CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
March 28, 2024

PROJECT TITLE

New Telecommunications Facility

APPLICANT

Carol Kincheloe

ADDRESS/LOCATION

2715 Giffen Avenue

PROPERTY OWNER

Giffen Avenue Property LLC

ASSESSOR'S PARCEL NUMBER

010-450-008

FILE NUMBERS

CUP23-004, DR23-038

APPLICATION DATES

January 11, 2023

APPLICATION COMPLETION DATES

October 31, 2023

REQUESTED ENTITLEMENTS

Conditional Use Permit

FURTHER ACTIONS REQUIRED

Design Review

PROJECT SITE ZONING

Light Industrial (IL)

GENERAL PLAN DESIGNATION

General Industry

PROJECT PLANNER

Suzanne Hartman

RECOMMENDATION

Approval

Agenda Item #9.2
For Planning Commission Meeting of: March 28, 2024

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR AND MEMBERS OF THE PLANNING COMMISSION BOARD

FROM: SUZANNE HARTMAN, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

SUBJECT: NEW TELECOMMUNICATIONS FACILITY

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, approve a Conditional Use Permit for a new wireless telecommunications facility located at 2715 Giffen Avenue.

BACKGROUND

1. Project Description

The applicant proposes to construct an 80-foot monopine wireless telecommunications facility pole, with a 5-foot lighting rod atop of the pole. The proposed foliage of the monopine treepole will be colored green to match with the existing trees that are located at the project site. All of the ground equipment will be enclosed by 6-foot-tall CMU wall and access gate. The proposed telecommunications facility use requires Conditional Use Permit approval by the Planning Commission, while the design of the facility will be considered through the Design Review process by the Design Review Board.

2. Existing Land Use – Project Site

The subject parcel is 11.71 acres and there are various light industrial uses operating at the site. The tower, ground equipment and fence lease area will be constructed in the southwest corner of the property. The proposed development

will not displace or disrupt any existing parking or circulation for the existing buildings.

3. Project History

January 11, 2023	Application Submitted
March 17, 2023	Notice of Application Distributed
February 7, 2024	The applicant accepted City staff's request for a Tolling Agreement that would extend the review timeframe and shot clock of this project from January 11, 2024, to April 16, 2024, to allow this project to be scheduled for the two required Public Hearings.
March 15, 2024	Notice of Public Hearing Distributed

ANALYSIS

1. General Plan

The General Plan land use designation for the site is Light Industry, which is intended for light industrial, warehousing and heavy commercial uses. Uses appropriate to this land use category include auto repair, bulk or warehoused goods, general warehousing, manufacturing/assembly with minor nuisances, home improvement retail, landscape materials retail, freight or bus terminals, research oriented industrial, accessory offices, and employee-serving commercial uses, and services with large space needs, such as health clubs.

While there are no goals or policies that speak directly to telecommunications facilities, cellular phone service has become an integral part of personal and business communication. As such, installation of the proposed telecommunications facility implements a variety of overarching General Plan goals by creating a functional place for those who live and work within the City. The proposal has been determined to be consistent with the General Plan.

2. Zoning

The Zoning Code implements the goals and policies of the General Plan by classifying and regulating the use of land and structure development within the City.

Surrounding Zoning Districts:

North: Business Park (BP) and Low-Density Residential (R-1-6)
South: General Industrial (IG)
East: General Industrial (IG)
West: Business Park (BP)

Zoning Code Section 20-44, defines telecommunication facility standards. The project is considered a major telecommunications facility and as such, is required to obtain a major Conditional Use Permit (CUP) and a major Design Review Permit (DR). Pursuant to Zoning Code Section 20-44.020, the review authorities are the Planning Commission (Conditional Use Permit) and the Design Review Board (Design Review).

Pursuant to Zoning Code Section 20-30.070, the height of telecommunication facilities are specifically addressed in Zoning Code Chapter 20-44 and more specifically, Zoning Code Section 20-44.030(G) states, “The facility shall be as small as possible and the minimum height necessary without compromising reasonable reception or transmission.” Staff has interpreted this language to allow the review authority (Planning Commission) discretion regarding the height limits of telecommunication facilities. Based on the information included in the application materials, staff finds that the proposed height of the tower is necessary to maintain adequate height for function while allowing future collocation of the site.

