

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: August 8, 2002

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA02-0060 for Coastal Development Permit

PROPOSAL: Installation and operation of an additional wireless communication facility at the Laguna Beach County Water District's Moorehead Reservoir site.

LOCATION: The site address is 10785 Lookout Drive, Laguna Beach. The site is north of the city of Laguna Beach, west of Irvine Bowl in Planning Area 7B of the Newport Coast Planned Community. Fifth Supervisorial District

APPLICANT: Laguna Beach County Water District (LBWD), property owner
AT&T Wireless Services (ATT), project developer

STAFF CONTACT: William V. Melton, Project Manager
Phone: (714) 834-2541 FAX: (714) 667-8344

SYNOPSIS: Current Planning Services Division recommends Zoning Administrator approval of PA02-0060 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The project site is owned and developed by the Laguna Beach County Water District (LBWD). The site was originally developed with an underground water storage tank and a one-story block equipment building. The site and equipment building now provides support for antennas used by the water district along with private cellular wireless operators' equipment and antennas. Additionally, the County maintains an 800 MHz communication facility with a 55 feet tower adjacent to the equipment building. That project received a Coastal Development Permit approved under Planning Application PA99-0099. The project site is on a knoll overlooking the City of Laguna Beach. Access to the site is from an existing paved LBWD access road coming from Harold Drive (a cul-de-sac) in the City of Laguna Beach.

The ATT wireless proposal includes the construction of a 29 feet x 19 feet elevated platform to support a 12 feet x 20 feet x 11 feet high equipment shelter and six (6) pole mounted panel antennas. The platform is on a down slope from the existing LBWD access road and will be elevated nine (9) feet above existing grade at its highest point. Five columns support the platform, which means that minimal grading will be needed for this proposal. Four panel antennas are mounted on 14 feet high poles attached to the platform with the top of the antennas 23 feet above existing grade and two additional panel antennas are proposed to be installed at the 12-foot level of an adjacent, existing 30 feet high tower structure.

SURROUNDING LAND USE:

| Direction | Planning Area | Land Use Designation | Existing Land Use |
|--------------|----------------------------|--|--|
| Project Site | 7B/12I | Low Density Residential/Laguna Beach County Water District | Moorehead Reservoir site, private cellular facilities and the Sheriff's 800 MHz facility |
| North | 21B | Conservation/Irvine Coast Wilderness | Vacant open space |
| South | 7B City of Laguna Beach | Low Density Residential -- | Vacant open space Residential |
| East | City of Laguna Beach | -- | Irvine Bowl |
| West | 21B | Conservation/Irvine Coast Wilderness | Vacant open space |



REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Coastal Development regulations also require mailing of the notice to the resident of a house within 100 feet of the subject site; however, there are no homes within 100 feet of the 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 distributed for review and comment to six County Divisions, the Orange County Sheriff's Department and the City of Laguna Beach.

As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions that could not be addressed through conditions of approval. HBP staff recommended a condition for landscaping because the site is adjacent to the Laguna Coast Wilderness area. The Sheriff Department recommended a condition that the facility transmissions be tested to assure that it does not interfere with the County's 800 MHz system. The City of Laguna Beach Planning Department indicated that they have no comments. As of the writing of this report, staff has received one telephone call from a resident living on Lookout Drive (the closest residential area to the project site) inquiring about the exact location of the proposed facility. The caller was sent the information requested.

CEQA COMPLIANCE:

The proposed project is covered by previously finalized Negative Declaration No. PA960161 (Exhibit 3). Prior to project approval, this Negative Declaration must be found adequate to satisfy the requirements of CEQA by the Zoning Administrator. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The LBWD site is located in a portion of Planning Area 7B of the Newport Coast Planned Community and has a land use designation of Low Density Residential. The Planned Community Statistical Table provides for a maximum of ten (10) residential dwelling units in this Planning Area. Staff notes that a majority of the Newport Coast Planned Community was annexed into the City of Newport Beach this January, however this Planning Area and nearby Planning Area 7A were not part of the annexation. The Irvine Company, owner of PA 7B not owned by the water district, has no plans for any residential development in this area at this time. In addition to detached single-family dwellings, "Communication transmitting, reception or relay facilities" is listed as principal permitted use for PA 7B. Because this proposal is a principal permitted use, it is not subject to appeal to the California Coastal Commission.

One reoccurring issue of a cellular phone facility is that of potential visual impacts of the antenna support tower from nearby residential areas. This was the case for the 800 MHz facility where the tower was originally proposed at a height of 110 feet but reduced to a height of 55 with 20 feet high whip antennas at the request of the City of Laguna Beach. The proposed ATT facility is not proposing to install a new support tower so there is no issue regarding tower height. Because the proposed facility is located at the top of a slope, the four panel antennas are mounted on small diameter poles mounted directly to the proposed elevated platform. This mounting configuration is sometimes referred to as "lollipop mounts".

The top of these antennas will be 14 feet above the platform and the existing LBWD access road, and 23 feet above existing site grade at the highest point. Two antennas will be facing southwesterly towards a residential area, two are facing northwesterly and two additional antennas are mounted on an existing tower located southeasterly of the proposed facility. As previously mentioned, plans of this proposal were sent to the City of Laguna Beach for review and comment. The City indicated that they had no comments on this proposal.

The proposal is located adjacent to the Laguna Coast Wilderness Park causing PFRD/HBP Program Management and Coordination to raise a concern on the potential visual impacts of the proposed facility on the wilderness park. To address this concern, Condition of Approval No. 8 is applied requiring the applicant to provide HBP for their approval: a) an urban edge/landscape plan to help screen both the antennas and equipment building from the Laguna Coast Wilderness Park; and b) a color palette for the equipment shelter and platform. This same condition was used for the County's 800 MHz facility approved under PA99-0099

In staff's opinion, the proposal should not affect views from nearby residential areas, which is usually one of the issues associated construction of new cell towers. The proposal does not include the construction of any antenna support tower and the facility is located away from views of nearby homes, which are orientated towards the ocean. Minimal grading will be required because only five support columns are needed to support the facility instead of a large retaining wall. HBP's urban edge treatment condition for landscaping and painting will help camouflage the facility. Staff supports ATT's proposal and submits the following recommendation.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA02-0060 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

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APPENDICES:

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

EXHIBITS:

- 1. Applicant's Letter of Explanation
- 2. Site Photos
- 3. Environmental Documentation
- 4. Site Plans

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 filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.

In addition, this project is within the Coastal Zone and is not an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.