

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

DATE: October 18, 2006

TO: Orange County Planning Commission

FROM: PDS/D/Land Use Services Division

SUBJECT: Public Hearing on Planning Application PA06-0048 for Use Permit

PROPOSAL: T-Mobile requests approval of a Use Permit under Orange County Zoning Code Sections 7-9-150 and 7-9-129.2 and County Ordinance 02-014 to allow modification of an existing tower supporting the electrical powerline grid, non-conforming as to height limit, to add cellular communications equipment up to 66 feet off the ground and at ground level, in the C1 "Local Business" District.

LOCATION: In the southwest Anaheim unincorporated area at 10713 Brookhurst Street, Anaheim. Fourth Supervisorial District.

APPLICANT: Edison Securities Company, owner, and T-Mobile, tenant

SYNOPSIS: Land Use Services Division recommends Planning Commission approval of PA06-0048 subject to the attached findings and conditions.

STAFF PLANNER/CONTACT: J. Alfred Swanek, Project Manager
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BACKGROUND:

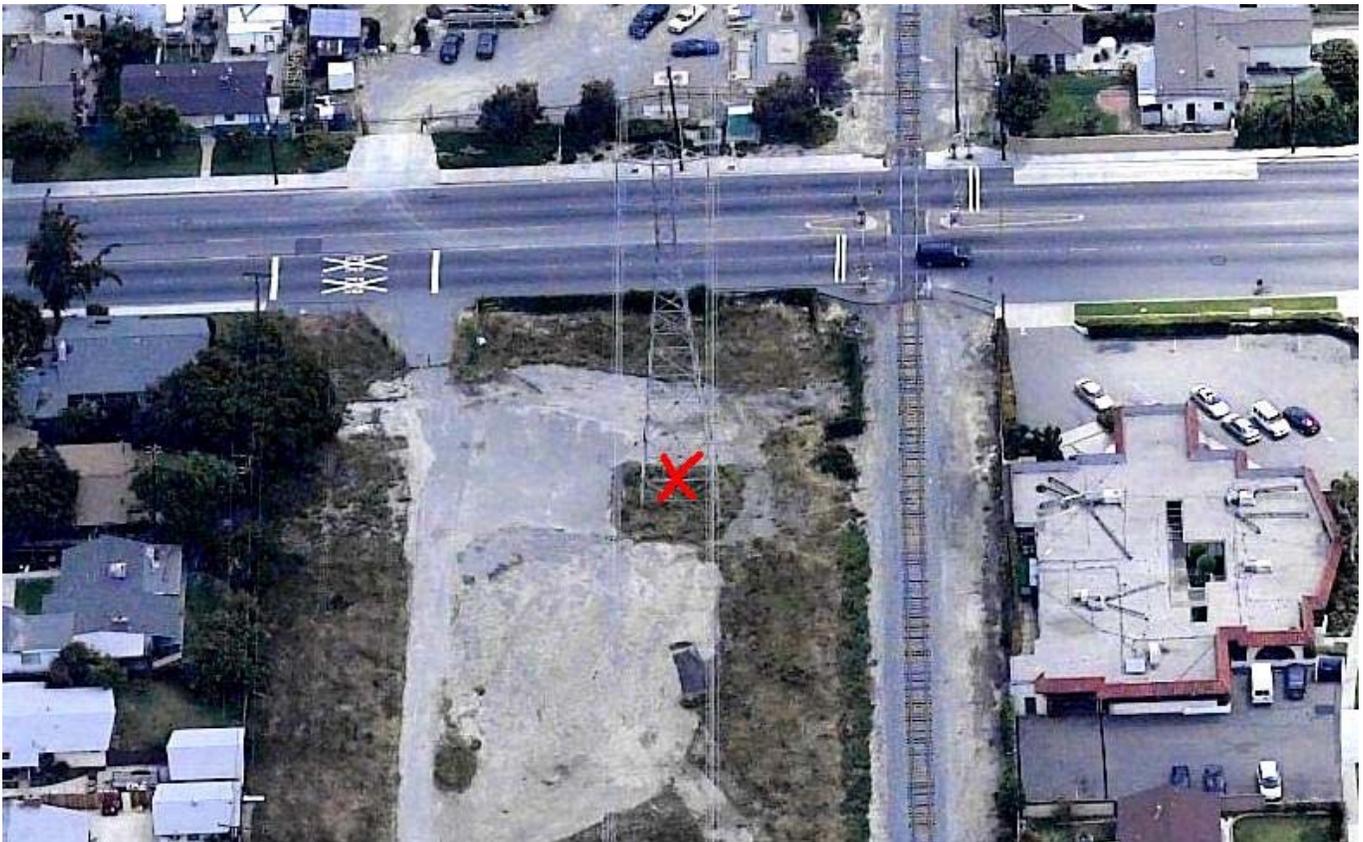
The proposed project is within a future self-storage complex, which was approved by the Planning Commission in 2003 as PA020102. The location is directly under the pylons supporting one of the Edison powerline towers closest to the self-storage complex entrance. The area around the tower will generally be landscaped with groundcover, although the area immediately between the pylons shows on PA020102 as "crushed stone". Screening of the "cellsite" from adjoining uses to the self-storage complex will be accomplished as part of the PA020102 approval. It includes a block wall and Crape Myrtle trees screening from the nearest residences, chain link with vines screening the railroad tracks, and Crape Myrtle and red-flowering New Zealand Christmas trees screening from Brookhurst. Internal screening of the cell site equipment enclosure from the rest of the self-storage complex will be by chain-link fencing with color-matching vinyl slatting.

