

CONDITIONS OF APPROVAL

Conditional Use Permit Revision CUP-R25-0023/ATC - Wooden Pole to Monopine Planning Commission/April 23, 2026

Planning Services

Approval of S98-0023 was subject to nine (9) conditions of approval (Exhibit J). These conditions have been incorporated into the Conditions of Approval for this proposed replacement project. All additional conditions have been indicated as underlined items. Fulfilled or no longer applicable conditions have been indicated as strike-through items.

Conditions

1. The applicant shall submit a site improvement/grading plan to the department for review and approval. The plan shall be in conformance with the County of El Dorado *Design and Improvement Standards Manual, the Grading, Erosion and Sediment Control Ordinance, and the Drainage Manual.*

This Conditional Use Permit Revision (CUP-R) is based upon and limited to compliance with the project description, the following project exhibit, and Conditions of Approval set forth below:

Exhibit EProject Plans

A Conditional Use Permit - Revision to Special Use Permit S98-0023 to allow the modification and continued operation of a wireless communication facility including the removal of an existing 47-foot-tall wood monopole and replacement with a 63-foot-tall steel stealth monopine to reside within the existing American Tower Corporation (ATC) 40-foot by 60-foot lease area. The 63-foot-tall monopine will include nine (9) new Verizon Wireless antennas, six (6) new Remote Radio Head (RRH) units with two (2) new surge suppressors, a new standby emergency diesel generator on a new 10-foot by 5-foot concrete slab. Verizon Wireless will take over the existing equipment shelter and replace associated ground mounted equipment and replace two (2) existing HVAC units.

Any deviations from the project description, exhibits, or Conditions of Approval 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 would constitute a violation of permit approval.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and Conditions of Approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and Conditions of Approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

~~2. The applicant shall be subject to a grading fee commensurate with the scope of the proposed project.~~

2. The applicant shall be subject to any and all of the requirements of the El Dorado County Fire Protection District prior to obtaining a building permit.

3. Due to the infrequent intended use of this facility, the on-site access driveway shall be a 10-foot minimum width and surfaced with a minimum of two (2) inches of asphalt concrete over four (4) inches of aggregate base. The hard surfacing is required by the State Fire Safe Regulations for roads and driveways steeper than 15 percent. Compaction of the sub-grade shall be 90 percent, and compaction of the aggregate base shall be 95 percent. The road shall be graded at a 2 percent cross slope toward the cut side with a roadside ditch for drainage.

The road shall be maintained in its current condition. If the road deteriorates, it shall be improved to the existing condition.

4. The applicant shall assume full responsibility for resolving television reception interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.

~~5. The applicant shall obtain a building permit from the El Dorado County Building Department.~~

~~6. The applicant shall construct a 6 foot high chain link fence with brown and/or green vinyl slats around the entire perimeter of the 2,400 square foot facility for security and aesthetics. The above shall be completed and approved by the Planning Department prior to finaling the project.~~

5. Existing tree coverage that serves as screening shall be maintained and/or replaced to prevent greater exposure to the tower and accessory facilities.
6. **Oak Resources Conservation Ordinance:** No oaks greater than six (6) inches at breast height shall be removed ~~"without a 1½ to 1 replacement ratio."~~ without obtaining an Administrative Permit for oak tree removal in pursuant to Zoning Ordinance Section 130.39.060 Oak Tree and Oak Woodland Removal Permits.
7. **Permit Expiration:** Pursuant to Zoning Ordinance Section 130.54.060.A, implementation of the project shall occur within 24 months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with Conditions of Approval.
8. **Screening:** All facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to blend with the surrounding area, or stealth design. The facility shall be painted or constructed with stealth technology to blend with the prevalent architecture, natural features, existing trees (both type and size), or vegetation of the site. Vegetative screening, if used, shall be subject to the provisions described in Subsection 8.09.070(E)(5) of the El Dorado County Ordinance Code (Hazardous Vegetation and Defensible Space - Critical Infrastructure Sites).
9. **Maintenance:** All improvements associated with the telecommunication facility, such as equipment shelters, towers, antennas, fencing, and landscaping shall be maintained in good condition at all times, free from trash, debris, graffiti, and any form of vandalism. Design, color, and textural requirements under the approved conditions shall be maintained to ensure a consistent appearance over time.
10. **Accessibility:** Wireless telecommunication facilities shall not be constructed to create a barrier under federal and state Americans with Disabilities Act (ADA).
11. **Underground Equipment:** Underground equipment shall be located entirely underground and flush with existing sidewalk or ground surface.
12. **Site Security Measures:** Wireless telecommunication facilities may incorporate reasonable and appropriate site security measures, such as locks and anti-climbing devices, to prevent unauthorized access, theft, or vandalism.

13. **Signage:** All wireless telecommunication facilities must include signage that accurately identifies the facility owner/operator, the owner/operator's site name or identification number, and a toll-free number to the owner/operator's network operations center. No other signage or advertisements may appear on a wireless telecommunication facility unless approved by the Director, required by law or recommended under FCC (Federal Communications Commission), Occupational Safety and Health Administration, or other United States governmental agencies for compliance with Radio Frequency (RF) emissions regulations.
14. **Compliance with Health and Safety Regulations:** All wireless telecommunication facilities shall be designed, constructed, operated, and maintained in compliance with all generally applicable health and safety regulations, which includes, without limitation, all applicable regulations for human exposure to RF emissions, ADA, California Building Standards Code, and County Code.
15. **Availability:** All existing telecommunication facilities shall be available to other carriers as long as structural or technological obstacles do not exist.
16. **Unused Facilities:** The facility owner shall notify the Department no less than 60 days prior to the final day of use of any telecommunication facilities. All obsolete or unused telecommunication facilities shall be physically removed by the facility owner within 180 days after the use of that facility has ceased or the facility has been abandoned. All site disturbance related to the facility shall be restored to its pre-project condition.
17. **Conditions Compliance:** Prior to issuance of a building permit or commencement or any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Division prior to building permit final for any building permit for verification of compliance with applicable Conditions of Approval.
18. **Five-Year Review:** Every five years following approval of a Conditional Use Permit (CUP) for a wireless telecommunications facility, the County shall review the facility for compliance with the approved conditions of approval. Review of wireless telecommunications facility CUP shall be staff level. This section shall take precedent over existing conditions of approval.

1. Notification. All five-year reviews shall be noticed to nearby property owners in

accordance with Table 130.51.050.2.

2. If complaints or concerns are received from a noticed party, the review shall be set with the Planning Commission.

19. **Revocation:** Failure to comply with any condition of approval or standard in this ordinance shall constitute grounds for possible revocation of use pursuant to County Code Section 130.53.090 (Revocation or County Mandated Modification of a Permit).
20. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the CUP and building permit prior to issuance of a building permit.
21. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and landowner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a CUP.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

22. **Archeological Resources:** In the event of the discovery of human remains, all work shall cease, and the County coroner shall be immediately notified pursuant to subdivision(c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two (2) working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24-hours, the Native American Heritage Commission. The Native American Heritage Commission would immediately notify the person it believes to be the most likely descendant of the deceased Native American.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48-hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Air Quality Management District (AQMD)

23. **Fugitive Dust:** Mitigation measures for dust control shall comply with the requirements of AQMD Rule 223, Fugitive Dust – General Requirements and Rule 223.1 – Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.
24. **Paving:** Road construction shall adhere to AQMD Rule 224, Cutback and Emulsified Asphalt Paving Materials.
25. **Painting/Coating:** The application of architectural coatings shall adhere to AQMD Rule 215, Architectural Coatings.
26. **Open Burning:** Burning of wastes that result from “Land Development Clearing” must be permitted through the AQMD. Only dry vegetation originating from the property may be disposed of using an open outdoor fire and burning shall adhere to AQMD Rule 300, Open Burning.
27. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (CARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§2249 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at CARB’s website here: <https://ww2.arb.ca.gov/our-work/topics/construction-earthmoving-equipment>. Questions on applicability should be directed to CARB at 1.866.634.3735. CARB is responsible for enforcement of this regulation.

28. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with CARB. A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.
29. **New Point or Stationary Source:** Prior to construction/installation of any new point/stationary source emissions units (e.g., emergency standby engine greater than 50 horsepower), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emissions estimates, and shall adhere to AQMD Rules 501, General Permit Requirements and 523, New Source Review.

Stormwater Unit

30. **Erosion and Sediment Control:** An Erosion and Sediment Control Plan would need to be included in the plan submittal. If the project would disturb an acre or more of land, the Legally Responsible Person (LRP) is required to obtain Construction General Permit (CGP) coverage through the State Water Resources Control Board (SWRCB). The CGP requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). CGP requirements can be found at the following link: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html
31. **Post-Construction Water Quality Requirements:** The County is subject to the State of California's Phase II MS4 Permit and thus the County's post construction water quality requirements follow those outlined in that Permit in Section E.12, or superseding Permit at the time of application submittal. Projects typically qualify as "Small" or "Regulated/Hydromodification" projects under the current MS4 Permit / West Slope Development and Redevelopment Standards and Post Construction Stormwater Plan Requirements if improvements (i.e., parking lots, rooftops, driveways, etc.) create or replace 2,500 square feet or more of impervious surface (including offsite improvements). Qualifying projects are required to provide treatment of stormwater prior to the water leaving the site or entering a waterbody. Submittal requirements for all projects are provided here: <https://www.eldoradocounty.ca.gov/Land-Use/Planning-and-Building/Tahoe-Planning-and-Building-Division-Stormwater-Unit/West-Slope-Development-and-Redevelopment-Standards>.

Environmental Management

32. When filling out “Section 6: Construction and Demolition Debris Recycling Acknowledgment” of the El Dorado County Building Permit Application (Part 1), select Option 4, and write in “Tower” to the right of the sections. Towers are exempted from the construction and demolition (C&D) debris recycling requirements since little to no C&D debris will be generated. This form is available online on the County of El Dorado Building Services Forms webpage.

El Dorado County Fire Protection District:

33. **Code Compliance:** The project shall comply with all applicable requirements of the currently adopted California Fire Code, California Building Code, California Residential Code (as applicable), and all locally adopted Fire Protection District standards. Compliance shall be verified by the Fire Department prior to issuance of building permits and prior to commencement of operations.
34. **Fire Apparatus Access:** Approved fire apparatus access shall remain unobstructed at all times. All approved gates shall be equipped with Fire Department–approved emergency access (Knox padlock, or other Fire Department required devices if automated).
35. **Emergency Contact Signage:** Permanent emergency contact signage shall be installed at the primary site entrance and at any additional locations as required by the Fire Department. At a minimum, the signage shall include the site name, physical address, and a 24-hour emergency contact name and phone number. Signage shall be approved by the Fire Department and installed prior to commencement of operations.
36. **Vegetation Management/Defensible Space:** Defensible space and vegetation management shall be established and continuously maintained in compliance with applicable state and local fire regulations. Failure to maintain defensible space shall constitute a violation of the Conditional Use Permit.
37. **Fire Protection Systems:** Fire sprinkler systems, fire alarm systems, and other required fire protection features shall be provided as determined during building permit review based on final building size, use, and construction type. All required systems shall be installed, tested, and approved prior to occupancy.
38. **Diesel Generator and Fuel Storage:** Any diesel-powered generator associated with the project shall comply with applicable Fire Code requirements for combustibles liquids. Fuel tanks, piping, day tanks, and overflow or secondary spill containment systems shall be

reviewed and approved by the Fire Department and shall be subject to final inspection and approval by the Fire Department prior to operation.

39. **Hazardous Materials:** The storage, use, or handling of combustible or hazardous materials shall comply with Fire Code requirements. Additional permits or operational restrictions may be required by the Fire Department.

40. **Fire Lanes and Parking Restrictions:** Fire apparatus access roads and fire lanes shall be maintained clear and unobstructed at all times. Fire lane marking and signage shall be installed where required by the Fire Department prior to occupancy.

41. **Enforcement:** Failure to comply with Fire Department conditions shall constitute a violation of the Conditional Use Permit and may result in enforcement action, suspension, or revocation of the permit.