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Agenda Date: 12/2/2015

Agenda Placement: 9B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: John McDowell, Deputy Planning Director - 299-1354
SUBJECT: Dwyer Site Verizon Wireless Use Permit #P15-00159

RECOMMENDATION

VERIZON WIRELESS/DWYER SITE—USE PERMIT #P15-00159-UP

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to Section 15303 (d) of the California Environmental Quality Act (CEQA), Class 3, which exempts construction of new small structures or conversion of small structures. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval to: (1) construct a 65-foot tall telecommunication tower designed as a faux water tower; (2) install nine (9) panel antennas: 72.9" in length, 11.9" in width and 7.1" in depth inside the proposed tower, (3) install two (2) small GPS antennas inside the tower; (4) place the tower and associated ground-mounted equipment on a 24' by 24' lease area (approximately 576 square feet) on the northwestern portion of the property; (4) construct a 8' tall wooden fence to screen the equipment building to house ground-mounted equipment; (5) install approximately 220' of overhead line between the proposed facility and the closest existing power pole to the east; and (6) construct a 8' tall wooden fence to screen the equipment building to house ground-mounted equipment; (7) install a 24-hour emergency diesel-powered back-up generator and associated ground-mounted equipment within the fenced lease area; (8) install emergency notification signs on the site; and (9) use existing roadways and parking areas to support the proposed facility. The facility would be located on the far southeast portion of an approximately 26.92-acre site on the west side of State Highway 29, south of the intersection of State Highway 29 and Dwyer Road, within an Agricultural Preserve (AP) zoning district, Assessor's Parcel 027-500-002 at 1327 Dwyer Road, Napa CA, 94562.

Staff Recommendation: Find the project Categorical Exemption and approve the Use Permit subject to recommended conditions of approval.

Staff Contact: Jerry Haag, Staff Telecommunication Planning Consultant, 510-644-2105, jphaag@pacbell.net; or John McDowell, Deputy Planning Director, 707-299-1354, john.mcdowell@countyofnapa.org

Applicant Contact: Peter Hilliard, GTE Mobilnet, 707-933-9633, philliard@onairllc.com

EXECUTIVE SUMMARY

Project Actions:

That the Planning Commission:

1. Find the project Categorical Exempt based on Finding 1 of Exhibit A; and
2. Approve Use Permit #P15-00159 based on Findings 2-5 of Exhibit A, and subject to the recommended conditions of approval (Exhibit B).

Discussion:

The applicant is proposing to construct a new unmanned telecommunication tower for Verizon Wireless on a vineyard. The applicant states that there is currently poor cell coverage along the Highway 29 corridor and the proposed tower would provide improved cell and data coverage for this portion of the County.

The 26.92-acre site is currently occupied by a vineyard with a single family dwelling and barns located on the south west corner of the site. The closest other residence is a single family dwelling exists approximately 400' northeast of the proposed facility location. The proposed Verizon wireless facility would be located on the western portion of the parcel on the western side of the existing vineyard. Proposed improvements would include a 65' tall tower that would be designed to appear as a water tank. Related project improvements would include ground-mounted equipment adjacent to the tower surrounded by a 8' tall wooden fence, an on-site emergency back up generator and emergency identification signs. Site access would be gained via an existing unpaved road around the perimeter of the vineyard. Adequate space exists near the facility for future truck parking by maintenance personnel. Although the facility is not "co-located" (placement of multiple cell service carriers on a single facility), it has been structurally designed to accommodate additional carriers.

The project site is flat and no major trees are located near the site. A small intermittent creek runs approximately 30 to 40' north and west of the site. The applicant notes that the height of the tower is dictated by the height of the nearby tree cover on the to the east and surrounding parcels. The visibility and aesthetic considerations of the proposal is discussed in the following section. The proposed project is consistent with the intent of the General Plan and Napa County Code to make all telecommunication facilities "effectively unnoticeable" from adjacent roads and public gathering places. The project is also consistent with applicable sections of County Conservation Regulations, and therefore recommended for approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Categorical Exemption pursuant to Section 15303 (d) of the California

Environmental Quality Act (CEQA), Class 3, which exempts construction of new small structures or conversion of small structures. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Laura H. Peters

Applicant: GTE Mobilenet dba Verizon Wireless

Applicant Representative: Peter Hilliard, On Air LLC

General Plan Land Use Designation: Agriculture Resource

Zoning: AP: Agricultural Preserve

Date Filed: May 8, 2015

Date Deemed Complete: September 10, 2015

Number of Employees: None, with period visits by maintenance staff

Lease Equipment Area: 2,500 square feet

Site Access: From Dwyer Road, east of the site

Emergency Power Supply: On-site generator (24 hr. + power supply)

