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Agenda Date: 6/15/2011

Agenda Placement: 8A

## Airport Land Use Commission Board Agenda Letter

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**TO:** Airport Land Use Commission

**FROM:** Melissa Gray for Hillary Gitelman - Director  
Conservation, Development & Planning

**REPORT BY:** RONALD GEE, PLANNER III - 707.253.4417

**SUBJECT:** Verizon Wireless Telecommunication Tower Airport Compatibility Determination P11-00126-ALUC

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### **RECOMMENDATION**

#### **SILVERADO SUSCOL, LLC - VERIZON WIRELESS TELECOMMUNICATIONS FACILITY - AIRPORT LAND USE CONSISTENCY DETERMINATION # P11-00126-ALUC**

**Request:** Airport Land Use Compatibility Plan Consistency Determination for a proposed co-located, unmanned telecommunications facility on an existing 136.8 ft. tall (176.4 ft MSL) PG&E tower as required pursuant to the State Aeronautics Act, Public Utilities Code Chapter 4, Article 3.5, Section 21676. The existing tower will be raised from 136.8 ft. to 142.8 ft. (182.4 MSL) in height. The property is located on an approximately 143.08 acre parcel on the east side of Anderson Road, approximately 700 feet southeast of the intersection at Napa-Vallejo Highway (SR 221) and Anderson Road, in Napa County Airport Compatibility Zone C, Extended Approach/Departure Zone, approximately 1.42 mile (7,500 feet) northeast of the Runway Protection Zone. (Assessor's Parcel Number: 046-400-047) 500 Soscol Creek Road, Napa

**Staff Recommendation:** That the Commission find the project consistent with the Airport Land Use Compatibility Plan.

**Staff Contact:** Ronald Gee, 299-1351, [ronald.gee@countyofnapa.org](mailto:ronald.gee@countyofnapa.org)

### **EXECUTIVE SUMMARY**

#### **Proposed Action:**

1. That the Airport Land Use Commission find and determine that the proposed Silverado Soscol LLC / Verizon Wireless Telecommunication Tower project (# P11-00126-ALUC) is consistent with the Napa County Airport Land Use Compatibility Plan (ALUCP).

**Discussion:** The proposed Verizon Wireless telecommunication facility would co-locate new equipment on an existing 136.8 feet (176.4 feet MSL) PG&E utility tower. Verizon would add six panel antennas on a new 6 feet "top hat" resulting in a 142.8 feet (182.4 feet MSL) high tower that currently shares equipment space with Metro PCS and T-Mobile. Additional on-ground equipment would include outdoor equipment cabinets and a 30 kilowatt diesel generator on a 16 feet x 30 feet concrete pad foundation located about 60 feet south of the tower. The project will be designed to comply with all FCC construction requirements, technical standards, interference protection, power limitations and radio frequency standards.

The tower is located in the Napa County Airport Influence Area, Zone C, Extended Approach/Departure Zone, approximately 1.42 mile (7,500 feet) northeast of the boundary of Zone A, Runway Protection Zone, the approach to Runway 18R/36L. The tower is 1.79 mile (9,500 feet) northeast of the centerline and edge of Runway 18L/36R. The existing PG&E tower, including the proposed 6 feet addition, does not penetrate FAR Part 77 surfaces, is located below current 20:1 and future 34:1 required approach slopes and navigable airspace thresholds for the Napa County Airport, consistent with ALUCP policies.

The property has an existing Avigation Easement recorded on January 26, 2007.

At its February 7, 2011 meeting, the Napa County Airport Advisory Commission had no comments on the proposal and did not express concerns about the PG&E telecommunication/tower addition.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

The ALUC's Consistency Determination does not meet the definition of a "project" as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. The ALUC is only making a finding of consistency with airport compatibility regulations and is not responsible for approving or undertaking the project. The Napa County Planning Commission is the Lead Agency responsible for carrying out the project and will determine required CEQA findings before taking final action on the request.

