

## **CONDITIONS OF APPROVAL**

### **Five-Year Cell Tower Review-Special Use Permit S06-0004-R/Georgetown Divide PUD Planning Commission/December 11, 2014**

#### **1. Project Description**

This special use permit approval is based upon and limited to compliance with the approved project description and Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows: Construction and operation a new wireless communications facility to support cellular and emergency agency radio transmission consisting of a 120-foot tall monopine tower that will have branches on top making the total height 128 feet tall, and hold 60 antennas. The pole is proposed to be located within a 3,005 square-foot area enclosed 6-foot tall, green slatted, chain link fence in a shape resembling a triangle somewhat with approximate side lengths of 85 feet, 77 feet, and 70 feet. (For true shape see attached site plan, drawing number A01). Proposed are to be two 12-foot wide entrances with two 6-foot wide gates each. The existing fence will be removed and the area around the existing 26-foot diameter by 20-foot tall water tower will be expanded by cutting 1,240 feet<sup>3</sup> and filling 1,953 feet<sup>3</sup> of the existing soil surface to enlarge the fenced area to the above mentioned dimensions. Two of the existing Comcast Cable microwave antennas mounted on the water tower will remain, and the others will be relocated to the new proposed monopine tower. The monopine is proposed to have the following antennas mounted at nine different levels:

<b>Agency</b>	<b>Proposed Height of Antennas (from ground level)</b>	<b>Number of Antennas</b>
Proposed PCS/Cellular Antennas (Future)	120 feet	12
Proposed PCS/Cellular Antennas (Future)	112 feet	2
Proposed PCS/Cellular Antennas (Future)	105 feet	12
Proposed PCS/Cellular Antennas (Future)	94 feet	12
Proposed PCS/Cellular Antennas (Future)	83 feet	12
El Dorado County Sheriff's Department and El Dorado County Fire Protection District	75 feet	2
Georgetown Divide Public Utility District	65 feet	2

<b>Agency</b>	<b>Proposed Height of Antennas (from ground level)</b>	<b>Number of Antennas</b>
Pacific Gas and Electric Company	55 feet	4
Georgetown Fire Protection District	45 feet	2

Within the approximately 3,005 square-foot fenced area, along with the monopine and water tank are proposed to be two 15 foot by 10-foot future radio equipment locations at the southern fence line, one 20-foot by 15-foot 6-inch future PCS/cellular lease area for equipment cabinets, a potential 5-foot by 10-foot generator area and an 11-foot by 2-foot site house panel for power. The future PCS/cellular lease area is projected in the future to include one equipment shelter with two air conditioning units and one back-up generator. The entire fenced-in area for the tower, water tank and support equipment is proposed be graveled.

The project site is accessed directly from Chipmunk Ridge Road which has a 50-foot wide non-exclusive road and public utility easement and is approximately 550 feet north of the intersection of Chipmunk Trail.

This special use permit authorizes GDPUD maintenance personnel to visit the site at which time the facilities would be inspected to ensure proper maintenance and operation.

2. All site improvements shall conform to the site plan and elevations attached as Exhibits D, E1, and E2.
3. All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color. The chain link fence shall be covered entirely by dark green colored plastic slats. Said fence shall not have gaps at any portion where it touches ground level and shall have barbed wire attached to the entire top portion. No antenna shall project out past the branch tips. Planning Services Development Services Division-Planning Services shall verify the painting of the structures and antennas, said fence conditions and antenna projections within the branches prior to final inspection and approval of the facility. Lighting shall only be used for nighttime maintenance. A security light may be permitted however; it shall operate by a motion sensor only.
4. For collocation purposes, no further review by the Planning Commission shall be required, provided that all ground-mounted equipment is located within the proposed leased area and provided that any one of the proposed carriers installs no more than 12 panel antennas per carrier on the monopine and that there shall not be any increase overall height of the tower and branches.
5. All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Planning Services requires that that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.

6. The applicant shall assume full responsibility for resolving television reception interference, if any, caused by operation of this facility. The applicant shall take corrective action within 30 days of receipt by Planning Services Development Services Division- Planning Services of any written television interference complaint.
7. All obsolete or unused communication facilities shall be removed by the applicant within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services Development Services Division-Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition.
8. ~~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 Development Services Director or his designee 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 Division 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.~~

9. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.
10. The Georgetown Divide Public Utility District shall participate in the Hotchkiss Hill Road Association as it relates to the cellular communication facility, not to exceed the fee for an individual homeowner.

**El Dorado County Environmental Management Department/Hazardous Materials Division:**

11. Under the Certified Unified Program Agency (CUPA) programs, if the operation, at any time, will involve the storage of reportable quantities of hazardous materials for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid.