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 Item # 2
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TO: Planning Commission **Agenda of:** September 26, 2019

FROM: Emma Carrico, Assistant Planner **Item No.:** 2

DATE: September 25, 2019

RE: Amendments to CUP-R19-0008/Five-year Review of Special Use Permit S04-0028

Staff has prepared this memo in order to summarize staff and Departmental discussions regarding amendments to the conditions of approval (COA) and exhibits for CUP-R19-0008.

Throughout the third week of September Planning Services Staff, the project agent, and Planning Commissioner James Williams had ongoing discussions regarding: 1) amending COA no. 10 to require the applicant to submit a Radio Frequency report with each five year review application 2) the potential conversion of the existing mono-pole to a stealth design such as a mono-broad leaf and 3) the addition of photos from the Latrobe Road viewshed to Exhibit E. For further details please see the individual discussions below.

1) Amendment to COA No.10

Due to the potential for changes in Federal, State, and CEQA regulations regarding the Radio Frequency emissions of telecommunications facilities Staff is recommending COA no. 10 be revised as follows:

“Due to the ever-changing technology of wireless communication systems, this conditional use permit shall be reviewed by the Planning Commission every five (5) years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the current use of the subject site and related equipment, as well as an updated Radio Frequency (RF) Report that demonstrates compliance with the latest FCC Wireless Facility Standards for emissions and exposure levels. The Planning Commission shall review the above referenced materials 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 a determined by the Deputy Director of Development Services to cover the cost of processing a five-year review.”

This requirement will also be added to the Planning Services five-year review application checklist to ensure all future applications include an updated RF report.

2) Conversion of Tower Design

As a part of the five year review Staff considered whether a conversion to a stealth design, such as a mono-broad leaf, would improve the project site and view sheds from surrounding development. During discussion the project agent advised Staff that, "In order to turn this into a mono-broad leaf, we would need to replace the tower and foundation, which would be a huge undertaking with significant ground disturbance. Adding branches and leaves creates a pretty intense wind load that monopoles are not designed for. Therefore, you have to replace the existing pole with the proper pole and foundation to handle that wind load and branch loading." Additionally, finding 2.1.4 from the S04-0028 staff report (Exhibit F) states, "The cellular tower is to be located on top of Ben Bolt Ridge. Tree coverage on the property is sparse; therefore, a monopine in this location would appear out of place with the surroundings. The monopole is proposed adjacent to an existing wood utility pole, which is an existing vertical element in the landscape. The pole is to be painted a flat brown color to match the surroundings. The pole is to have a non-reflective surface, as to not create glare." After consideration of the scope of improvements that would be required, the existing visual conditions of the site, and previous Staff analysis and findings, Staff has determined that conversion to a stealth design would not be appropriate for this site. No changes to the tower are recommended.

3) Site Photo Existing Facility

In order to fully represent the site and visual impacts from all areas with line-of-sight to the tower, Staff has amended staff memo Exhibit E to include five images from the Latrobe Road viewshed.

It should be noted that there is an error within Exhibit B verification of COA No.1 that states there are currently eight antennas on the tower, there are currently nine antennas located on the tower as stated in the August 8th staff memo.