

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING September 14, 2006

Prepared by: Ron Miller, Assistant Planner

ITEM V-E: CONDITIONAL USE PERMIT – 2150 BLUE OAKS BL – SIGNATURE CELL TOWER – FILE# 2006PL-054 (CUP-000024)

REQUEST

The applicant requests approval of a Conditional Use Permit to construct a 107-foot tall monopole (pine) with antenna panels for four cellular carriers and install a 10-foot high, 230 square foot cellular equipment shelter and equipment cabinets for multiple carriers. The applicant also requests approval to construct a 10-foot high, 3,784 square foot enclosure to house the cellular equipment shelters.

Applicant – SureWest Wireless – Larry Houghtby Property Owner – Signature Properties – Dmitry Semenov

SUMMARY RECOMMENDATION

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

- A. Adopt the three findings of fact for denial of the Conditional Use Permit; and
- B. Deny the Conditional Use Permit.

Alternative actions are available for the Commission's consideration.

SUMMARY OF OUTSTANDING ISSUES

The tower, as proposed, does not comply with the General Standards for Antennas and Communications Facilities as set forth in the City of Roseville's Zoning Ordinance, Section 19.34.030 A. The proposed monopine cell tower greatly exceeds the height of any other structure or tree(s) in the area, cannot be screened by other structures, and will, therefore, create a negative visual impact to the surrounding area. The proposed tower's monopine design is not compatible with, nor does it blend with surrounding trees; primarily native oak trees located below the project site in the Open Space area to the north. There are no pine trees in the vicinity, and existing trees native to the area do not grow tall enough and are not located in an area to provide any screening.

The applicant is not in agreement with staff's recommendation and is proposing a 107-foot tall tower to accommodate the four wireless carriers.

SITE INFORMATION

Location: 2150 Blue Oaks Boulevard, on the northwest portion of Parcel F-30 of the West Roseville Specific Plan (WRSP) (Attachment 1).

Roseville Coalition Of Neighborhood Associations (RCONA): There are no active neighborhood associations for the project site. The Sun City residential community is located approximately one thousand feet (1,000') east of the project site. Sun City is the only developed residential neighborhood in the vicinity of the site, and the tower would be highly visible from this neighborhood. Therefore, a Legal Notice advising of this project was sent to the Sun City Neighborhood Association. To date, no comments have been received in response to this application.

Adjacent Zoning and Land Use

	Zoning	General Plan Land Use	Actual Use Of Property
Site	Business Professional (BP)	Business Professional (BP)	Undeveloped
North	Open Space (OS)	Open Space (OS)	Pleasant Grove Creek
East	Community Commercial (CC) & Attached Housing (R3)	Community Commercial (CC) & High Density Residential (HDR 13)	Undeveloped
South	Attached Housing (R3)	High Density Residential (HDR 15.1)	Undeveloped Attached Housing
West	Public/Quasi-Public (P/QP) & (OS)	Public/Quasi-Public (P/QP) & (OS)	Roseville Electric Substation & Pleasant Grove Creek

BACKGROUND

The applicant proposes to construct a 107-foot tall tower of a monopine design (see Attachment 2), on an approximate 3,800 square foot lease area of Parcel F-30, owned by Signature Properties, in the West Roseville Specific Plan (WSRP). The location is approximately 260 feet north of Blue Oaks Boulevard, 900 feet west of the intersection of Blue Oaks Boulevard and Fiddyment Road (Attachment 1). The project is proposed as a multi-carrier facility to allow four wireless carriers, including the applicant, to co-locate on the tower. There is an existing cellular tower approximately 675 feet south of the proposed site, which will be removed. The existing tower was placed at its location prior to the property's annexation into the City.

EVALUATION

Section 19.34.020 D. of the City of Roseville Zoning Ordinance requires a Conditional Use Permit (CUP) for monopoles/towers and related equipment that do not conform to the stated criteria (Attachment 3). Section 19.78.060(A) of the Zoning Ordinance requires that three (3) findings be made in order to approve a CUP. The required findings are listed below in **bold italics**, followed by an evaluation.

