

## CONDITIONS OF APPROVAL

### **Conditional Use Permit CUP21-0006/Carson Road Monopine Planning Commission/August 25, 2022**

#### **Planning Services**

1. This Conditional Use Permit is based upon and limited to compliance with the project description, the following project exhibits, and conditions of approval set forth below:

Exhibit A.....	Location/ Vicinity Map
Exhibit B.....	Assessor's Parcel Map
Exhibit C.....	Land Use Designation Map
Exhibit D.....	Zoning Designation Map
Exhibit E.....	Aerial Site Map
Exhibit F.....	Development Plan Sheets
Exhibit G.....	Initial Study Negative Declaration

A Conditional Use Permit to allow the construction and operation of a new 160-foot-tall monopine. The monopine is proposed to include 13 panel antennas, 15 RRUs, three (3) direct current (DC) DC-9 surge protectors, and one (1) GPS antenna. Supporting ground equipment will include a 64-square-foot (8x8) Oldcastle equipment cabinet, a 30-kw standby generator, fiber and DC cables running to the proposed antennas, a seven-foot-tall chain link fence, and development of new underground utilities. The monopine and supporting equipment will sit within a 1250-square-foot lease area. The proposed monopine will include two (2) sets of antennas and mounted supporting equipment. The first set of antennas will be mounted at a centerline of 150-feet and will include six (6) antennas. Mounted supporting equipment for the first set of antennas includes three (3) surge protectors and 15 RRUs. The second set of antennas will be mounted at a centerline of 140-feet and will include six (6) antennas. Mounted supporting equipment for the second set of antennas includes three (3) surge protectors and 15 RRUs. The Oldcastle CWIC cabinet will include one (1) AT&T power panel and an automatic transfer switch, one (1) service light, one (1) AT&T GPS antenna, and three (3) DC12 surge protector. The cabinet will be positioned within the western corner of the proposed lease area, and setback from the adjacent lease area boundary lines by three feet. Cables running between the cabinet and the monopine will be concealed from the elements within a proposed AT&T ice bridge. The 30-kw standby back-up generator will be set on a 4'-6" by 10' concrete slab positioned in the northern corner of the proposed lease area. The generator will be setback from the adjacent lease area boundary lines by three feet. No supporting equipment will be mounted on the generator. The utility H-frame will be located along the eastern boundary line of the proposed lease area. Three (3) proposed PG&E meters, one (1) fiber cabinet, and one (1) telco cabinet will be mounted onto the utility H-frame. An AT&T power handhole and one AT&T fiber handhole will be located directly behind the H-frame. All AT&T proposed supporting ground equipment will be located north of the monopine. The area south of the monopine will remain covered with gravel in

anticipation of future co-location proposal(s). The applicant has confirmed that there would be room for other carriers to co-locate within the stealth enclosure in the future (Exhibit F). The project reviewed four (4) other sites that had potential to provide coverage in this area's service gap. These properties are each privately owned, and landlord interest could not be obtained. The proposed facility is needed to provide coverage in a service gap that exists within the Camino Rural Center and surrounding vicinity near the US Highway 50 corridor.

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 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. **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.
3. **Responsibility for Interference:** The applicant shall assume full responsibility for resolving television reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30-days of the receipt of any written complaint.
4. **Facility Maintenance:** All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Colors of the panels, equipment enclosure, and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
5. **Conditions Compliance:** Prior to issuance of a building permit or commencement of 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 Services prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.

6. **Obsolete Equipment:** All obsolete or unused communication facilities shall be removed within six (6) months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project conditions.
7. **Compliance Responsibility:** The operator (lessee) and property owner (lessor) are responsible for complying with all Conditions of Approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the owner and the operator.
8. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the Conditional Use Permit and building permit prior to issuance of a building permit.
9. **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 Conditional Use Permit.

