has been conditioned to allow continued co-location at this facility, with approval of a Special Use Permit revision.
- I. **Unused Facilities:** The project has been conditioned to require that all obsolete or unused communication facilities be removed within six months after the use of the facility has ceased or been abandoned.
- J. **Other Permit Requirements:** There are no public schools within 1,000 feet of the site nor is the site governed by CC&Rs.

Conclusion: Staff finds the project, as proposed and conditioned, is consistent with all applicable provisions of the Zoning Ordinance.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15303 of the CEQA Guidelines stating that Class 3 exemptions “consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures . . . (that) include, but are not limited to: (d) water main, sewage, electrical, gas, and other utility extensions”. This exemption can be subject to challenge up to 180 days from project approval. Filing a Notice of Exemption after approval will reduce the time period for challenge to 30 days. A \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Assessor’s Parcel Map
Exhibit E1 and E2	Visual Simulations
Exhibits F	Visual Simulation Viewpoint Plan
Exhibits G1-G6	Construction Set to include:
Exhibit G1	Title Sheet
Exhibit G2	Enlarged Site Plan
Exhibit G3	Elevations
Exhibit G4	Antenna Plan and Details
Exhibit G5	Equipment Details
Exhibit G6	Antenna Mount Details
Exhibit H	Signage Plan
Exhibit I	Signage Location Plan

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit Revision

File Number S03-0024-R-5/AT&T Mobility Collocation-Diamond Springs
Zoning Administrator/March 6, 2013

CONDITIONS OF APPROVAL

1. This Special Use Permit revision is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked A through I-2, and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without approval will constitute a violation of the permit.

~~The project, as originally approved~~

A. Original approval under S03-0024 consisted of the following:

The project shall consist of the co-location of six (6) antennas at the sixty-foot (60') level onto an existing and abandoned water tower, approximately sixty-six feet (66') in height. The supporting facilities are to be one (1) 69" x 34 $\frac{1}{4}$ " x 31 $\frac{3}{4}$ " equipment cabinet within a fenced 55" x 66" area on a concrete pad.

B. Revision S03-0024-R-1 consisted of the following:

The project shall consist of the removal of three (3) antennas and the installation of three (3) replacement antennas at the sixty (60') level onto an existing and abandoned water tower, approximately 66 feet in height. The supporting facilities are to be a 12' x 20' equipment shelter and a 9' x 3.75' backup generator within the 23' x 28' ground lease area.

C. Revision S03-0024-R-2 consisted of the following:

A revision to a Special Use Permit to allow collocation of three (3) pipe mounted antennas at a height of 72 feet on an existing 66-foot tall water tower. Additionally, MetroPCS will install up to three (3) radio cabinets within the existing chain-link fenced compound.

Project equipment shall be located within a 16-foot by 10-foot (16' x 10', 160 square feet) lease area, within an existing six (6) foot tall chain-link fenced enclosure with brown colored slats. The lease area shall support up to three (3) new radio equipment cabinets, adjacent to the base of the water tower and west of an existing concrete equipment shelter and woodcrete fenced enclosure now operated by Verizon Wireless. The existing fencing shall not be enlarged to accommodate the additional equipment. All damaged or missing slats shall be replaced. All MetroPCS equipment within the leased area shall be mounted atop a 16 foot by 10 foot (16' x 10', 160 square feet) concrete slab. Proposed construction would

also include a new 200 amp electrical panel and meter, a Global Positioning System (GPS) unit, and a motion-controlled fully-shielded floodlight.

The facility shall continue to be served via an existing approximately 100-foot long gravel driveway. The facility shall remain unmanned, and visited approximately once to twice per month for maintenance purposes.

D. Revision S03-0024-R-3 consisted of the following:

A revision to a Special Use Permit to allow collocation of eight (8) wireless antennas (3 proposed and 5 future) on three (3) sectors at two (2) centerline heights, 70-foot and 49.5-foot, on an existing 66-foot tall water tower. Additionally, AT&T will install up to six (6) radio cabinets (2 proposed and 4 future) placed within a new 260 square foot (13' x 20') fenced enclosure with privacy slats.

The proposed project would be located within a 14-foot (14-foot at west end and 13-foot on south end) by 20-foot lease area, and include an eight (8) foot tall chain-link fenced enclosure with brown colored slats. The lease area will support up to six (6) new radio equipment cabinets, adjacent to the existing fenced compound south of the base of the water tower and west of an existing concrete equipment shelter and woodcrete fenced enclosure now operated by Verizon Wireless. All damaged or missing slats on existing project fencing shall be replaced. All AT&T equipment within the leased area shall be mounted atop a concrete slab. Proposed construction also includes a new AT&T Telco panel, a Marconi electrical cabinet, a Global Positioning System (GPS) unit, and a motion-controlled floodlight with glare shield.

Additionally, the applicant shall replace the chain-link fencing on the northern portion of existing fencing compound surrounding the existing water tower with panel fencing designed to match the existing fencing of the Verizon Wireless compound along the north elevation.

The facility shall continue to be served via an existing approximately 100-foot long 12-foot wide gravel driveway. The facility will remain unmanned, and all facilities shall be visited approximately once to twice per month for maintenance purposes.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

E. Revision S03-0024-R-4 consists of the following:

Revision to a Special Use Permit to allow the collocation of three new panel antennas alongside Verizon's existing three antennas mounted on new H-frame pipe mounts at the 54-foot level on the sides of an existing 60-foot tall water tower. The three new antennas will have Long Term Evolution (LTE) technology which increases data speeds for wireless handsets and computers. Six new coaxial cables runs shall be installed and painted to match the existing tower color. One new GPS antenna shall be installed on the existing Verizon Wireless equipment shelter.

