

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT
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DATE: March 22, 2001

FROM: P&DSD/Current Planning Services Division

SUBJECT: Public Hearing for Planning Application PA01-0011 for Use Permit

PROPOSAL: Use Permit request to allow the increase in height of an existing 43' tall cellular communications antennae tower to 53' to accommodate 3 flush-mounted antennae of one panel each. The existing Pacific Bell antennae (emplaced per PA000064) would be shifted to the top of the facility, mounted between 47' and 53' off the ground, and new Sprint PCS antennae would replace them at an elevation of between 37' and 43' off the ground.

In addition, Sprint PCS would install six equipment cabinets with electrical and telephone panels some 15' feet from the monopole, on a 15' by 15' concrete pad, surrounded by a 7' high screening chain link fence. No permanent emergency generator would be located at the site, nor would a generator fuel tank be installed under this proposal.

LOCATION: In the Las Flores/Chiquita Canyon area at 29634 Oso Parkway, Fifth Supervisorial District.

APPLICANT: Sprint PCS, Operator
Santa Margarita Water District, Owner
Compass Telecom Services, Agent

SYNOPSIS: Current Planning Division recommends Zoning Administrator approval subject to findings and conditions.

STAFF PLANNER/CONTACT: Jim Swanek, Project Manager
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BACKGROUND:

The proposed project is classified as a principal use and would be permitted subject to approval of a Site Development Permit within the A1 "General Agriculture" District zoning. However, since the proposed antennae monopole modification exceeds the District height limit (45' for communications antennae), a Use Permit heard by the Zoning Administrator is required per Section 7-9-129.2 of the County Zoning Code.

SITE ZONING AND SURROUNDING LAND USE:

The site is located along the south side of Oso Parkway approximately half-way between the Las Flores Planned Community to the west and the Coto de Caza planned community to the east, near the Foothill Transportation Corridor. In this area, Oso Parkway crosses unplanned areas within Chiquita Canyon. Those unplanned areas north of the road were incorporated into the City of Rancho Santa Margarita, while unplanned areas south of the road (including the subject property) remain in the unincorporated County area.

The County's General Plan shows a land use designation of "Open Space", suggesting the long-term intended use of property in the area. In addition, this portion of Oso Parkway is designated a "Landscape Corridor" Scenic Highway. This is described as traversing "developed or developing areas" and being less sensitive than a "Viewscape Corridor" Scenic Highway designation. It is also stated "development (affecting) the corridor should serve to complement the scenic highway". Since the proposed equipment area is set back some 85 feet from the street right of way, direct views of the cabinets will be obscured, while the flush-mounted "slimline" antennae design attempts to minimize views of the pole itself.

CEQA COMPLIANCE:

The proposed project was found to be Categorically Exempt from the provisions of CEQA as the "installation of small new equipment in small existing structures, where only minor modifications are made in the exterior of the structure", or "Class 3". Prior to project approval, the decision-maker must make a finding to this effect (recommended in Attachment A) for the proposed project.

PUBLIC NOTICES, DISTRIBUTION FOR REVIEW, AND COMMENTS RECEIVED:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were previously distributed for review and comment to the Cities of Mission Viejo and Rancho Santa Margarita, the Orange County Fire Authority, Sheriff's Communications, and County of Orange Traffic Engineering. Technical comments received have been incorporated into this staff report's discussion. Neither of the cities had comments on the project. The City of Rancho Santa Margarita stated verbally (Planning staff Marilyn Simpson on 3/8/01) that they had no objection as long as the facility was not near existing residential or commercial development. No comments arising from posting or mailing of the public notice have been received to date.

REVIEW AND ANALYSIS:

The proposal is to allow the increase in height of an existing 43' tall cellular communications antennae tower to 53' to accommodate 3 flush-mounted antennae of one panel each. The existing Pacific Bell antennae (emplaced per PA000064) would be shifted to the top of the facility, mounted between 47' and 53' off the ground, and new Sprint PCS antennae would replace them at an elevation of between 37' and 43' off the ground. Since the antennae previously installed under PA000064 are being relocated under this PA010011, this action also constitutes an Amendment to that previous administrative site development permit, and all appurtenances to be installed under this permit will also be subject to the conditions of PA000064. Recommended Conditions of Approval 9 – 12 relate to that previous action.

In addition, Sprint PCS would install six equipment cabinets with electrical and telephone panels some 15' feet from the monopole, on a 15' by 15' concrete pad, surrounded by a 7' high screening chain link fence. No permanent emergency generator would be located at the site, nor would a generator fuel tank be installed under this proposal. The project is not opposed by either of the nearby cities of Mission Viejo or Rancho Santa Margarita, and is not located in the Spheres of Influence of either city.

Staff is cognizant of the need to have specified heights for the antennae associated with this needed public Service, and believes that the proposal meets the purpose and intent of the zoning district and would not result in significant impacts.

RECOMMENDATION

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve Application PA 01-0011 subject to the attached Findings and Conditions of Approval.

Respectfully submitted,

Chad Brown, Chief
CPSD/Site Planning Section

APPEAL PROCEDURE

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval

Exhibits: (Zoning Administrator package only)

1. Applicant's Letter of Explanation
2. Site Plans