

**COUNTY OF EL DORADO DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** October 23, 2014

**Staff:** Bianca Dinkler

**FIVE-YEAR CELL TOWER REVIEW–SPECIAL USE PERMIT**

**FILE NUMBER:** S04-0042-R/South Shingle Springs

**APPLICANT:** Cingular Wireless

**AGENT:** Ken Crouse

**PROPERTY OWNER:** Lester N. Garrett

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

**LOCATION:** West side of South Shingle Springs Road, approximately 2 miles north of the intersection with Latrobe Road, in the Shingle Springs area, Supervisorial District 2. (Exhibit A)

**APN:** 087-300-77

**ACREAGE:** 21.59 acres

**GENERAL PLAN:** Rural Residential (RR) (Exhibit C)

**ZONING:** Estate Residential Ten-Acre (RE-10) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Exempt from CEQA pursuant to Section 15061 (b)(3) of the CEQA Guidelines.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

1. Find the project exempt from CEQA pursuant to Section 15061 (b)(3) of the CEQA Guidelines;
2. Find that the five-year review of the telecommunication facility demonstrates the cell tower facility is in conformance with the Conditions of Approval for S04-0042-R; and

3. Approve the modifications to the Conditions of Approval for S04-0042-R, based on the Findings and subject to the Conditions of Approval as presented.

## **STAFF ANALYSIS**

### **Background:**

Special Use Permit S04-0042 was approved by the Planning Commission on July 14, 2005 to allow the installation of a 100-foot steel mono-pole with 6 panel antennas, 3 mounted at a centerline of 100 feet and 3 mounted at 94 feet, and related ground equipment shelter placed within a 30-foot by 30-foot lease area, enclosed by a 6-foot chain link fence with barbed wire atop and a 12-foot wide gate on the east side of the enclosure.

### **Revision Request:**

The applicant does not propose any modifications to the facility at this time. The revision is required because the five-year review is due for the facility.

### **Condition Modification:**

To streamline future reviews, staff is recommending that the Planning Commission revise Condition No. 7 to permit future five-year reviews to be completed at staff-level, as most five year reviews are found to be in compliance with the original Conditions of Approval and can be administered at staff level with minimal administrative time. The new condition would continue to require towers that remain out of compliance to be forwarded to the Planning Commission for review.

### **Conclusion:**

Based on review of the site plans (Exhibit E), and photos of the facility, dated July 7, 2014 (Exhibit F), staff has verified the project is in compliance with the Conditions of Approval and recommends the Planning Commission approve the five-year review and approve the revised Conditions of Approval.

## **ENVIRONMENTAL REVIEW**

Staff has determined that, pursuant to CEQA Guidelines Section 15061(b)(3), that this action is exempt under 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 required by the conditions of approval for the existing telecommunications tower facility authorized under special use permit. The review of compliance with the conditions of approval for the special use permit, remedial measures to be taken, including modifications to the conditions, ensure compliance of the telecommunications facility with the special use permit and it can be seen with certainty that there is no possibility that these actions in question may have a significant effect on the environment and is therefore not subject to CEQA.

A \$50 processing fee is required by the County Recorder to file the Notice of Exemption (NOE). The filing of the NOE is optional, however, not filing the NOE extends the statute of limitations for legal challenges to the project from 35 days to 180 days.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Conditions of Approval  
Findings

Exhibit A.....Location Map  
Exhibit B.....Assessor's Parcel Map  
Exhibit C.....General Plan  
Exhibit D.....Zoning  
Exhibit E.....Site Plans  
Exhibit F.....Photos, Dated July 7, 2014