F. Revision S03-0024-R-5 consists of the following:

- (1) Three antennas with Long Term Evolution (LTE) technology and six remote radio units (RRUs) to be installed on the existing water tank. Two of the three antennas will replace existing ones on the wall of the water tank and the third antenna will be mounted on an existing antenna on top of the water tank, resulting in a net increase of one new antenna.
- (2) One GPS antenna, one radio cabinet, and two stacked battery cabinets to be added to the existing AT&T equipment shelter.
- (3) The placement of the following signage:
 - a. One green "INFO 1" sign posted at or next to the access gate.
 - b. One, yellow "CAUTION" sign posted at the base of the tower.
- (4) Total number of antennas will equal 16 wireless and two GPS with approval of this revision.

- 24 All site improvements shall conform to Exhibits E1 through ~~G2I~~, subject to the following:
 - a. All antennas and connecting infrastructure shall be painted and maintained in a rust/brown color matching that of the existing tower (tank and legs).
 - b. The fence surrounding the equipment yard area shall be a minimum of six feet (6') in height. At no time shall any ancillary equipment housed within the equipment ~~yard shelter~~ extend above the top of the screening fence.
 - c. ~~The equipment yard fence shall be lined with slats, and both the fence and the slats shall be painted a rust/brown color such that a blending of the fence and slats with the surrounding area is achieved.~~
35. The project shall be subject to a building permit from the El Dorado County Building Department. During the construction and location of the facilities allowed by this special use permit and the building permit referenced above, all reasonable precautions shall be taken to protect the existing tower from damage or deterioration. The measures by which this shall be done shall be shown on the building permit.
46. The applicant shall repair all damage to the access road (Wedge Hill Road) from Missouri Flat Road to the project site incurred in the course of the proposed installation.

57. All improvements associated with the communication facility, including equipment shelters, towers, antenna, fencing, and landscaping shall be properly maintained at all times. Colors of towers and other improvements shall be maintained to ensure the appearance remains consistent with approved conditions relating to color. Should the colors change as the result of time or unforeseen conditions ~~currently unforeseen~~, appropriate modifications to the facility colors must be changed to conform ~~as well~~.
613. Outdoor lighting shall only be used for night-time maintenance and shall operate by a motion sensor only, be directed downward, and be ~~fully shielded~~ designated "full cutoff" in compliance with IESNA standards.
711. A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services as soon after project approval as possible, but prior to the issuance of any development permit ~~being issued on related to the project parcel~~.
82. All Development Services fees for processing this application shall be paid in full prior to issuance of a Building Permit.
914. At the time of building plan submittal, the project applicant will submit a structural analysis on the water tank to demonstrate conformance with the safety requirements of the Uniform Building Code.
10. Prior to commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services for verification of compliance with applicable conditions of approval. The operator shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
119. Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by Development Services every five years. At each five-year review, the permit holder shall provide staff with a status report on the use of the subject site and related equipment at that time. Staff shall review the status and present that report to the approving authority with a recommendation to either:
- a. Allow the facility to continue to operate under all applicable conditions;
 - b. Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or
 - c. ~~i~~Initiate proceedings to revoke the Special Use Permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Planning Services Director to cover the cost of processing a five-year review on a time and materials basis.

12. Future collocations shall be considered by the Zoning Administrator in accordance with Paragraph 17.14.2010.D.3 of the Zoning Ordinance.
138. All obsolete or unused communication facilities shall be removed within six (6) months after the use of the facility has ceased or after the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition.
1415. The operator (lessee) and property owner (lessor) are responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the operator and the property owner.
153. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the applicant and landowner agrees to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs the County may incur as a result of such action.

The applicant and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning the Special Use Permit. The County shall notify the applicant/owner of any claim, action, or proceeding and County will cooperate fully in the defense.

Environmental Management – Solid Waste/Hazardous Material Division

16. If this facility will store reportable quantities of hazardous materials (55 gallons, 500 lbs, 200 cubic feet) or generate hazardous waste, prior to commencing operations the owner/operator shall:
 - a. Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
 - b. Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
 - c. Train all employees to properly handle hazardous materials and wastes.

- d. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT

17. A Knox padlock shall be provided to allow access to the site.
18. Keys to the “hockey puck” lock shall be provided and placed in the existing Knox box.
19. Keys to the diesel generator shall be provided and placed in the existing Knox box.

ATTACHMENT 2 FINDINGS

Special Use Permit Revision

File Number S03-0024-R-5/AT&T Mobility Collocation-Diamond Springs
Zoning Administrator/March 6, 2013

1.0 CEQA Findings

- 1.1 Staff has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines. Class 3 exemptions consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures . . . (that) include, but are not limited to: (d) water main, sewage, electrical, gas, and other utility extensions”.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department, Planning Services, at 2850 Fairlane Court, Placerville, CA.

2.0 Minor Use Permit Findings

2.1 The issuance of the permit is consistent with the 2004 General Plan;

The proposed use is consistent with Policy 5.6.1.4, as discussed in the General Plan section of this staff report. The aesthetics of the proposed collocation and related ground equipment have been addressed and the design, as conditioned, minimizes the effects on adjacent properties through screening and compatible colors.

2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;

The proposed use will not create hazards that would be considered detrimental to the public health, safety, and welfare or injurious to the neighborhood, as the projected RF emissions for the facility have been determined to be significantly lower than the thresholds established by the FCC for occupational and general public safety.

2.3 The issuance of the permit is consistent with the Zoning Ordinance.

The proposed collocation of new antennas on existing non-building structures is specifically permitted by minor use permit under Paragraph 17.14.210.D.3 subject to the requirements of Subsections 17.14.210.E through J. The project and associated materials have been reviewed in accordance with these regulations.