

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of:	December 15, 2010
Item No.:	4.b.
Staff:	Tom Dougherty

SPECIAL USE PERMIT-FIVE-YEAR REVIEW

FILE NUMBER: S05-0016/Five-Year Cellular Facility Review

APPLICANT: Verizon Wireless

AGENT: Complete Wireless Consulting, Inc., Lana Shearer

REQUEST: Request for a five-year review of an existing cellular telecommunications facility.

LOCATION: On the north side of Harvard Way approximately 200 feet east of the intersection with El Dorado Hills Boulevard in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

APN: 125-110-09

ACREAGE: 15 acres

GENERAL PLAN: Public Facility (PF)

ZONING: Recreational Facility (RF)

SUMMARY RECOMMENDATION: Approval of Five-Year Review and condition modification

BACKGROUND: The Zoning Administrator approved Special Use Permit S05-0016 on September 7, 2005. The following is the approved project description:

A collocation of a roof-mounted cellular facility consisting of three arrays holding up to six antennas and a 153.5 square-foot equipment shelter onsite.

The antennas and related ground support equipment installation was finalized on June 12, 2009 with Building Permit 192128.

Condition 6 of the Special Use Permit required a five-year review by the Planning Commission however; the project was approved by the Zoning Administrator. That Condition reads as

follows:

6. *Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the Planning Commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning Commission shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (2) 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 Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission 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 Planning Director to cover the cost of processing a five-year review.*

Planning staff is recommending that the next five-year review be done at staff level as described below and as shown in ~~strikeout~~ and underline in Attachment 1:

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 and determine whether to:

- (A) *Allow the facility to continue to operate under all applicable conditions; or*
- (B) *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 communications system.*

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.

DISCUSSION: A staff site visit on November 8, 2010 found the antennas and ground support equipment were constructed pursuant to the approved plans. Staff had a concern that none of the roof top equipment was shielded from view from the ground, but research found that the building, previous and subject antenna projects were approved lacking parapet shielding. Otherwise the antennas and ground support equipment were built in substantial compliance to what was approved. Site visit photographs are included as Exhibit D.

CONCLUSION: It is the opinion of Staff that at the time of the five-year review period site inspection, the project has complied with the Conditions of Approval approved for Special Use Permit S05-0016.

RECOMMENDATION: With the inclusion of the revision to Condition 6, as shown in Attachment 1, staff recommends that the Zoning Administrator find that for this five-year review period, the project is in substantial conformity with the Conditions of Approval approved for Special Use Permit S05-0016.

SUPPORT INFORMATION

Attachments to Staff Report:

Exhibit A.....	Location Map
Exhibit B.....	Conditions of Approval for S05-0016
Exhibit C.....	Approved Site Plan
Exhibit D.....	Approved photo simulations
Exhibit E.....	Applicant supplied conformance documentation and site photos (five pages)
Exhibit F.....	Planning Services site visit photographs
Exhibit G.....	Aerial photo map

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit S05-0016/Verizon Wireless Five-Year Review Zoning Administrator/December 15, 2010

El Dorado County Planning Services

1. The project, as approved, consists of the following:

A co-location of a roof mounted cellular facility consisting of three arrays holding up to six antennas and a 153.5 square foot equipment shelter on site.

2. All site improvements shall conform to the site plan(s) attached as Exhibit D.
3. All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color.
4. All improvements associated with the communication facility, including equipment shelters, towers, antenna, fencing, and landscaping shall be properly maintained at all times. Colors of the tower and other improvements shall be maintained to ensure the appearance remains consistent.
5. All obsolete or unused communication facilities shall be removed within six (6) months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition.
6. ~~Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the Planning Commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning Commission shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (2) 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 Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission 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 Planning Director to cover the cost of processing a five-year review.~~

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 and determine whether to:

- (A) Allow the facility to continue to operate under all applicable conditions; or
- (B) 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 communications system.

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.

El Dorado Hills Community Services District

7. The district requires that there be safe an sufficient access all around the building and require the equipment shelter to be attractively screened