The project complies with development standards, design guidelines, and application requirements set forth in Chapters 20-23 and 20-44 of the City Code. The tower and all related equipment will be shielded from public view to the extent possible, by being placed behind a 6-foot-tall CMU wall. The proposed monopine pole blends in with the surrounding trees. The project will not interfere with other industrial and commercial operations in the vicinity.

Section 20-44.060 of the Zoning Code regulates the location of telecommunication towers by requiring an alternative site analysis, a separation between facilities, a good faith effort in achieving colocation, minimum roads and parking areas as necessary to serve the facility, and operation in compliance with the Federal Communication Commission’s (FCC) human exposure standards for non-ionizing electromagnetic radiation (NIER). The applicant has provided analysis of seven alternative sites for the necessary coverage, all of which were ruled out due to an inability of the sites to address service coverage gaps, and the site has been found to have the necessary access through existing roads. Further, an “Electromagnetic Energy Exposure (EME) Report,” prepared by Waterford Consultants, LLC, dated April 12, 2023, concluded that the proposed placement of the tower at the subject site will not result in exposure of the public to excessive levels of radio-frequency energy as defined in the FCC Rules and Regulations.

Major telecommunication facilities are allowed within the IL zoning district upon approval of a CUP and DR. Staff finds that the project complies with all requisite requirements of the Zoning Code, and that all required findings can be met as shown on the draft resolution included as an attachment to this Staff Report.

The following findings are required for approval of the Conditional Use Permit:

a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;

b. The proposed use is consistent with the General Plan and any applicable specific plan;

c. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;

d. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

e. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

f. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Major telecommunication facilities are allowed within the IL zoning district upon approval of a CUP and DR. Staff finds that the project complies with all requisite requirements of the Zoning Code, and that all required findings can be met, as shown in the draft resolution included as an attachment to this Staff Report.

Section 20-44.060(F)(19) requires a 75-foot setback from a major facility to any habitable structures. As noted above, the proposed facility would be located in the IL Zoning District, and would be over 200 feet from the nearest habitable structure. Section 20-44.060(G) provides that the following findings must be made for commercial telecommunications facilities:

a. The proposed site results in the least potentially adverse impacts than any feasible alternative site.

b. The applicant has provided a written explanation why the subject facility is not a candidate for co-location.

c. All commercial telecommunications facilities shall be served by the minimum roads and parking areas necessary.

d. Commercial telecommunications facilities shall be operated in compliance with the Federal Communication Commission's (FCC) human exposure

standards for non-ionizing electromagnetic radiation (NIER), and the applicant for commercial telecommunication facilities shall be responsible for demonstrating that the proposed facility will comply with this standard.

Staff finds that the project complies with all requisite requirements of the Zoning Code, and that all required findings can be met, as shown in the draft resolution included as an attachment to this Staff Report.

3. Design Guidelines

The project will be considered by the Design Review Board on April 4, 2024.

4. Summary of Public Comments

No public comments have been received.

5. Public Improvements

For a comprehensive list of on- and off-site improvements, refer to the attached Exhibit A, provided by Engineering Development Services, dated October 31, 2023.

FISCAL IMPACT

Approval of the Project will not have an effect on the General Fund.

ENVIRONMENTAL IMPACT

The project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15303, the project qualifies for Class 3, which exempts the construction of new small structures in that telecommunication towers are considered small structures that are similar to this Project. No exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2)

Pursuant to CEQA Guidelines Section 15183, the proposed use is eligible for a streamlining measure as it is consistent with General Plan 2035, for which an Environmental Impact Report was certified by Council in 2009.

PUBLIC NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners and occupants, electronic notice to parties that had

expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

ISSUES

There are no unresolved issues remaining with the project.

ATTACHMENTS

Attachment 1 - Disclosure Form
Attachment 2 - Location Map
Attachment 3 - Project Narrative
Attachment 4 - Plan Set
Attachment 5 - Biological Assessment
Attachment 6 - EME Report
Attachment 7 - Coverage Map
Attachment 8 - Photo Simulations

Resolution
Exhibit A

CONTACT

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