

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



**Agenda of:** May 26, 2022

**Staff:** Bianca Dinkler

**CONDITIONAL USE PERMIT REVISION**

**FILE NUMBER:** CUP-R21-0049/AT&T Verizon Colocation Cell Tower Revision

**APPLICANT:** AT&T/Karen Lienert

**PROPERTY OWNER:** Brooks and Blair Mitchell

**REQUEST:** Conditional Use Permit Revision to allow colocation on an existing Verizon 75-ft monopine cell tower. Project modifications would include installation of six (6) new AT&T antennas extending the tower to 85-ft, a new 15-ft wide access road to a new fenced lease area of 12-ft x 20-ft with associated equipment including pre-manufactured walk-in cabinets and a 30kW diesel emergency backup generator located within a level 2 acoustic enclosure.

**LOCATION:** On the north side of Green Valley Road, approximately 1,000 feet east of the intersection with Mortara Circle, in the Placerville area, Supervisorial District 4 (Exhibits A, B).

**APN:** 317-250-056 (Exhibit C)

**ACREAGE:** 16.26-acres

**GENERAL PLAN:** Low Density Residential (LDR) (Exhibit D)

**ZONING:** Estate Residential, Five-acre (RE-5) (Exhibit E)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures) and 15304 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines.

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

1. Find the project exempt from CEQA pursuant to Section 15303 (New Construction of Conversion of Small Structures) and Section 15304 (Minor Alterations to Land) of the CEQA Guidelines; and
2. Approve Conditional Use Permit Revision CUP-R21-0049 based on the Findings and subject to the Conditions of Approval as presented.

## **EXECUTIVE SUMMARY**

Approval of this Conditional Use Permit Revision would allow for colocation on an existing Verizon 75-ft monopine cell tower. Project modifications would include installation of six (6) new AT&T antennas extending the tower to 85-ft, a new 15-ft wide access road to a new fenced lease area of 12-ft x 20-ft with associated equipment including pre-manufactured walk-in cabinets and a 30kW diesel emergency backup generator located within a level 2 acoustic enclosure. Further analysis is contained within the Staff Report. Staff has determined that the proposed project, as conditioned, is consistent with the El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

## **BACKGROUND**

The original Special Use Permit, S15-0007, was approved by the Planning Commission on November 12, 2015 to allow Verizon to construct and operate a 75-ft tall monopine cellular communication facility with six (6) panel antennas, 12-ft new gravel and paved access road, equipment shelter, and related ground equipment, including emergency standby generator. The current application submitted in August 2021 would allow modifications to the site as discussed in the project description below.

## **EXISTING CONDITIONS/SITE CHARACTERISTICS**

The project site is located on the front half of the 16.23-acre parcel ranging in elevation from 1,465 to 1,555 feet. No development would occur in the rear half of the lot. There is an existing residence and garage on the front half of the property with a paved 12-ft wide driveway from Green Valley Road and a gravel road leading to other out buildings. There is a small pond and creek located in the rear half of the property that would not be impacted as a result of the project. Vegetation is predominantly grasslands and oak trees with pine and other various trees. Access to the new lease area would be from the existing driveway to a new 15-ft wide gravel and paved access road. No trees are proposed for removal as a result of this revision.

**Adjacent Land Uses:**

|              | <b>Zoning</b>  | <b>General Plan</b>           | <b>Land Use/Improvements</b>                                |
|--------------|--|-------------------------------|---|
| <b>Site</b>  | Estate Residential, Five-acre (RE-5)   | Low Density Residential (LDR) | Residential/Existing Wireless Cell Tower (1 Monopine Tower) |
| <b>North</b> | Estate Residential, Ten-acre (RE-10)/<br>*Planned Agricultural, Ten-acre (PA-10) | Low Density Residential (LDR) | Residential/Single-unit residences                          |
| <b>South</b> | Estate Residential, Five-Acre(RE-5)  | Low Density Residential (LDR) | Residential/Single-unit residence                           |
| <b>East</b>  | *Planned Agricultural, Ten-acre (PA-10)/Estate Residential, Five-acre (RE-5)     | Low Density Residential (LDR) | Residential/Single-unit residences                          |
| <b>West</b>  | Estate Residential, Five-acre (RE-5)   | Low Density Residential (LDR) | Currently undeveloped property                              |

\*Adjacent to agriculturally zoned land (PA-10) which requires review and recommendation from the County Agricultural Commission, which is included (Exhibit P).

