



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

Promoting the wise use of land
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MEETING DATE October 22, 2015	CONTACT/PHONE Cody Scheel (805) 781-5157 cscheel@co.slo.ca.us	APPLICANT Karen Wise & Verizon Wireless	FILE NO. DRC2014-00100
SUBJECT A request by Karen Wise & Verizon Wireless for a Conditional Use Permit to allow the construction and operation of an unmanned wireless communication facility, consisting of one new 75' tall artificial eucalyptus tree ("mono-eucalyptus") supporting twelve 6' tall panel antennas, twelve new Remote Radio Units (RRUs), and four Raycaps (two located in the equipment area). The panel antennas would be located in two sectors of six panel antennas each, one sector mounted at a height of 59' and the other at a height of 67' (measured to center of antennas) on the proposed mono-eucalyptus. The project also includes installation of two GPS antennas, an electric meter located near the base of the mono-eucalyptus, and new equipment cabinets and a 132 gallon diesel standby generator located on concrete slabs. All proposed above ground improvements will be located within a 24' x 42' lease area, surrounded by an 8' high wood fence enclosure. The project involves approximately 350' linear feet of trenching for a new power/telco utility route, with a total project site disturbance of approximately 1,050 square feet of a 5-acre parcel. The proposed project is within the Residential Rural land use category and is located at 2286 South Halcyon Road, approximately 500 feet east of the intersection of El Campo Road, adjacent to the north side of the community of Palo Mesa. The site is in the South County Inland sub area of the South County planning area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration (ED14-205) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.; and 2. Approve Conditional Use Permit DRC2014-00100 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 10, 2015 for this project. Mitigation measures are proposed to address aesthetics and are included as conditions of approval.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None applicable	ASSESSOR PARCEL NUMBER 075-232-054	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None Applicable			
LAND USE ORDINANCE STANDARDS: Communications Facilities			
EXISTING USES: Single-family residences, agricultural uses (avocado orchards, greenhouses and shade structures)			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural / single-family residence(s) <i>South:</i> Residential Suburban / single-family residence(s), golf-course <i>East:</i> Residential Rural / single-family residence(s) <i>West:</i> Residential Rural / undeveloped			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER – SAN LUIS OBISPO – CALIFORNIA 93408 – (805) 781-5600 – FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Building Division, Cal Fire, and the South County Advisory Council	
TOPOGRAPHY: Nearly level	VEGETATION: Avocado trees, pine trees, grasses, shrubs and ornamental landscaping
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Cal Fire	ACCEPTANCE DATE: August 5, 2015

PROJECT DESCRIPTION:

Project Site

The project site is located on South Halcyon Road, an area of predominately residential rural and residential suburban development. The property is five acres and is adjacent to four to five acre parcels to the north, east and west. The parcels to the west are undeveloped, and the parcels to the north and east are developed with single family residences. Immediately to the south, across South Halcyon Road, is a golf course and residential suburban development.

The subject parcel has been substantially disturbed and contains several agricultural accessory structures, greenhouses, shade structures and two single family residences. The topography of the site is nearly level. Vegetation on the property consists of primarily avocado trees, with some grasses, shrubs and ornamental landscaping. There are also pine trees that appear to have been planted in rows that follow the west and south property boundary along South Halcyon Road (refer to Figure 1: Project Site).



Figure 1: Project Site

Proposed Project

The proposed facility would be sited near the west property line within a row of pine trees ranging in height from approximately 60 to 85 feet. Though the proposed mono-eucalyptus would not be located adjacent to existing eucalyptus trees, the proposed facility would be compatible with the surrounding landscape since there are many scattered eucalyptus trees in the area, including a large grove of eucalyptus trees located on the immediate parcel to the

north. The mono-eucalyptus design was selected in response to the South County Advisory Council's recommendation on the project. The advantage of the mono-eucalyptus design is that it generally appears more natural and realistic and screens the panel antennas better than a faux pine tree ("monopine").

The applicant is proposing construction and operation of an unmanned wireless communications facility, consisting of the following improvements:

- Installation of a new 75-foot tall artificial eucalyptus tree ("mono-eucalyptus") supporting twelve (12) 6-foot tall panel antennas, twelve (12) RRUs, and four (4) Raycaps (two located in the equipment area). The panel antennas would be located in two sectors of six panel antennas each, one sector mounted at a height of 59 feet and the other at height of 67 feet (measured to center of antennas) on the proposed mono-eucalyptus. As conditioned, the mono-eucalyptus shall be designed and constructed to appear as an organic, non-symmetrical form, with varying branch lengths and shapes and clusters installed in random, seemingly natural-occurring patterns. The lowest branches shall begin at a sufficient elevation to blend with the existing tree line as viewed from all surrounding public roads. Realistic bark texture shall run the entire length of the mono-eucalyptus.
- Installation of two (2) GPS antennas and an electric meter located near the base of the mono-eucalyptus;
- Installation of equipment cabinets and a 132 gallon diesel standby generator located on concrete slabs within a 24' x 24' equipment area.
- Installation of an 8-foot tall wooden fence at the base of the facility surrounding the equipment area; and
- Associated utility trenching for underground telecommunications service utility lines and power utility lines (approximately 350 linear feet) from existing connection points to the proposed equipment area. As conditioned, all utility racks would be completely screened from public view.
- The site would be accessed from South Halcyon Road, an existing paved road.