1. The proposed use is consistent with the City of Roseville General Plan and the West Roseville Specific Plan (WRSP).

Telecommunication facilities, referenced in the General Plan as "Privately-Owned Utilities," are permitted in all land use designations provided that the facilities are designed and constructed in a manner consistent with adopted land use policies and design guidelines to the extent feasible. The General Plan and WRSP rely on the Zoning Ordinance to establish location, general standards and design criteria for telecommunications facilities. As discussed below, the proposed cell tower is not consistent with the Zoning Ordinance, therefore, the proposed use is not consistent with the City of Roseville General Plan and the WRSP.

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

Telecommunications facilities are allowed in all zoning districts subject to standards established in Zoning Ordinance Chapter 19.34.010 (Attachment 3). The intent of this Chapter is to minimize the adverse impacts of such equipment and structures on neighborhoods and surrounding developments by limiting the height, number and location of such facilities. General Standards for telecommunications towers are set forth in Section 19.34.030 A. of the Zoning Ordinance. The standards applicable to this request are shown below, in *italics*, with an evaluation following the standard.

Zoning Ordinance Section 19.34.030 A.

2. Where building mounting is not possible, an attempt should be made to screen new towers from public view and to co-locate new antennas on existing towers.

Because of the 107-foot height of the proposed tower, adequate screening from surrounding neighborhoods and streets cannot be achieved. There are no other structures, facilities, or naturally occurring features that compare to the height of the proposed tower. Therefore, there is nothing to diffuse the visual impact of the proposed 107-foot cellular tower. Additionally, zoning in the area adjacent to the proposed tower is Business Professional (BP), with a maximum building height of 50 feet. The 50-foot height restriction will not allow future buildings and structures to provide adequate screening for a 107-foot tower; however, it would for a 60-foot tower, which is permitted with approval of an Administrative Permit, per Zoning Ordinance Section 19.34.020 C.

Possible co-location sites currently exist, and more are planned in the vicinity of the proposed tower. The Roseville Electric substation adjacent to the proposed cellular tower site will include a tower approximately 50 feet (50') in height, while the existing power lines along Blue Oaks Boulevard are approximately 60 feet in height. The Pleasant Grove Wastewater Treatment Plant and Roseville Energy Park, currently under construction, are approximately one mile west of the proposed tower site and may provide co-location opportunities.

3. In order to minimize overall visual impact, wireless communication facilities should be designed to promote facility and site sharing (co-location).

Although the proposed tower and related equipment enclosures are designed to promote facility and site sharing (co-location), the height of the tower, as proposed, greatly exceeds the height of any existing or planned structures or naturally occurring features in the area. Therefore, the potential benefit gained by co-location of carriers' facilities is eliminated by the negative visual impact caused by the height required to accommodate additional carriers, which is in conflict with this General Standard.

4. No facility should be installed on an exposed ridgeline, in or at a location readily visible from a public trail or other recreation area, or scenic area unless it is satisfactorily screened or made to appear as a natural environmental feature.

The proposed tower site is immediately adjacent to the Open Space/Pleasant Grove Creek Preserve area north of the site. The trees in this Riparian and Oak Woodland are primarily blue oak, interior live oak, and valley oak, which achieve a maximum growth height of approximately 60 feet. Most of the nearby trees in the area are within the creek bed area of Pleasant Grove creek, which is at an elevation estimated to be approximately 10-15 feet lower than the project site. Because of this, the height of the trees, when viewed from the grade of the tower site, is reduced, thereby increasing the visual disparity between the height of the trees and that of the proposed tower (Attachment 4).

Additionally, plans are currently being reviewed for the Fiddyment Ranch Bike Trail, which will be constructed along the north edge of the Pleasant Grove Creek Preserve, nearly adjacent to the project site, between the proposed cell tower and the Riparian and Oak Woodland along Pleasant Grove Creek. There are no trees or other features that would screen the 107-foot cell tower from the bike trail; therefore it would be readily visible from this public trail area, and is in direct conflict with this General Standard.

Since there are no pine trees in the vicinity of the project site, and the height of the tower greatly exceeds the height of surrounding natural features, the 107-foot monopine tower will not be

compatible with the surrounding Open Space and bike trail, and will impact views from the future professional office buildings on the site to the Open Space.

6. Innovative design should be used whenever the screening potential for the site is low. For example, designing structures, which are compatible with surrounding architecture, or appear as a natural environmental feature, could help mitigate the visual impact of a facility.