**PROJECT DESCRIPTION**

The proposed project is for a Conditional Use Permit Revision to allow colocation on an existing Verizon 75-ft monopine cell tower. Project modifications would include installation of six (6) new AT&T antennas extending the tower to 85-ft, a new 15-ft wide access road to a new fenced lease area of 12-ft x 20-ft with associated equipment including pre-manufactured walk-in cabinets and a 30KW diesel emergency backup generator located within a level 2 acoustic enclosure, for the purpose of providing high-speed wireless network coverage. The new fencing would be a 6-ft tall chain link anti-climb barrier fencing to match the existing Verizon lease area. The increase in tower height would be negligible in terms of visual impacts given the large property size, remote location, existing vegetation screening, and setbacks greater than 100-ft from all property lines. No oak trees are proposed for removal as a result of this revision.

**Existing/Proposed Tower Improvements:**

| <b>Site Facility Improvement</b> | <b>Existing</b>                    | <b>Proposed</b>                         |
|----------------------------------|------------------------------------|---|
| <b>Access</b>                    | 12-ft gravel and paved access road | New 15-ft gravel and paved access road  |
| <b>Lattice Tower Height</b>      | 75-ft                              | 85-ft                                   |
| <b>Quantity of Antennas</b>      | 6 Verizon Antennas                 | 12 total Antennas<br>(6 Verizon 6 AT&T) |

**STAFF ANALYSIS**

**General Plan Consistency:** The project is consistent with all applicable General Plan policies including Policy 2.2.1.2 (Land Use Designation), Policy 2.2.5.2 (General Plan Consistency), Policy 2.2.5.21 (Compatibility with Adjoining Land Uses), Policies TC-Xa through TC-Xi (Transportation and Circulation Element), Policy 5.1.2.1 (Adequacy of Public Services and Utilities), Policy 5.2.1.2 (Adequate Quantity and Quality of Water for all Uses, Including Fire Protection), Policy 6.2.3.2 (Adequate Access for Emergencies), Policy 6.5.1.2 (Noise Sensitive Lands), Policy 6.5.1.7 (Noise by Non-Transportation Noise Sources), Policy 7.4.4.4 (Oak Trees), and Policy 8.1.4.1 (Consideration of Agricultural Use of Land Prior to Approval for Development Entitlements).

**Zoning Ordinance Consistency:** Staff has determined that the proposed project, as conditioned, is consistent with all applicable standards and requirements of Title 130 of the County Ordinance Code (Zoning Ordinance). The project parcel is zoned Residential Estate, Five-acre (RE-5) and the project has been analyzed in accordance with all applicable development standards for this zone district. The site plan identifies the lease area boundaries and contains no development proposal which will encroach beyond the currently allowed buildable area. The proposal meets the required development standards as illustrated in the table below and described in the Findings. Further, the project as proposed meets the standards for Communication Facilities as outlined within Section 130.40.130 of the County Zoning Ordinance. Furthermore, a Radio Frequency Emissions (RF) Compliance Report was conducted by Waterford Consultants, LLC dated August 7, 2019 (Exhibit H) which shows that the proposed project is compliant with RF radiation requirements as outlined within the Federal Communications Commission’s (FCC) Safety Guidelines.

**Table 130.24.030 (Residential Zones Development Standards):**

| <b>Development Attributes</b>       | <b>Zone District: RE</b> | <b>Existing/Proposed Facility</b>         |
|-------------------------------------|--------------------------|---|
| Height (in feet)                    | 45-ft                    | Existing Tower 75-ft/<br>New Height 85-ft |
| Setbacks (in feet)<br>Front (South) | 30-ft                    | 100-ft+                                   |
| Side (West)                         | 30-ft                    | 100-ft+                                   |
| Side (East)                         | 30-ft                    | 100-ft+                                   |

## **APPLICABILITY OF PREVIOUS CONDITIONS OF APPROVAL**

The Findings and Conditions of Approval (COA) from the original approved Conditional Use Permit, S15-0007, are included for reference (Exhibit I). The proposed Conditional Use Permit Revision would be subject to the applicable COA from the original permit, and new COA contained within this Staff Report which is based upon comments received from Agencies that have reviewed the current project; and from analysis by staff in accordance with current requirements.

## **AGENCY COMMENTS**

The project was distributed to all applicable local, County and State agencies for review and comments. Comments were received from the El Dorado County Stormwater Coordinator West Slope, El Dorado County Department of Transportation, El Dorado County Emergency Services Authority, PG&E, El Dorado County Air Quality Management District, El Dorado County Environmental Management Department, and the El Dorado County Agricultural Commission. These Agencies had no objections to the project and all comments are incorporated as COA, as applicable.

The El Dorado County Emergency Services Authority provided comments of support for the project and stated they would like to go on record as supporting this project. Their service relies upon communication connectivity for emergency response and communication and this project supports and enhances service to the community. (Exhibit L).

The El Dorado County Agricultural Commission reviewed the project on December 8, 2021 and provided Planning Services with a memo with recommendation of approval that is included with this Staff Report. (Exhibit P).

## **PUBLIC COMMENTS**

As of March 25, 2022, one (1) public comment was received by neighbors, Kasey and Charity Owens. They provided a letter to the Agricultural Commission on December 6, 2021 which was then forwarded to Planning Services and is included with this Staff Report (Exhibit Q). Planning staff contacted the Owens to discuss their concerns regarding noise from the backup generator. Staff then contacted the applicant who agreed to house the backup generator within a level 2 acoustic enclosure to reduce noise from the backup generator. This feature has been included in the project description and as COA.

## **ENVIRONMENTAL REVIEW**

Conditional Use Permit Revision CUP-R21-0049 has been found Categorically Exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures) and Section 15304 (Minor Alterations to Land) of the CEQA Guidelines, applying to projects which consist of construction and location of limited numbers of new, small facilities or structures, including accessory structures appurtenant to a primary structure. The project proposes minor

modifications to an existing wireless cell tower facility alongside accessory structures appurtenant to the small cell tower facility. The project as proposed is consistent with the Sections 15303 and 15304 of the CEQA Guidelines and is therefore eligible for the categorical exemption, requiring no further CEQA review.

Filing of a Notice of Exemption is required in accordance with CEQA Guidelines Section 15062 to initiate a 35-day statute of limitations on legal challenges to the County's decision that the project is exempt from CEQA. The applicant shall submit a \$50.00 recording fee to Planning Services in order for the County Recorder to file the Notice of Exemption.

## SUPPORT INFORMATION

Findings

Conditions of Approval

|                |   |
|----------------|---|
| Exhibit A..... | Location Map  |
| Exhibit B..... | Aerial Map  |
| Exhibit C..... | Assessor's Parcel Map   |
| Exhibit D..... | General Plan Land Use Map                                     |
| Exhibit E..... | Zoning Map  |
| Exhibit F..... | Site Plans  |
| Exhibit G..... | Site Photo Simulations  |
| Exhibit H..... | Radio Frequency (RF) Report                                   |
| Exhibit I..... | Original S15-0007   |
| Exhibit J..... | Stormwater Coordinator West Slope Comments                    |
| Exhibit K..... | County Department of Transportation Comments<br>with TIS Form |
| Exhibit L..... | EDC Emergency Services Authority Comments                     |
| Exhibit M..... | County Environmental Management Department<br>Comments        |
| Exhibit N..... | United Auburn Indian Community (UAIC)<br>Comments             |
| Exhibit O..... | PG&E Comments   |
| Exhibit P..... | County Agricultural Commission<br>Recommendation              |
| Exhibit Q..... | Public Comment, Kasey and Charity Owens                       |