Visual Impacts

As described above, the project's visual impacts are largely mitigated through its design as an artificial eucalyptus tree that blends with the character of the surrounding visual setting. In order to evaluate the effectiveness of this design, the applicant submitted photo-simulations of the proposed facility from key viewing angles (see attached photo simulations). The applicant also submitted photo simulations of an artificial pine tree, which was the applicant's original design proposal. As determined through the photo-simulations, the proposed facility would be visible from the surrounding public roads in the area (e.g. West El Campo Road & South Halcyon Road). Because of the seemingly natural-occurring patterns and realistic appearing color, the mono-eucalyptus was deemed the superior design, and would be in scale and blend with the existing vegetation and would not appear as a new structure. South Halcyon Road is the primary public viewing corridor in the area; however, because the project site has a row of existing pine trees that run parallel to the north side of South Halcyon Road, they act as a

screening buffer between the facility and the travelers along South Halcyon Road. The proposed project with its stealth design would not appear out of character with the surrounding landscape and would not degrade the natural landscape a traveler sees.

LAND USE ORDINANCE STANDARDS:

Section 22.30.180 – Communications Facilities

This Section of the Land Use Ordinance (Title 22) contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As described below, the proposed project meets these requirements:

Radio Frequency Analysis

Section 22.30.180(B) requires applications for communications facilities to provide estimates of non-ionizing radiation generated and/or received by the facility. These shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site and the extent that measurable fields extend in all directions from the facility.

Staff Response: The project complies with this requirement because the applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (Hammett & Edison, Inc.; February 23, 2015), the maximum level of RF emissions from the proposed facility for a person anywhere at ground level would be equivalent to 0.70 percent of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building is 1.10 percent of the public exposure limit. The report concludes that the facility would operate within the FCC standards for RF emissions.

Permit Requirements

Section 22.30.180(C)(1) requires Minor Use Permit approval for proposed wireless communications facilities that are either a) installed on existing structures, or b) co-located at existing communications facility sites. Conditional use permit approval is required for all other communications facilities.

Staff Response: This standard allows new communications facilities to be reviewed through a minor use permit (rather than a conditional use permit) when the proposed facility is located on an existing structure (rather than a new antenna support structure). Based on this standard, the proposed project would require conditional use permit approval since it would require the construction of a new antenna support structure: a 75-foot tall mono-eucalyptus.

Co-Location

According to Section 22.30.180(C)(2)(b), when co-location is not proposed, applications for communications facilities must provide information pertaining to the feasibility of joint-use antenna facilities, and discuss the reasons why such joint-use is not a viable option or alternative to a new site.

Staff Response: The purpose of this requirement is to minimize visual impacts by concentrating telecommunications equipment in the fewest possible number of locations, rather than scattering facilities across the county. It is usually in a carrier's interest to comply with this requirement since "collocation" sites are strategically located to provide superior coverage, already have the necessary infrastructure in place (access, power, and telco), and are approved through the more expedient and less expensive minor use permit (rather than conditional use permit) process. The applicant considered a design to incorporate antennas on an existing structure to eliminate the need for a new support structure; however there were not any buildings or structures in the project vicinity of adequate height to accommodate the coverage objectives. The proposed project is located in an area that lacks existing wireless communication facility infrastructure. The nearest existing facility is a Sprint facility located in the Union Pacific Railroad right-of-way approximately 1.5 miles to the southwest of the proposed project site. However, the existing facility lacks the height and infrastructure to support the proposed equipment, and is too distant from the proposed project area and would not provide the coverage objective, and therefore was deemed not a viable option. The proposed facility could be used for co-location in the future with approval of subsequent land use permits.

Development Standards

According to Section 22.30.180(C)(3), the preferred placement for new wireless communication facilities is on existing structures, completely hidden from public view or painted and blended to match existing structures. In addition, all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

Staff Response: The proposed project complies with the visual screening requirements of the Land Use Ordinance because the proposed facility will be a faux eucalyptus tree in an area with scattered eucalyptus trees. As conditioned, the applicant will be required to provide specifications on the faux eucalyptus tree to ensure that it is as natural appearing as possible. All ordinance requirements will be included as conditions of approval for the proposed project to ensure compliance and to also ensure that visual impacts are less than significant.

Setbacks

According to Section 22.30.180(C)(3)(a), setbacks for the project are set forth in Section 22.10.140 (Setbacks), except where locating the facility outside those setbacks is the most practical and unobtrusive location possible on the proposed site.

Staff Response: While the project does not meet the 30-foot side setback requirement in Section 22.10.140, it is consistent with this section of the ordinance because the location of the proposed facility is the most practical and unobtrusive location possible on the site because the mono-eucalyptus would be located in a hedgerow of existing trees that are of similar height, scale and color. The mono-eucalyptus would therefore blend with the existing hedgerow and would not be discernible to the public as a wireless communications facility.

Unused Facilities

Section 22.30.180(4) requires all obsolete or unused facilities to be removed within 12 months of cessation of communication operations at the site.

Staff Response: The project is consistent with this standard because the applicant is required to enter into a performance agreement and financial instrument for site restoration.

COMMUNITY ADVISORY GROUP COMMENTS:

The South County Advisory Council unanimously recommended approval with a request to replace the faux pine tree with a faux eucalyptus tree at their March 23, 2015 meeting.

Staff Response: The applicant has revised the project and has replaced the faux pine tree design with a faux eucalyptus tree design.

AGENCY REVIEW:

Public Works – Encroachment permit required for new utilities. All utilities shall be bored under Halcyon Road. No above ground appurtenances shall be placed in public right-of-way (Glen Marshall, March 10, 2015).

Environmental Health – Applicant shall submit a hazardous materials business plan for the proposed cell site (Leslie Terry, March 12, 2015).

Building Division – Project to comply with applicable building codes (Michael Stoker, March 4, 2015).

Cal Fire – Submitted a Fire Safety Plan with comments and recommendations to be required as condition of approval (Travis Craig, March 10, 2015).

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Cody Scheel and reviewed by Airlin Singewald.