



**City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Planning Commission Staff Report
September 26, 2022**

Topic: CUP No. 2022-15 – Major Wireless Communications Facility Renewal

RECOMMENDED ACTION

Adopt a resolution approving Conditional Use Permit No. 2022-15 as conditioned.

EXECUTIVE SUMMARY

Alexander Lew with Crown Castle, on behalf of T-Mobile (Applicant) and Halladay 4, LLC (Property Owner), is requesting approval of Conditional Use Permit (CUP) No. 2022-15 to renew the entitlements of an existing 60-foot tall major wireless (“mono-pine”) communications facility located at 2929 South Halladay Street. Pursuant to Section 41-198.3(b) of the Santa Ana Municipal Code (SAMC), major wireless communications facilities require approval of a CUP and are required to be renewed every 10 years. Staff is recommending approval of the applicant’s request due to the facility’s location that allows for mitigated aesthetic intrusion to the surrounding area and its ability to continue to provide a community benefit through wireless communications service and coverage.

DISCUSSION

Project Description

The applicant is requesting approval of CUP No. 2022-15 to renew the entitlements of an existing 60-foot high major wireless communications facility disguised as a mono-pine. The facility currently provides cellular coverage and call capacity to residential and commercial areas within the area. The facility’s equipment and antennas are adjacent to an industrial building within the parking area. The proposed project includes the replacement of antennas and replacement and installation of ground-mounted equipment within the existing leased area.

Table 1: Project Location and Information

Item	Information	
Project Address & Council Ward	2929 South Halladay Street (Ward 4)	
Nearest Intersection	Halladay Street and Dyer Road	
General Plan Designation	Industrial (IND)	
Zoning Designation	Light Industrial (M1)	
Surrounding Land Uses	North	Industrial
	East	
	South	
	West	
Property Size	0.32 Acres	

Item	Information	
Existing Site Development	The site is currently developed with a 7,430-square foot industrial building and associated parking and landscaping, as well as the subject major wireless communications facility.	
Use Permissions	Allowed with approval of a CUP	
Zoning Code Sections Affected	Uses	Section 41-198.3(b)
	Operational Standards	Section 41-198

Table 2: Development Standards

Standards	Required by SAMC	Provided
Screening Criteria	A stealth facility	Complies; mono-pine
Site Selection	Areas that will minimize aesthetic intrusion	Complies; the facility is located within an industrial development area and the tower and equipment are located towards the interior of the property and away from sensitive land uses
Height Criteria	Not to exceed 60 feet in height from ground level as measured from the nearest street curb	Complies; 60-feet high
Landscaping	Groundcover at the base of the facility and one twenty-four (24) inch box tree	Complies, as conditioned; the project shall include enhanced landscaping along the fence
Equipment Screening	Decorative fencing such as wrought iron or block around the wireless facility	Complies, as conditioned; the project shall include the installation of a new 6-foot high wrought iron fence as originally approved

Project Background

On April 6, 2009, the Planning Commission approved CUP No. 2009-01 allowing construction of the subject mono-pine, ground equipment, fence and landscaping. Pursuant to SAMC Section 41-198.3(b), a CUP is required for all major wireless communications facilities in the City. Furthermore, Section 41-198.13 states that major wireless communications facilities shall be approved for a period not to exceed 10 years. As the current entitlements have reached the ten-year lifespan, the applicant is required to apply for a new CUP in order to maintain the entitlements for the facility.

An inspection of the site for conformance to conditions of approval required by CUP No. 2009-01 indicates that several original improvements were not constructed. These include a wrought iron fence enclosing the parking area with plant material installed along the base. The applicant has agreed to several conditions of approval to replace the chain link fence with a new wrought iron fence and install an additional box canopy tree and vines along the new fence to conform to current requirements.

Project Analysis

CUP requests are governed by Section 41-638 of the SAMC. CUPs may be granted when it can be shown that the proposed project will not adversely impact the community. If these findings can be made, then it is appropriate to grant the CUP. Conversely, the inability to make these findings would result in a denial. In analyzing the CUP request, staff believes that the following analysis warrants staff's recommendation.

As part of the development review of the project, staff worked closely with the applicant to identify improvements to enhance the overall appearance of the site. These improvements include replacement of all deteriorating and/or faded stealth branches or needles and refreshing antenna socks, as needed. In processing wireless communications facilities, the City of Santa Ana must consider provisions contained within Section 6409(a) of the Middle Class Tax Relief Act [47 U.S.C. § 1455(a)], which limits the ability of local agencies to impose additional conditions of approval when cell phone tower permits are renewed. These limits include additional stealthing if such screening or stealthing was not required at the time of original construction and/or seismic retrofits. Since the original approval included matured landscaping and decorative fencing to mitigate aesthetic intrusion to the surrounding area, a condition of approval is included to install a wrought iron fence and provide additional landscaping along that fence, thereby reverting to the design approved by the original entitlement.

This location is optimal to provide the coverage necessary for existing and expanding service. The facility provides a benefit to Santa Ana residents, businesses and motorists who subscribe to mobile phone services by providing cellular and data capacity in the area. The facility will be in compliance with Federal law that governs health related issues for wireless facilities, including safety regulations from the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA).

Finally, the use will continue to comply with all provisions pertaining to the construction and installation of wireless facilities identified in Chapter 41 (Zoning Code) of the SAMC. As conditioned, the facility continues to meet all height, location/zoning, and stealthing standards. The facility will not adversely affect the General Plan, as cellular facilities that are designed to be compatible with the surrounding environment are consistent with the goals and objectives of the Land Use Element. Goal 1 promotes a balance of land uses to address community needs including the means of communication provided by the facility. Policy 1.1 of the Land Use Element encourages development that fosters compatibility between land uses to enhance livability. Goal 1 of the Public Services Element calls for providing quality and efficient facilities that are adequately funded, accessible, safe, and strategically located. Policy PS-1.2 calls for equitable distributions to ensure public services reflect changing population needs and are equitably distributed and accessible, with priority assigned to improving areas that are underserved and/or within environmental justice boundaries. Goal PS-2, to preserve a safe and secure environment for all people and property, is also applicable. Policy PS-2.11 calls for coordinating with utilities and public agencies to develop, maintain, relocate, and/or

upgrade critical local and regional public facilities and infrastructure systems to ensure their resiliency during times of extreme weather or natural disasters, or toxic emission release. The cellular coverage provided by the facility satisfies the goals and policies of the General Plan as it allows for enhanced livability and interactions between surrounding uses. Moreover, renewing the entitlements for this facility maintains the coverage and services that are already available for business owners, workers, visitors and residents in the immediate vicinity while increasing the service availability during an emergency and/or natural disaster. The proposed wireless facility is within an identified environmental justice area, which will expand coverage in the area.

Public Notification and Community Outreach

Public notifications were posted, published, and mailed in accordance with City and State regulations. Copies of the public notice, including a 1000-foot notification radius map, and the site posting are provided in Exhibit 6. The property is not located within an established Neighborhood Association. At the time this report was printed, no issues of concern were raised regarding the proposed CUP.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review pursuant to Section 15301 of the CEQA Guidelines (Class 1 - Existing Facilities). This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project proposes to renew the entitlements of an existing major wireless communications facility and includes minor alterations the existing facility. As such, a Notice of Exemption, Environmental Review No. 2021-76, will be filed for this project.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Resolution
2. Vicinity Zoning & Aerial Map
3. Site Photo
4. Site Plan & Equipment Plan
5. Elevations
6. Copy of Public Notices

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