Adjacent Zoning/Land Use:

North & West

AP—vacant (59.61-acre parcel)

AP – Single-family residence (1ac)

AP – Single-family residence (1.31 ac)

South & East

AP- Winery (26.25-acre parcel)

AP – Single-family residence (15.92 ac)

AP - Single-family residence (63.67)

East

AP-single-family residence (18.35-acre parcel)

Discussion Points:

1) Visual Impacts: The Napa County Code requires telecommunication facilities to be sited and designed so as to blend in with the surrounding environment to be “effectively unnoticeable.” Photosimulations supplied by the applicant (see Exhibit G) shows that, the proposed facility would be effectively unnoticeable from both Highway 29 and Dwyer Road since it is designed as a water tower. Water towers are common in rural agricultural landscapes and would appear to passers-by as part of a farmstead complex. These structures are not uncommon in Napa

County and would appear as effectively unnoticeable. Therefore, the County's aesthetic standard can be met.

2) Conservation Regulations/Creek Protection: The first submittal proposed trenching for connection of electrical power and telephone lines between the proposed facility and an existing power approximately 220' to the east as generally required by the Telecommunication Ordinance. A portion of the trench would have been located closer than 35' from a nearby creek. This feature of the project would not be consistent with Section 18.108.025 of the County Code that provides for a 35' setback from perennial and intermittent streams.

To ensure consistency with Conservation Regulations, the applicant has amended the project (see Exhibit E) to install overhead wires between the proposed lease area and the nearest utility pole, which is approximately 200' east of the lease area. With this change, the project would be consistent with Conservation Regulations. Although Telecommunication standards normally encourage underground trenching for utility connections, it is not a requirement and The Commission may approve the Use Permit with the extension of overhead wires. The proposed installation of wires would be located near taller trees on the northern property line of the subject parcel and would not appear as a visual intrusion and would allow the facility to be effectively unnoticeable.

3) Potential Alternative Sites: The applicant submitted information to the County regarding other potential locations and configurations as alternatives to the current request. This is included as Exhibit E. In sum, the applicant noted that several surrounding property owners near Dwyer Road were contacted to allow a similar facility to be constructed. None expressed interest with the exception of the owner of the property which is the subject of this application.

4) Environmental Analysis: Staff is recommending issues of a Class 3 Categorical Exemption to address CEQA requirements, which is intended to cover small scale structures where no adverse impacts could occur. In this instance, the project site lies within an agricultural area with no nearby structures. Documentation has been submitted with the application stating that no significant adverse impacts would result to biological or archeological/cultural resources. The recommended Conditions of Approval contain a provision to preserve undocumented archeological or cultural resources should they be discovered during project construction. Exhibit D includes background biological documentation.

Consistency with County Standards

General Plan Compliance

The proposed project is in compliance with Public and Quasi-Public Polices contained in the Land Use Element of the General Plan note that "governmental uses, public uses, and public utility uses shall be permitted in appropriate locations" (Policy 8.10).

AP Zoning District Compliance

The proposed project is consistent with the AP zoning district regulations (Section 18.16.030 I) which conditionally permits major telecommunication facilities that do not meet one or more of the performance standards established in Section 18.119.200. In this instance, the proposed height increase of the proposed tower at 65' would exceed the maximum height of a telecommunication facility that could be administratively approved, which is 50'. The proposed application also includes a request to install overhead wires for a distance of approximately 220' in lieu of undergrounding.

All other provisions of the AP district are met, including setbacks.

Telecommunication Standards Compliance

Telecommunication facilities in the County are regulated by Chapter 18.119 of the County Code. The proposal, as conditioned will comply with all of the standards set forth in this section, including but not limited to basic tower design, setbacks, identification signs, fire protection and provision of a minimum of 24-hour emergency power

supply.

Photosimulations of the proposed facility are shown on Exhibit G.

Conservation Regulations Compliance

Chapter 18.108 of the Napa County Code establishes provisions for protection of watercourses, hillside areas, riparian habitat and other natural resources. The proposed Verizon telecommunication facility would include a minimum 35' setback from the adjacent creek and would therefore comply with creek setback requirements as set forth in the Conservation Regulations.

SUPPORTING DOCUMENTS

- A . Exhibit A - Draft Findings
- B . Exhibit B - Draft Conditions of Approval
- C . Agency Comments
- D . CEQA Memorandum
- E . Application - Submittal Materials
- F . Environmental Documentation
- G . Photosimulations
- H . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell