



**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
PLANNING COMMISSION
STAFF REPORT**

Agenda of: March 12, 2026

Staff: Craig Osborn

CONDITIONAL USE PERMIT

FILE NUMBER: CUP25-0006 T-Mobile Monopine Garden Valley

APPLICANT/AGENT: Samantha Herrmann/Assurance Development obo VB BTS III, LLC

OWNER: Kimberly & Gary Hoel

REQUEST: Conditional Use Permit to allow the construction and operation of a new multi-carrier wireless communications facility consisting of a 120-foot-tall stealth monopine structure and ground equipment situated inside a new 40-foot by 40-foot by 6-foot-tall chain-link fenced facility. This request includes an 112-foot setback waiver.

LOCATION: The site address is located at 5280 Garden Valley Road, approximately 0.5 miles due south of the intersection of Marshall Road and Garden Valley Road in the Garden Valley area (Exhibit A).

SUPERVISOR DISTRICT: 4

APN: 060-420-028 (Exhibit B)

ACREAGE: 12.62 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit C)

ZONING: Three-acre Residential (R3A) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration prepared based on an Initial Study in accordance with the California Environmental Quality Act (CEQA) Guidelines (Exhibit E).

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

1. Adopt the Negative Declaration based on the Initial Study prepared by staff in accordance with CEQA Guidelines; and
2. Approve Conditional Use Permit CUP25-0006 based on the Findings and subject to the Conditions of Approval as presented.

REGULATORY AUTHORITY

Pursuant to Zoning Ordinance Section 130.40.130(D)(7)(b), new towers or monopoles within five hundred (500) feet of a residential zone require a Conditional Use Permit (CUP) subject to Planning Commission (PC) approval. This project is located within a Three-Acre Residential (R3A) zone and therefore requires a CUP subject to PC approval.

PROJECT INFORMATION

Tolling Timeframe

CUP25-0006 was submitted May 2, 2025. With an application date of May 2, 2025, the uninterrupted 150-day shot clock period would have expired September 28, 2025, however, a determination of application completeness was issued on May 15, 2025 which extended the shot clock period to October 11, 2025. An initial tolling agreement extended the project time to November 15, 2025. A subsequent tolling agreement extended the project time to January 31, 2026. The latest tolling agreement was enacted on December 16, 2025, extending the project time to April 10, 2026. This additional time allows the project to be heard at the March 12, 2026 Planning Commission hearing. If there should be an appeal filed, the tolling agreement has provided for additional 45 days to account for a potential Board of Supervisor's appeal hearing.

Background

The subject parcel has been developed with a single-family residence. The project site is an undeveloped portion in the center of the subject parcel.

Site Description

The 12.62-acre subject parcel is in a rural setting predominately characterized by a mixture of oak and pine woodlands and annual grasslands. The property slopes upward, east to west, with elevations ranging from approximately 1,950 to 2,000 feet above mean sea level (msl), and a drop-off slope to 1,920 in the southern corner of the property.

The project site consists of a 1,600-square-foot fenced proposed lease area in the center of the parcel. The proposed wireless telecommunications facility would be situated on a relatively flat area accessed via an existing driveway, which is to be widened and improved as a result of the project. Existing development on-site consists of a single-family residence and driveway. Adjoining properties are zoned Three-Acre Residential (R3A), Two-Acre Residential (R2A), Rural Land - 10 Acres (RL-10) and U.S. Bureau of Land Management open space to the southwest.

Project Description

The proposed request is for a CUP to allow the construction and operation of a new multi-carrier wireless telecommunications facility, which consists of a 120-foot-tall monopine structure and ground equipment within a new 40-foot by 40-foot leased area, enclosed by a six-foot-tall chain link fence with earth toned vinyl slats. A proposed PG&E transformer would be located directly south of the enclosure, protected by barrier posts (Exhibit I). The monopine is proposed to include up to 12 panel antennas, 12 remote radio units, one (1) microwave antenna, one Global Positioning Antenna, and a five (5) foot lightning rod atop the tower. The ground equipment consists of two (2) ground-mounted radio cabinets, PG&E transformer, and an ice bridge from the radio cabinets to the tower to protect the cable that run between the equipment cabinets and the tower. Primary access to the wireless telecommunications facility would be through an existing encroachment from Garden Valley Road via a 13-foot-wide gravel access road. The applicant is requesting a 112-foot waiver from the setback requirement, as available according to Section 130.40.130 (F)(2), and discussed below Staff Analysis (Exhibit J, Section 2.4.3).

STAFF ANALYSIS

The proposed telecommunications facility (facility) meets all development standards and design guidelines, as shown on the plans (Exhibit I) and as conditioned, with the exception of the standard setback requirement, for which a waiver is requested.

The applicant has conducted extensive outreach pertaining to feasibility for siting this facility at alternative parcels and has selected a location on-site that meets radio frequency (RF) coverage

objectives and reduces visual impact from public roadways and neighboring parcels. The applicant sent letters of interest to twenty-six (26) property owners and received responses from 12 property owners, including the property owner of the proposed parcel. As described in the Alternative Sites Analysis (Exhibit F), the applicant engaged five (5) property owners in leasing negotiations before proceedings ceased. After further analysis, RF coverage was determined to be inadequate on three (3) other locations due to topography. Two (2) locations were infeasible due to the adjacent property owner's refusal to grant access easements. One (1) location was not viable due to proximity to the residence on-site.