### **BACKGROUND AND DISCUSSION**

#### **Airport Land Use Consistency Factors:**

- 1. History** - Two previous Site Plan Approval permits were approved in 2005 and 2006 for co-located T-Mobile Wireless and Metro PCS telecommunication facilities on the existing PG&E tower. No prior ALUCP Consistency Determination was required since the tower height was not increased as part of those applications. The subject PG&E tower and adjacent transmission monopole did not require ALUC Consistency Determinations when they were installed.
- 2. Location** - The proposed Verizon Wireless (AKA GTE Mobilenet) telecommunication facility would be located in the northwest corner of an approximately 143.08 acre parcel on the east side of Anderson Road, approximately 700 feet southeast of the intersection at Napa-Vallejo Highway (SR 221) and Anderson Road. The existing PG&E utility tower is about 235 feet west of the PG&E Tulocay Substation and shares space with a second power transmission

pole.

The tower site is located within Napa County Airport Influence Area Compatibility Zone C, the Extended Approach/Departure Zone, approximately 1.42 mile (7,500 feet) northeast of the Zone A, Runway Protection Zone. Zone C is defined as the area where aircraft will be below 300 feet above ground level as determined by the type of approach. Properties in this zone will be affected by substantial noise. The PG&E tower is 1.79 mile (9,500 feet) northeast of the centerline and beginning of Runway 18L/36R.

Typical overflights of the project area consist of aircraft on final approach to Runway 18L/36R since the tower is located about 640 feet southwest from outermost edge of Zone C. As shown in Exhibit C, Aircraft Altitude Profiles, Napa County Airport (ALUCP, Figure 1), with the tower's approximately 9,500 feet distance from the runway, the required approach slopes of the existing 20:1 Part 77 approach surface, future 34:1 Part 77 approach surface (when the new glideslope system is installed) and 3% glideslope for small jets are all located at least above 300 feet MSL, above the the final 142.8 feet (182.4 feet MSL) height of the existing PG&E tower and background terrain. The tower would not penetrate FAR Part 77 surfaces or navigable airspace thresholds. The project is consistent with ALUCP policies.

**3. Land Use** – The proposed telecommunication facility would co-locate new equipment with existing Metro PCS and T-Mobile equipment on an existing 136.8 feet (176.4 feet MSL) PG&E utility tower. Verizon would add six panel antennas on a new 6 feet "top hat" resulting in a 142.8 ft.(182.4 ft. MSL) high tower that currently shares equipment space with Metro PCS and T-Mobile. Additional on-ground equipment would include outdoor equipment cabinets and a 30 kilowatt diesel generator on a 16 feet x 30 feet concrete pad foundation located about 60 feet south of the tower. The project will be designed to comply with all Federal Communication Commission (FCC) construction requirements, technical standards, interference protection, power limitations and radio frequency standards.

The existing PG&E tower does not penetrate Federal Aviation Regulations (FAR) Part 77 surfaces, is not a use that would attract large numbers of birds (e.g., landfills) and is not a use that would create smoke, glare, distracting lights or electronic interference. The proposed co-location of a third telecommunication facility on an existing tower is consistent with ALUCP policies.

**4. Concentration of People** – The existing PG&E utility tower is a freestanding structure located within a PG&E utility easement, adjacent to the PG&E Tulocay Substation. Zone C allows maximum densities of 50 people/acre in structures and a total of 75 people/acre outside of structures. The proposed telecommunication facility and accessory utility structures are unmanned. The project does not conflict or potentially conflict with these density limitations and is fully consistent with ALUCP policies.

**5. Building Height** – The proposed Verizon Wireless telecommunication facility would co-locate new equipment on an existing 136.8 feet (176.4 feet MSL) PG&E utility tower. Verizon would add six panel antennas on a new 6 feet "top hat" resulting in a 142.8 feet (182.4 feet MSL) high tower. FAR Part 77, Section 77.13(a)(2)(i), Construction or Alteration Requiring Notice, requires that "the (FAA) Administrator be notified of any construction or alteration of greater height than an imaginary surface extending outward and upward at (a) 100 to 1 slope for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport . . . with a runway more than 3,200 feet in actual length, excluding heliports . . ." to determine whether the construction or alteration constitutes an "obstruction to air navigation". In this case, the existing tower is located about 9,500 feet from the edge of the 5,932 feet long Runway 18L/36R and notice will be required prior to construction.

However, the existing tower does not qualify as an obstruction under FAR Section 77.23(a) (1 and 2), Standards for Determining Obstructions, since it "does not exceed 500 feet above ground level at the site of the object" and is not "a height that is 200 feet above ground level or is above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of the airport . . . and that height increases in proportion of 100 feet for each nautical mile of distance from the airport at a maximum of 500 feet." The existing PG&E tower

does not penetrate FAR Part 77 surfaces, is located below current 20:1 and future 34:1 required approach slopes and navigable airspace thresholds for the Napa County Airport, consistent with ALUCP policies.

**6. Lighting and Glare** – The existing PG&E tower is unpainted, has a non-reflective surface and does not have existing hazard lighting, There is no uplighting or sources of glare, consistent with ALUCP policies. Off-site, there is a street light located at the cul-de-sac across the street from the tower and the nearby PG&E Tulocay Substation facility is well lit at night for security purposes.

**7. Communications** - As proposed, Staff does not anticipate the new telecommunication facility will affect airport communications. As stated above, the project will be designed to comply with all FCC construction requirements, technical standards, interference protection, power limitations and radio frequency standards.

**8. Building Materials** – Additional on-ground equipment would include outdoor equipment cabinets and a 30 kilowatt diesel generator on a 16 ft. x 30 ft. concrete pad foundation located about 60-ft. south of the tower, adjacent to similar facilities owned by the other telecommunication companies. The project will be designed to comply with all FCC construction requirements, technical standards, interference protection, power limitations and radio frequency standards. Any and all radio frequency emissions are subject to the FCC jurisdiction. Standard County permit conditions of approval will prohibit reflective roof materials, consistent with ALUCP policies.

**9. Overflight Easement** – The property has an existing Avigation Easement accepted by the Napa County Board of Supervisors on January 24, 2006 and recorded on January 27, 2006. No changes to the document are required for this project.

**10. Caltrans Aeronautics** – Caltrans Division of Aeronautics staff has been sent copies of attached background information. No comments have been received regarding the project.

**11. Processing** – ALUCP Policy 2.1.8 states, "The ALUC shall not accept any plan, ordinance or regulation for review until the referring local agency has held at least one substantive local hearing or other public meeting on the proposed matter. . ." and prior to the local agency's final action. Staff believe the reason for this policy is two fold: 1) to avoid ALUC having to respond to land use issues outside of the jurisdiction of the ALUC which may occur if the project is reviewed too early in the process, before the local agency has commenced public review; and 2) to ensure that the ALUC can review the final design so that re-referral to the ALUC does not occur as a result of project design changes during the local agency public hearings. This policy is most suited for major consistency determinations (e.g., general plan amendments) that are subject to multiple Planning Commission, City Council or Board of Supervisor hearings at the local level.

In this case, the project is a relatively minor change to an existing structure and is subject to Napa County Planning Commission review as a Use Permit. Options for addressing this policy were to either have the ALUC hear the matter just prior to the Planning Commission's decision or to hear it after the Planning Commission has conducted a hearing. ALUC staff chose the first option and the Napa County Planning Commission is set to hear the matter at its next scheduled meeting on July 6, 2011 as Use Permit #P11-00125-UP. The County has agreed to include the following condition to ensure ALUCP consistency:

**12. Conditions** - The applicant shall comply with Federal Aviation Regulations Part 77, Section 77.13(a)(2) (i) requirements and submit a "Construction or Alteration Notice" to the FAA Administrator for determination whether the addition constitutes an obstruction to air navigation prior to issuance of a Building Permit. A copy of this notice and FAA Administrator determination shall be submitted to the Planning Director prior to final inspection.

**SUPPORTING DOCUMENTS**

- A . Application
- B . Photo Simulation
- C . Avigation Easement
- D . Exhibits

Airport Land Use Commission: Approve

Reviewed By: Melissa Gray