

ITEM IV-B: **CONDITIONAL USE PERMIT – 10851 VETERANS DR. – SOUTH PLACER JUSTICE CENTER EMERGENCY SERVICES COMMUNICATIONS TOWER – FILE # 2009PL-078 (CUP-000065)**

REQUEST

The applicant requests approval of a Conditional Use Permit to install a 180 foot tall emergency communications tower at the Santucci Justice Center. The CUP is required to exceed the 60 foot tall maximum height established by the City's Zoning Ordinance.

Property Owner/Applicant: Dennis Salter, Placer County Facilities Services

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the three (3) findings of fact for the Conditional Use Permit; and
- B. Approve the Conditional Use Permit subject to twenty (20) Conditions of Approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended Conditions of Approval.

BACKGROUND

The project site is located at 10851 Veterans Dr. within the North Industrial Plan Area of the City (see Figure 1). Consistent with the General Plan, the Roseville Zoning Ordinance designates the site with a General Industrial (M2) zoning. The tower project site is approximately 4,200 square feet in size and surrounded by developed industrial uses as well as one water tank site to the north. The project site is part of the larger Bill Santucci Justice Center campus.

Figure 1: Surrounding Zoning Designations



The applicant requests approval of a Conditional Use Permit to install a 180 foot tall, 3 legged lattice communications tower on the site. The CUP is required to exceed the 60 foot tall maximum height established by the City's Zoning Ordinance. The tower will be located within an enclosed fenced area and will also include an equipment shelter, backup generator, and other equipment. The purpose of the tower is to facilitate emergency communications for the South Placer Adult Correctional Facility which is also located within the campus. The tower will allow for improved communication for Placer County Sheriff personnel, emergency service providers, as well other local (City of Roseville), and State agencies.

FINDINGS & EVALUATION

Conditional Use Permits are evaluated for consistency with the City's General Plan, conformance with the City's Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or live in the area. Specifically, the Planning Commission must make the three findings listed below in ***bold italics*** to approve the Conditional Use Permit. An analysis of the project follows each finding:

1. The proposed use or development is consistent with the City of Roseville General Plan.

The subject property has a General Plan land use designation of General Industrial (IND). The General Industrial land use designation is intended to provide areas for industrial uses that tend to generate noise, vibration, odor, dust, smoke, light, and an aesthetic character not compatible with residential uses. The General Plan relies on the Zoning Ordinance and the CUP process to address potential incompatibilities between uses. Given the fact that the General Plan anticipates uses and developments that create the impacts listed above, including aesthetic impacts, staff believes that the proposed development is consistent with the General Plan.

2. The proposed use or development conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.

Chapter 19.34 of the City's Zoning Ordinance establishes permit requirements and general standards for the placement of communications facilities (by limiting the height and location) in all zoning districts in an effort to ensure the compatibility of the facility with adjacent land uses. The Zoning Ordinance design requirements that apply to new monopoles or towers are as follows:

- 1) An attempt should be made to screen new monopoles;
- 2) Communications facilities should be designed to promote facility sharing;
- 3) No facility should be installed on an exposed ridgeline, or in or at a location readily visible from a public trail, recreation area, or scenic area;
- 4) Communication facilities should be painted colors which are most compatible with their surroundings;
- 5) Innovative design should be used whenever the screening potential for the site is low; and
- 6) A professional telecommunications expert shall perform an evaluation of the radio frequency to ensure the facility will not interfere with City's or other public entities emergency broadcast systems.

The proposed 180 foot tall tower is located east of Industrial Bl. which is within the existing Justice Center complex. The tower is located approximately 500 feet from Industrial Avenue and 1,200 feet from Highway 65 (see Exhibit B). Future phases of the South Placer Justice Center will include an office building that will be constructed just to the west of the tower site, which is between the tower and Industrial Bl. This building will help to screen the tower from Industrial Bl.

Aesthetic issues are highly subjective and difficult to quantify. It is assumed that construction of the 180 foot tower will have an aesthetic impact on adjacent uses. However there are no existing view sheds or scenic resources located nearby. Additionally, the tower location in the middle of the Justice Center complex, with a water tower to the north of the site will help to buffer views of the tower from adjacent roadways. The tower height of 180 feet was necessary given the need for the facility to connect

emergency communications between the Bill Santucci Justice Center and other surrounding law enforcement communications facilities. Placer County has evaluated the minimum height needed to reach those surrounding facilities, and 180 feet is the minimum height.

The project elevations do not denote the materials and colors of the tower or the equipment shelters. Therefore, staff recommends Condition 5 which requires the applicant to denote the materials and colors of the tower and equipment shelter on the project elevations. The applicant has verbally indicated that the tower will be constructed of gray galvanized steel and left in its original state. The proposed tower will be located within a new secured fenced area at the northern portion of the Justice Center site. There are no trees or significant environmental features located near the proposed tower which would serve to contrast with or bring attention to the tower. Staff believes the proposed tower design, constructed out of galvanized steel, blends with the environment and skyline more than if the tower were to be painted a neutral color to blend, for example, in with the adjacent buildings. This requirement has been added as Condition 3 for the project.