Because the facility is located on a residentially zoned site primarily surrounded by residentially zoned parcels, a minimum setback equal to 1.5 times the overall height of the telecommunications tower must be measured from the part of the facility closest to the applicable lot line or structure. Section 130.40.130.Q (Glossary) defines wireless telecommunications facilities as "equipment and network components such as towers, utility poles, transmitters, base stations, and emergency power systems that are integral to provide wireless telecommunications services." Section 130.40.130(F)(2) authorizes setback waivers to be considered to allow flexibility in landscaping and siting the facility in a location that best reduces visual impact on the surrounding area and roads.

With a monopine height of 120 feet, the facility must be a minimum of 180 feet from the nearest property line or residential structure, whichever is closer. One (1) neighboring property line is nearer to the proposed facility than the minimum 180 feet required; however, the residential structure associated with this parcel is approximately 440 feet from the wireless communication facility. The proposed facility (i.e., fenced enclosure) is approximately sixty-eight (68) feet from the southeast property line. Therefore, a 112-foot waiver from this setback requirement is being requested by the applicant (Exhibit J, Section 2.4.3).

Setback Waiver Request

Though the proposed telecommunication facility meets the R3A zoning setbacks, it does not meet the minimum setback required for new towers that are on a parcel adjacent to parcels with an existing residential use or a site zoned for residential uses (Zoning Ordinance Section 130.40.130(F)(2)). Since the proposed facility does not meet the specified setback, as defined in the Zoning Ordinance, the applicant is requesting a setback waiver request (Exhibit J, Section 2.4.3). Consequently, the applicant selected the subject site and sited the telecommunications facility in its specific location to meet RF coverage objectives and best reduce visual impact on the surrounding area and roads. In the setback waiver request, the applicant shares that other locations on-site that would comply with the 180-foot setback were considered, but these alternative locations would be situated on steep, declining slopes, which would not only be more

difficult to site but would also require a taller tower or siting on a more visually exposed location to meet RF objectives.

An alternative location that would meet setback requirements would likely need to be taller than the proposed structure, which would necessarily require a larger setback waiver due to the proportional requirement. Therefore, even if it were possible for the proposed project to be positioned in an area where a setback waiver would not be necessary, the alternative location would be similarly visually impactful, if not more so.

As the photosimulations (Exhibit G) show, the proposed views northeast and southeast of the site along Garden Valley Road show that the monopine blends in with the existing trees. The views from Garden Valley Road, more directly east of the site, show a location where the monopine is more visible. The finding for a setback waiver does not require that the facility have no visual impact; instead, it requires that the proposed facility location best reduces the visual impact on the surrounding area and roads. Given that an alternative site would likely require an increased tower height, the proposed site would meet this finding.

In the current proposed location, the plans show that the proposed tower is sited in a location that is close to the existing access road, has already been graded, and shows signs of previous use. It is located on a relatively flat area, atop a hill, which would help meet RF coverage objectives. The visual impacts are reduced by its distance from Garden Valley Road (~430 feet) and topographical height above the road. Although the facility is approximately 68 feet from the nearest internal property line shared with a residential-zoned parcel with a residential use; the proposed facility would be approximately 440 feet from the existing residence on the neighboring parcel. The adjacent residence is set at a lower elevation than the facility's elevation, with a hill between, which may help to reduce visual impact. In sum, while the proposed facility does encroach on the southeasterly residential lot line, it meets the setback requirement for all other surrounding residential structures and property lines, and the applicant did consider alternative locations on-site and how to best reduce visual impacts from the surrounding area and roads.

In accordance with CEQA, staff has prepared an Initial Study analyzing the potential environmental effects resulting from the implementation of the project. Based on the Initial Study, a Negative Declaration has been prepared (Exhibit E).

According to the CEQA Guidelines Section 15075, filing a Notice of Determination (NOD) is required to initiate a 30-day statute of limitations on legal challenges to the County's environmental determination. The filing of the NOD is optional; however, not filing the NOD extends the statute of limitations for legal challenges to the project from 35 days to 180 days.

Should the applicant choose to have the NOD filed and recorded, the applicant shall submit to Planning Services a recording fee of \$50.00 as required by the County Recorder, as well as the current 2025 California Department of Fish and Wildlife CEQA review fee for a Negative Declaration, \$3,043.75. This fee is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

General Plan Consistency: Staff has determined that the proposed project is consistent with the applicable policies and requirements in the El Dorado County General Plan, as discussed below in Section 2.0, General Plan Findings.

Zoning Ordinance Consistency: Staff has determined that the proposed project is consistent with the applicable regulations and requirements in Title 130 of the El Dorado County Code, as discussed below in Sections 3.0 and 4.0, Zoning, and Conditional Use Permit Findings.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....Vicinity Map

Exhibit B.....Assessor's Parcel Map

Exhibit C.....Land Use Designation Map

Exhibit D.....Zoning Designation Map

Exhibit E.....Initial Study Negative Declaration Document

Exhibit F.....Alternative Site Analysis

Exhibit G.....Photosimulations

Exhibit H.....Radio Frequency Radiation Report

Exhibit I.....Project Plans

Exhibit J.....Applicant Project Narrative

Exhibit K..... Public Comment