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RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT REPORT

HEARING DATE: February 22, 2006

TO: Orange County Planning Commission

FROM: Land Use Services Division

SUBJECT: PA 05-0067, a Site Development Permit per Foothill-Trabuco Specific Plan Section III.D.11.3.7 to establish a cellular communications site in the Public/Quasi-Public Facilities (PQF) District.

LOCATION: 27844 Modjeska Grade Road, Santiago Canyon (District 3)

APPLICANT: Cingular Wireless, tenants

STAFF CONTACT: Jim Swanek (Jim.Swanek@pdsd.ocgov.com)
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SYNOPSIS: The applicant is proposing:

- a) a cellular communications site as a second principal use in the Public/Quasi-Public Facilities (PQF) District to the existing use of electrical power transmission lines;
- b) modifications of an existing tower constructed under the authority of the State Public Utilities Commission at a height not to exceed the PQF District height limit of 35 feet;
- c) no fencing around the at-ground equipment shelter; and
- d) no fuel modification (nor has such been recommended by the Fire Authority).

FOOTHILL/TRABUCO SPECIFIC PLAN REVIEW BOARD:

On October 14, 2005, the Foothill/Trabuco Specific Plan Review Board reviewed this project. Their Minutes recommending approval are attached as Exhibit 2.

PUBLIC NOTICE:

Notices of Hearing were mailed and posted as required by State law. Additionally, notice has been mailed to those parties that have specifically requested notification on projects in the Foothill-Trabuco Specific Plan area. As of the writing of this staff report, no objections to the project have been received from said noticing.

CEQA COMPLIANCE:

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is documented by a Negative Declaration (ND), IS PA050067, which became final without appeal on December 12, 2005. Mitigation measures were included in the ND to address construction-term noise and long-term

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operational compatibility with the County's emergency communications frequencies. These have been transposed into recommended conditions of approval. Prior to project approval, the decision-maker must conclude that this Negative Declaration is adequate to satisfy the requirements of CEQA for the proposed project. A finding to that effect is included.

PROJECT ANALYSIS:

The project site is located in the Public/ Quasi-Public Facilities (PQF) District of the Foothill/Trabuco Specific Plan. The approximately 2-acre lot, which was created by public utility acquisition many years ago, is owned by Southern California Edison (SCE). SCE has granted permission for Cingular to operate within their ownership on a much smaller area leased for cellular communications purposes. The proposed use is consistent with the purpose and intent of the PQF District, which states in part: "The Public/Quasi-Public Facilities (PQF) District is established to provide for the continued development and maintenance of the existing public and quasi-public facilities within the Specific Plan Area." Cellular communications facilities are consistent with the broader meaning of a "quasi-public facility".

One item that required additional consideration related to potential project visibility from Santiago Canyon Road. Specific Plan Guideline Section C.3.0k. states that "no structure should encroach upon the skyline as viewed from roads designated by the (Specific Plan) Resources Component as scenic corridors". Staff does not recommend landscaping due to the height of the antennae above grade on the SCE power pole and the distance from the road, rendering screening by landscaping impractical. The base of the tower with the new ground equipment blockhouse would likely draw more attention to itself with unnaturally dense new landscaping than if it were left in the proposed state. Finally, there are few possible screen trees compatible with coastal sage scrub habitat which are also fire-safe, Mexican Elderberry being the most notable exception. Please see the photos on the following pages for perspective. Staff however recommends the blockhouse be painted a "dark sage green", which should achieve year-round visual compatibility. The applicant concurs (see Condition 8).

A landscaping plan as specified by Specific Plan Section III.E.1.0 was not prepared, as allowed by Specific Plan Section III.G.2.0f. The Foothill-Trabuco Specific Plan Review Board reviewed the same plans as are before the Commission today, and recommended no additional landscaping with its recommendation of project approval.

No oak trees will be impacted by the current proposal. The distance of the site from wildlife corridors, oak woodlands, streambeds, major ridgelines and major rock outcroppings indicates no impacts and no requirements for additional specialized studies.

In conclusion, the project proposal is consistent with all applicable Specific Plan Regulations.

RECOMMENDED ACTION:

1. Receive staff presentation and public testimony; and
2. Approve PA05-0067, subject to recommended findings and conditions (Appendices A-B).

Respectfully submitted,

Timothy S. Neely, Director
Planning and Development Services

APPENDICES:

- A. Recommended Findings for Project Approval
- B. Recommended Conditions for Project Approval

EXHIBITS:

- 1. Applicant's Letter of Justification
- 2. Foothill-Trabuco Specific Plan Review Board meeting minutes
- 3. Project Plans (Planning Commission copies only)
- 4. Negative Declaration Initial Study PA05-0067 (Planning Commission copies only)
- 5. Foothill-Trabuco Specific Plan Project Consistency Checklist (Planning Commission only)

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Planning Commission on this permit to the Orange County Board of Supervisors 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.