There are no office or commercial developments existing in the area; therefore there is no screening potential at this time. As discussed above, zoning in the area adjacent to the proposed tower site is Business Professional, with a maximum building height of 50 feet, which will not provide opportunity for adequate screening of a 107-foot tower.

The proposed tower's monopine design, at this location, is not compatible with, nor does it blend with surrounding trees, which are primarily native oak trees. Since there are no pine trees in the vicinity of the project site, the monopine tower will not appear as a "natural" environmental feature. The height and design of the proposed tower do not serve to conceal, or blend the tower with surrounding architectural or natural features, as prescribed in the Zoning Ordinance.

The proposed cell tower project also includes installation of a 10-foot high, 233 square foot equipment shelter, and equipment cabinets, which are to be enclosed by a 10-foot high block wall. Equipment buildings, shelters/enclosures and cabinets larger than 160 square feet in size and/or more than six feet in height may be provided only through the approval of a Conditional Use Permit.

3. The location, size, design and operating characteristics of the proposed use 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.

The Roseville Electric substation adjacent to the proposed tower site will contain equipment approximately 50' in height, while the existing 60kv power lines along Blue Oaks Boulevard are approximately sixty feet (60') in height. The proposed cell tower's height is nearly double the height of these facilities. Zoning for the area adjacent to the site (Business Professional) will restrict building height to fifty feet; therefore, the proposed tower cannot be adequately screened, nor will it blend architecturally with other structures/features in the area.

The Sun City community is approximately 1,000 feet east of the project site, with additional residential development planned to the east, south, and west of the site (Attachment 1). Staff has requested photo simulations (Attachment 2) to evaluate the visual impact of the proposed tower on existing and future neighborhoods. The photo simulations show that the proposed height and design of the tower would result in an adverse visual impact on existing and proposed residential areas.

Review of the photo simulations and the WRSP Land Use Plan also indicate that the proposed tower will be obtrusive to nearby streets, proposed commercial development, and the Open Space and bike trail north of the proposed site. Due to the adverse visual impact resulting from the proposed tower on nearby residences and public land uses, staff has determined that approval of the tower would be detrimental and injurious to public and private property. Therefore, the proposal is not consistent with the Zoning Ordinance, and the requisite findings cannot be made.

Sun City residents have previously expressed concerns about the visual impacts of utility infrastructure (Roseville Electric 60KV electric line and poles constructed along Blue Oaks Boulevard). Since Sun City residents have previously expressed concerns about views of utility infrastructure, notice for this project was sent to the Sun City Neighborhood Association. To date, no comments have been received.

SUMMARY / CONCLUSION

Based on the evaluation above, staff believes that the adverse visual impact of the proposed 107' tower outweighs the benefits of co-location. As noted throughout the report, the request has been found to be inconsistent with multiple Zoning Ordinance standards pertaining to telecommunication facilities. For these reasons, staff believes that the findings for approval cannot be met, and therefore recommends denial.

Staff has expressed to the applicant willingness to support a 60-foot tall monopole that is consistent with the Zoning Ordinance, but the applicant wishes to pursue the 107-foot tall monopine. An alternative action approving a 60-foot tall monopole has been provided should the Commission wish to pursue that alternative.

ENVIRONMENTAL DETERMINATION

Per California Environmental Quality Act (CEQA) Guidelines Section 15270 (a), CEQA does not apply to projects that a public agency rejects or disapproves.

RECOMMENDATION

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

- A. Adopt the three findings of fact as stated below for the CONDITIONAL USE PERMIT 2150 BLUE OAKS BOULEVARD (WRSP PCL F-30 SIGNATURE CELL TOWER) FILE # 2006PL-054 (CUP-000024);
 - 1. The proposed use is not consistent with the General Plan and the WRSP.
 - 2. The proposed use does not conform with all applicable standards and requirements of the Zoning Ordinance.
 - 3. The location, size, design and operating characteristics of a 107' tall monopole/monopine is not compatible with and will 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.
- B. Deny the CONDITIONAL USE PERMIT for the reasons cited in the staff report 2150 BLUE OAKS BOULEVARD (WRSP PCL F-30 SIGNATURE CELL TOWER) FILE # 2006PL-054 (CUP-000024).

ALTERNATIVE ACTIONS

Should the Commission not agree with staff's recommendations, the following Alternative Actions are provided for the Planning Commission's consideration:

Alternative Action 1:

- A. Adopt the three findings of fact as stated below for the CONDITIONAL USE PERMIT 2150 BLUE OAKS BOULEVARD (WRSP PCL F-30 – SIGNATURE CELL TOWER) – FILE # 2006PL-054 (CUP-000024);
 - 1. The proposed use is consistent with the General Plan and the WRSP.

- 2. The proposed use conforms with all applicable standards and requirements of the Zoning Ordinance.
- 3. The location, size, design and operating characteristics of a 60-foot tall monopole with radome antennas is compatible with and will 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.
- B. Approve a 60' cell tower, with the fifteen (15) Conditions of approval listed below, for construction of a 60' monopole, with modified equipment cabinets, equipment shelter, enclosure and related site improvements, including landscaping.

Environmental Determination

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, pertaining to construction or conversion of small structures, and Section 305 of the City of Roseville CEQA Implementing Procedures.

Alternative Action 2:

A. Continue the request so that staff can prepare the required CEQA document and bring the project back for Commission consideration.

CONDITIONS OF APPROVAL FOR CUP-000024 (ALTERNATIVE ACTION 1 ONLY)

- 1. The project is approved as shown in Exhibits A H and as conditioned or modified below. (Planning)
- 2. This permit shall be valid for a period of two (2) years from this date and shall expire on **September 14, 2008**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than one year from **September 14, 2008**. (Planning)
- 3. The plans submitted to the Building Department for permits shall indicate all approved revisions/alterations as approved by this permit, including all conditions of approval. (Building)
- 4. Building permit plans shall comply with all applicable code requirements (Uniform Building Code UBC, Uniform Mechanical Code UMC, Uniform Plumbing Code UPC, Uniform Fire Codes UFC and National Electrical Code NEC), 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)
- 5. Prior to, or at the time of submittal for a building permit, landscape plans shall be submitted to the Planning & Redevelopment Department for review. Landscape plans shall be in accordance with Community Design Guidelines and the West Roseville Specific Plan. Landscape Plan must be approved by the Planning & Redevelopment Department prior to issuance of building permits. (Planning)
- 6. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and

eight p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Building)

- 7. The tower and all its antennae and appurtenances shall be maintained in a medium non-reflective gray color. (Planning)
- 8. All antennae attached to the tower shall be mounted as close as possible to the tower as a means of reducing the visual impacts of the structure. (Planning)
- 9. An updated frequency evaluation shall be submitted to the Planning & Redevelopment Department prior to the establishment of any new service to demonstrate the frequencies will not interfere with the City's emergency broadcast services. (Planning)
- 10. The tower shall be designed to support antennae for additional carriers and shall be made available for lease to other carriers. (Planning)
- 11. Specify current, voltage, and phase of service along with number and size of conductors from transformer to meter. A new transformer shall be placed at the discretion of the Electric Department. The meter room shall be outside accessible by either providing a door with knox box or placing the meter on the outside of the masonry wall. A ¾" conduit with 2 pair phone line shall be designated from meter section of switchboard to the telephone switchboard. If a generator is shown it will be designated as a break-before-make type. One main breaker shall be provided that can shut off the entire panel. (Electric)
- 12. Developer shall address all interference and safety issues resulting from installation of high power microwave antennas in proximity to the Electric substation where electronic equipment and personnel will be in close proximity. Developer shall satisfy Roseville Electric in writing that antennas will have no effect on City electronic equipment and pose no health hazard to Electric Department. (Electric)
- 13. Developer shall pay all costs associated with establishing electrical service to this site, as designed by Roseville Electric. (Electric)
- 14. The applicant shall provide radio coverage documentation to the Fire Department indicating that this facility will not interfere with public safety amplification signals. (Planning, Fire)
- 15. 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 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 the Hazardous Materials Division at (916) 774-5821. (Fire)

ATTACHMENTS

- 1. Vicinity Map
- 2. Photo Simulations
- 3. Section 19.34 of the City of Roseville Zoning Ordinance
- 4. Photographs Depicting Visual Impact of Elevation Changes

EXHIBITS

- A. Title Page and Project Information
- B. Plot Plan & Site Topography
- C. Site Plan
- D. Enlarged Site Plan
- E. Equipment Plan
- F. Elevations
- G. Elevations
- H. Enclosure Wall Detail

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment 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.