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TO: El Dorado County Zoning Administrator **Agenda of:** August 5, 2015

FROM: Jennifer Franich, Associate Planner **Item Number:** 4.a.

DATE: June 29, 2015

SUBJECT: Five-Year Review of Special Use Permit S98-0019-R-3 for the continued operation of an existing non-stealth wireless telecommunications facility

File Number: S98-0019-R-3/Nextel Bass Lake Five-Year Review

Applicant: Crown Castle (Agent: Laurel Reimer/Core Development Services)

Property Owner: Kenneth and Eveline Welsh

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

Location: On the north side of Crystal View Drive approximately 840 feet from the intersection with Hollow Oak Drive in the El Dorado Hills area, Supervisorial District 1.

Parcel Number: 119-090-59

Acreage: 9.6 acres

General Plan: Adopted Plan (AP) - Bass Lake Hills Specific Plan/Medium Density Residential (MDR)

Zoning: Agricultural (A)

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

1. Find Special Use Permit S98-0019-R-3 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 S98-0019-R-2;
3. Remove Condition of Approval number 11 as follows:
 - ~~11. 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 present that report to the approving authority with a recommendation 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 Planning Services Director to cover the cost of processing a five year review on a time and materials basis.~~
4. Add a new Condition of Approval as follows:
 18. Generator maintenance: Any routine maintenance that requires running the generator or automatic cycling of the generator shall be performed between the hours of 9 a.m. and 3 p.m. Monday through Friday.

Background: Special Use Permit S98-0019-R-2, as approved by the Planning Commission July 1, 2009, allowed Nextel Communications to co-locate three additional wireless antennas and replace existing equipment on the existing 60-foot non-stealth monopole (S96-0019) at the 46-foot level. A five-year review of the facility permit and status report is required under condition eleven of the Conditions of Approval.

Staff Analysis: The applicant is requesting a five-year review of the existing cellular telecommunications facility. To show that the facility is operating in compliance with all applicable conditions of approval for S98-0019-R, the applicant has provided the attached status report, site photos, and as-built plans (Exhibits A through C).

The proposed removal of Condition of Approval number eleven will bring the conditions up to date with the standard conditions for non-stealth telecommunication facility permits that do not require ongoing maintenance for aesthetic purposes. The added Condition of Approval number eighteen is a condition that the Planning Commission has requested for similar projects.

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 special use permit. The review for compliance with the conditions of approval for the special 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.....S98-0019-R-2 Conditions of Approval; with Responses
Exhibit B.....Current Site Photos
Exhibit C.....S98-0019-R-2 As-Built Plans