



PROJECT SUMMARY

Application Number: 25PLN-0028
Subject: Use Permit for the extension of 85-foot tall telecommunication monopine by 17-feet
Applicant: Phillip Thomas, representing T-Mobile
Location/APNs: 142 Olympia Park Road, APN: 035-320-044
Current Zoning/General Plan: Central Business District (C2) / Commercial (C)
Entitlements: Development Review Permit, Use Permit
Environmental Status: Categorical Exemption, Class 1
Prepared by: Amy Wolfson, City Planner

RECOMMENDATION:

Recommend that the Planning Commission approve application (25PLN-0028) which includes the request to approve the extension of the 85-foot monopine as an “eligible facility request” pursuant to , which includes 26.8-acre infill site, 104,350 square feet of commercial space, 8,500 square feet of office space, and 172 apartment units at the 200 Block of Dorsey Drive APNs: 035-260-062, -064, -077, which includes the following actions:

- a. Find that the Proposed Facility is “categorically exempt” from further environmental review under CEQA because pursuant to CEQA Guidelines § 15301, which exempts projects from CEQA when there is a negligible or no expansion of use to the originally permitted use as further discussed in finding 2; and
- b. Approve the Development Review Permit for the extension of the 85-foot monopine by 17-feet, subject to findings 1-10, and Conditions of Approval, as may be modified at the public hearing; and
- c. Approve the Use Permit extension of the 85-foot monopine by 17-feet, subject to findings 1-10, and Conditions of Approval, as may be modified at the public hearing; and.

BACKGROUND:

At its February 16, 2016 regular meeting, the Planning Commission approved an 85-foot tall telecommunication facility at 142 Olympia Park Road. The Verizon Wireless Monopine Telecommunication facility was placed within a 1,200 sq. ft. fenced leased area which

included the monopine, an outdoor equipment/radio cabinets, concrete pad and an emergency standby generator.

Proposed Project:

The applicant is requesting to extend the existing 85-foot monopine telecommunication facility by 17-feet to a total height of 102-feet, including new monopine foliage. The proposed antennas would reach a height of 97-feet. The 17-foot extension request qualifies as an “eligible facilities request,” under Section 6409 of the Spectrum Act (47 U.S.C. Sect. 1455(a)). This statute applies to additions and modifications to existing telecommunication facilities that are not “substantial changes” to the existing facilities’ physical dimensions. The proposed extension will not increase the height of the Tower by more than 20-feet, which is automatically determined to not be a substantial change under the statute for eligible facilities requests.

As an “eligible facility” under section 6409 of the Spectrum Act, the City is required to approve the proposed modified telecommunication facility. Municipal Code Chapter 17.46 requires that an extension of an existing telecommunication facility be permitted through a Use Permit. While the City cannot deny the project, conditions of approval can be added to ensure that the extension is camouflaged at least as much as the original facility so that the extended facility and new equipment still look like a faux tree. Staff has added several conditions of approval established under Chapter 17.46, as well as from the original mitigation measures established in the 2016 Mitigated Negative Declaration.

According to the applicant, the extension of the proposed monopine will allow the decommissioning of two existing T-Mobile telecommunication facilities: 1) 850 Sutton Way, and 2) 175 Joerschke Drive.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (“CEQA”) Guidelines §§ 15300 *et seq.*, staff recommends that the Proposed Facility is “categorically exempt” from further environmental review under CEQA because: (1) CEQA Guidelines § 15301 exempts this project from CEQA review as a minor alteration to an existing public or private structure with a negligible or no expansion to the originally permitted use, which is consistent with the determination that the proposed alteration will not significantly change the physical dimensions of the existing facility under 47 U.S.C. § 1455(a) and related Federal Communication Commission interpretations and regulations; and (2) no exception under CEQA Guidelines § 15300.2 to any categorical exemptions applies to this project because (a) the project would not be located in any particularly sensitive environment; (b) the cumulative impact from successive, similar projects over time would not be significant; (c) no unusual circumstances suggest a reasonable possibility that activities in connection with the project would cause a significant effect on the environment; (d) the project would not result in damage to scenic resources; (e) the project is not located on any site listed as a “hazardous waste site” pursuant to California Government Code § 65962.5; and (f) the project would not result in substantial adverse change to a historical resource’s significance.

FINDINGS

In accordance with Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resource Code, and Sections 17.72.30 J (Development Review Permit) and 17.72.060 – Use Permits and Minor Use Permits, of the Grass Valley Development Code, the Planning Commission is required to make the following specific findings before it approves the Dorsey Marketplace Project as resubmitted:

1. The City received a complete application for the 17-foot extension of the existing monopine telecommunication facility (25PLN-0028).
2. The Development Review Committee reviewed the project in compliance with the California Environmental Quality Act and recommends that the Planning Commission find that the Proposed Facility is “categorically exempt” from further environmental review under CEQA because: (1) CEQA Guidelines § 15301 exempts this project from CEQA review as a minor alteration to an existing public or private structure with a negligible or no expansion to the originally permitted use, which is consistent with the determination that the proposed alteration will not significantly change the physical dimensions of the existing facility under 47 U.S.C. § 1455(a) and related Federal Communication Commission interpretations and regulations; and (2) no exception under CEQA Guidelines § 15300.2 to any categorical exemptions applies to this project.
3. The 2020 General Plan designates the project site as Commercial (C). The extension of the existing telecommunication facility Project is consistent with the General Plan land use designation, including the following policy:
 - 32-LUP - encourage development of modern telecommunications infrastructure to support economic development and telecommuting.
4. The proposed project is allowed within the applicable zoning designation with a Use Permit and complies with all other applicable provisions of the Development Code and the City Municipal Code, including Chapter 17.46, which establishes standards for telecommunication facilities, requiring a Use Permit pursuant to section 17.46.040.
5. The design, location, size, and characteristics of the proposed project is in compliance with Grass Valley design standards in effect, such as incorporating pedestrian oriented networks throughout the site, and incorporating building materials and massing to reduce the scale of large buildings, and standards and guidelines for Development Review Permits, including “Site Planning and Project Design Standards” outlined in Article 3 of Title 17 the Development Code, including parking, landscaping, and outdoor lighting.
6. The height of the tower is no taller than necessary to meet the technical requirements of the proposed wireless communication system as demonstrated in the presented coverage maps and because the proposal meets the requirements as an eligible facility request under Section 6409 of the Spectrum Act;
7. The applicant has agreed to accept proposals from future applicants to collocate at the approved site as was demonstrated under Use Permit file no 15PLN-0005, and further made evident by the current co-location proposal;

8. The project as proposed is necessary for the provision of an efficient wireless communication system as demonstrated in the presented coverage maps and because the proposal meets the requirements as an eligible facility request under 6409 of the Spectrum Act;
9. The communication facility will not adversely impact the character and aesthetics of any public right-of-way because the monopine aesthetic will be extended with the faux foliage to continue camouflaging of the extended facility; and
10. The communication facility complies with all applicable requirements of chapter 17.46 of the City Municipal Code and Section 6409 of the Spectrum Act.

ATTACHMENTS

1. Applications
2. Vicinity/Aerial Map
3. Proposed Conditions of Approval
4. Extended Facility Plans
5. Eligible Facilities Request
6. Photo simulations
7. Coverage Maps
8. RF Report
9. Alternative Site Analysis
10. Exhibit L of Application no. 15PLN-0005 (faux tree samples)