Ordinance 02-014, which rezoned the property in 2003 from the A1 "General Agriculture" District to the C1 (Cond.) "Local Business" District, reads: "All principle uses allowed by the C1 District shall be subject to the completion of an Initial Study per CEQA and a use permit approved by the Planning Commission". This would be a separate principal use than the previously approved self-storage complex.

SURROUNDING LAND USE:

The project site is zoned C1 and includes 100 foot tall towers supporting the weight of lines transmitting electrical current. The towers were constructed under authority of the State Public Utilities Commission.

Direction	Land Use Designation	Existing Land Use
Project Site	C1 “Local Business”	Transmission towers
North	County R1 “Single-Family Residence”	Single family dwellings
South	City of Anaheim zoning	Commercial
East	City of Anaheim zoning	Transmission towers and nursery
West	City of Stanton zoning	Transmission towers and nursery



REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, notice was posted at the site and as required by law. A copy of the planning application and proposed plans were distributed to the City of Anaheim and County Divisions for technical review and comment. City of Anaheim staff suggested consideration be given to screening the actual ground level equipment enclosure should the approved self-storage complex not be constructed.

CEQA COMPLIANCE:

The proposed project has been determined to be Categorical Exempt as “Class 1”, or the “minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use”. Prior to project approval, the decision-maker must concur in this determination. A finding to that effect is included.

ANALYSIS:

As noted previously, this modification of an existing powerline tower and the installation of support equipment at ground level is deemed an additional principle use to that of the existing towers, lines, and power transmission, as well as the previously approved but not yet constructed self-storage complex. Since the self-storage complex was approved with a development agreement and is not limited by the standard 3-year time frame to begin construction, this cellular installation could conceivably be built before that complex. Based on ongoing work with that applicant, staff believes it is unlikely this cell-site would be “alone for long”, and that the entire program of screening approved under PA020102 will be installed in relatively short order.

The modifications to the existing towers, nonconforming as to height, to install antennae would occur at a height well above the 35 foot height limit of the base C1 District. However, Zoning Code 7-9-129.2 provides that any height for antennae installation may be provided by the approval of a use permit. Staff suggests the changes to the existing towers to add antennae features are innocuous enough in nature to allow the required finding to be made that:

“The location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity”

RECOMMENDATION

Land Use Services Division recommends the Planning Commission:

- a. Receive staff presentation and public testimony as appropriate; and
- b. Approve Application PA060048 subject to the attached Findings and Conditions of Approval.

Respectfully submitted,

Timothy S. Neely, Director
Planning and Development Services

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Applicant's Letter of Explanation

Exhibits: (Planning Commissioners' distribution only)

Plan Packages (including site photos and photo simulations)

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 appeal processing fee, filed at the Development Processing Center, 300 N. Flower, Santa Ana.