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TO: El Dorado County Zoning Administrator **Agenda of:** February 21, 2018

FROM: Efren Sanchez, Assistant Planner

DATE: January 11, 2018

SUBJECT: Five-Year Review of Special Use Permit S08-0002-R for the continued operation of an existing wireless telecommunications facility

File Number: S08-0002-R/T-Mobile 5 Year Review

Applicant: T-Mobile West, LLC (Agent: Ken Crouse)

Property Owner: Victoria and Leo Roberts

Request: Five-year review of an existing cellular telecommunications facility.

Location: North side of Pleasant Valley Road, approximately 425 feet east of the intersection with El Dorado Road, in the El Dorado Area, Supervisorial District 3.

Assessor's Parcel Number: 331-101-13

Acreage: 1.19 acres

General Plan: Commercial (C)

Zoning: Commercial, Main Street- Design Review, Community (CM-DC)

Recommendation: Staff recommends that the Zoning Administrator take the following actions:

1. Find Special Use Permit S08-0002-R to be exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines;
2. Find that based on this five-year review period, the approved telecommunication facility substantially conforms to the Conditions of Approval for S08-0002;
3. Remove Condition of Approval number 6 as follows:

~~6. Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the County Development Services Department every five years. At each five year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status report and present that report to the Zoning Administrator with a recommendation whether to:~~

- ~~(1) Allow the facility to continue to operate under all applicable conditions; or~~
- ~~(2) Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communication system.~~

~~By operation of this condition, it is the intent of the Zoning Administrator to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Zoning Administrator to conduct or complete a five year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Development Services Director or his designee to cover the cost of processing a five year review on a time and materials basis.~~

Background: Special Use Permit S08-0002, as approved by the Zoning Administrator November 5, 2008, allowed the construction and operation of a new MetroPCS wireless communication facility on an existing 96-foot tall Pacific Gas & Electric (PG&E) tower with three (3) panel antennas at the centerline of 100 feet above ground and related ground support equipment.

Staff Analysis: The applicant is requesting a five-year review of the existing cellular telecommunications facility. The applicant has provided the attached Status Report and as-built plans (Exhibits A and B) which show that the facility is operating in compliance with all applicable conditions of approval for S08-0002 (Exhibit C).

As part of this 5 year review the proposed removal of Condition of Approval number six will bring the condition up to date with the standard condition for telecommunication facility permits that require ongoing maintenance for aesthetic purposes. A five-year review of the facility permit and status report was required under the original Conditions of Approval item number 6, however, this condition is no longer necessary for cell towers that co-locate on top of PG&E towers. The intent of this condition originates from the Planning Commission that wanted to insure that cell towers such as mono-pines do not deteriorate overtime due to minimal maintenance. Because this existing cell tower is not a freestanding mono-pine tower, but rather sits on top of a PG&E tower, the need for a future five-year review is no longer required. Furthermore, this cell tower does not include architectural elements found in a mono-pine towers that would require additional inspection and maintenance. For instance, branches, socks, and other architectural elements that allow a cell tower to blend in and disguise its self as a pine tree.

Environmental Review: Staff has determined that, pursuant to CEQA Guidelines Section 15061(b)(3), this action is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This is a five-year review as required by the conditions of approval for the existing telecommunications tower facility authorized under the conditional use permit. The review for compliance with the conditions of approval for the conditional use permit includes any remedial measures to be taken to ensure compliance. It can be found that the compliance review will not have an impact on the environment and is therefore not subject to CEQA.

SUPPORT INFORMATION

Exhibit A.....S08-0002-R Status Report/Current Site Photos
Exhibit B.....S08-0002-R As-Built Plans
Exhibit C.....Conditions of Approval S08-0002