3. *The location, size, design and operating characteristics of the proposed use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.*

As discussed above the tower is located within an Industrial area where communications facilities are anticipated. There are no sensitive receptors in the vicinity, and the site is surrounded by industrial uses. Given these facts and the design features discussed above, Staff believes the project will be compatible with surrounding uses and developments.

ENVIRONMENTAL DETERMINATION

The Planning & Redevelopment Director has determined that the above project will not have a significant effect on the environment and proposes that a Negative Declaration be adopted. This determination has been based upon an Initial Study, which has concluded that there will be no significant environmental impacts. The Mitigated Negative Declaration will circulate for a 20-day public review period that began on September 24, 2010 and ends on October 14, 2010.

RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the Negative Declaration;
- B. Adopt the three (3) findings of fact as discussed in the staff report for the Conditional Use Permit – 10851 Veterans Dr. – SOUTH PLACER JUSTICE CENTER EMERGENCY SERVICES COMMUNICATIONS TOWER - FILE# 2009PL-078; (CUP-000065); and
- C. Approve the Conditional Use Permit – 10851 Veterans Dr. – SOUTH PLACER JUSTICE CENTER EMERGENCY SERVICES COMMUNICATIONS TOWER - FILE# 2009PL-078; (CUP-000065), with the twenty (20) conditions of approval listed below.

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT (CUP-000065):

- 1. The project is approved as shown in Exhibits A - C and as conditioned or modified below. (Planning & Redevelopment)
- 2. This conditional use permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on October 14, 2012. Prior to said expiration date,

the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one year from October 14, 2012.

3. The tower structure shall be constructed of galvanized steel. (Planning & Redevelopment)
4. The equipment shelter shall be screened by a six (6) foot tall chain link fence, with vinyl slats. (Planning & Redevelopment)
5. The plans submitted for the tower shall denote the colors and materials of the tower and equipment shelter. These materials shall be consistent with the materials and colors of the South Placer Justice Center campus. (Planning & Redevelopment)
6. Use or storage of hazardous materials, liquids, gases and/or chemicals shall meet the requirements of the Chapter 6.95 of the Health and Safety Code, the Roseville Fire Department and the National Fire Codes. Submit a complete plan set and the Hazardous Materials Business Plan, including names and amount of any hazardous materials that will be stored or used, to the Bureau of Fire Prevention for review and approval. A permit application shall also be provided at the time of submittal. Contact Steve Anderson of our Hazardous Materials Division within the Fire Department at (916) 774-5821 to initiate the process. (Fire)
7. The design and installation of all fire protection equipment shall conform to the California Fire Code and the amendments adopted by the City of Roseville, along with all standards and policies implemented by the Roseville Fire Department. (Fire)
8. Prior to improvement/building plan approval, the applicant shall provide radio coverage documentation indicating that this cellular facility will not interfere with public safety amplification signals to the satisfaction of the City. (Fire)
9. Building permit plans shall comply with all applicable code requirements (California Building Code – CBC – based on the International Building Code, California Mechanical Code – CMC – based on the Uniform Mechanical Code, California Plumbing Code – CPC – based on the Uniform Plumbing Code, California Fire Code – CFC – based on the International Fire Code – with City of Roseville Amendments – RFC, California Electrical Code – CEC – based on the National Electrical Code, and California Energy Standards – CEC T-24 Part 6), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
10. Power for this structure may require extension of existing high voltage electric facilities located at the South Placer Correctional facility to be extended to the tower site. If such high voltage underground electrical facilities are required to be extend the developer is to install such facilities, at their expense, per an approved electrical site utility design generated by City of Roseville Electric department. This design would also required accommodating future parcels/structures for the entire site as needed. All labor and materials costs required to install high voltage electrical facilities is the responsibility of the developer.
11. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)
12. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
13. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the “City of Roseville Specifications for Commercial Construction.” (Electric)

14. The City of Roseville Electric Department has electrical construction charges which are to be paid by the developer and which are explained in the City of Roseville “Specification for Commercial Construction.” These charges will be determined upon completion of the final electrical design. (Electric)
15. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer’s expense. (Electric)
16. Any facilities proposed for placement within public/electric utility easements shall be subject to review and approval by the Electric Department before any work commences in these areas. This includes, but is not limited to, landscaping, lighting, paving, signs, trees, walls, and structures of any type. (Electric)
17. All landscaping in areas containing electrical service equipment shall conform with the Electric Department’s Landscape Requirements and Work Clearances as outlined in Section 10.00 of the Departments “Specification for Commercial Construction.” (Electric)
18. All electric metering shall be directly outside accessible. This can be accomplished in any of the following ways:
 - a. Locate the metered service panel on the outside of the building.
 - b. Locate the metered service panel in a service room with a door that opens directly to the outside. The developer will be required to provide a key to the door for placement in a lock box to be installed on the outside of the door. Any doors leading from the service room to other areas of the building shall be secured to prohibit unauthorized entry. (Electric)
19. One ¾" conduit with a 2-pair phone line shall be installed from the buildings telephone service panel to the meter section of the customer's electrical switchgear or panel. (Electric)
20. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. (Electric)

EXHIBITS

- A. Initial Study/Negative Declaration
- B. Site Plan
- C. Elevations

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.