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

10. **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 will 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)**

11. **Fugitive Dust:** The project construction will involve grading and excavation operations which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (FDP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if a Grading Permit is required from the Building Department. Dust control measures 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.
12. **Painting/Coating:** The project construction may involve the application of architectural coating which shall adhere to AQMD Rule 215 Architectural Coatings.
13. **Open Burning:** Burning of wastes that result from “Land Development Clearing” must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
14. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (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 operation of each piece of equipment.
15. **Self-Propelled Engines:** All self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with CARB Regulation for In-Use Off-Road Diesel Fueled Fleets (Section 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). Questions on applicability should be directed to CARB at 1-866-634-3735. CARB is responsible for enforcement of this regulation.
16. **New Point Source:** Prior to construction/installation of any new point source emissions units (e.g., emergency standby engine, etc.), Authority to Construct applications shall be

submitted to the AQMD. Submittal of Applications shall include facility diagram(s), equipment specifications and emission factors (Rules 501 and 523).

### **Department of Transportation (DOT)**

17. **Encroachment Replacement:** The applicant shall remove and replace the Asphalt Concrete Encroachment Apron accessing Larson Road with a minimum of two inches of Asphalt Concrete prior to issuance of development permits. As an alternative, the potholes can be dug out and repaired, and provide surface rejuvenation in the encroachment area consisting of a heavy fog seal coat followed with a polymeric modified asphalt chip seal coat.

### **El Dorado County Fire Protection District**

18. **Fire Department Access:** Approved fire apparatus access roads and driveways shall be provided for every facility, building, or portion of a building. The fire apparatus access roads and driveways shall comply with the requirements of Section 503 of El Dorado County Fire District Ordinance as well as State Fire Safe Regulations and shall extend to within 150 feet of all portions of each facility and all portions of the exterior of the first story of the building as measured by an approved route around the exterior of the building or facility. Driveways and roadways shall have unobstructed vertical clearance of 15' and a horizontal clearance providing a minimum 2' on each side of the required driveway or roadway width. Depending on final heights of each building, the final layout of fire apparatus access roads shall be determined and approved by the fire code official with consideration of whether a ladder truck or ground ladders would be used for firefighting operations.
19. **Roadway Surface:** Roadways shall be designed to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide all-weather driving conditions. All-weather surfaces shall be asphalt, concrete or other approved driving surface. Conformance with this condition shall be verified during review of the improvement plans.
20. **Roadway Grades:** The grade for all private roads, streets, lanes and driveways shall not exceed sixteen percent (16%). Pavement/Concrete shall be required on all grades twelve percent (12%) or greater. For grades of sixteen percent (16%) a Type II Slurry Seal shall be applied to asphalt surfacing, and concrete roadways and driveways shall be textured to provide a coarse broom finish to improve vehicular traction. Conformance with this condition shall be verified during review of the improvement plans.
21. **Traffic Calming:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.

22. **Turning Radius:** The required turning radius of a fire apparatus access road/driveway shall be determined by the fire code official. Current requirements are forty (40) foot inside radius and a fifty-six (56) foot outside radius on through streets, and a minimum fifty (50) foot radius from center point to face of curb for Cul-De-Sacs and Hammerhead turnarounds. If requested, the fire code official may reduce the minimum turning radius to a thirty (30) foot inside radius and a fifty (50) foot outside radius on a case-by-case basis. Conformance with this condition shall be verified during review of the improvement plans.
23. **Turnouts & Turnarounds:** Turnouts are required on driveways that exceed one-hundred fifty (150) feet in length and shall be placed near the midpoint of the driveway. If the driveway extends beyond eight hundred (800) feet in length, then turnouts shall be required every four hundred (400) feet. Turnouts shall be designed to be ten (10) feet wide and thirty (30) feet in length with a minimum twenty-five (25) taper on each end. Dead-end fire apparatus access roads in excess of one-hundred fifty (150) feet in length shall be provided with an approved area for turning around fire apparatus. Turnarounds shall be located within fifty (50) feet of the structure(s) to be protected and shall have a minimum 50-foot radius. Conformance with this condition shall be verified during review of the improvement plans.
24. **Gates:** All gates shall meet the El Dorado County Fire Gate Standard B-002. All gates shall be paired with the appropriate Knox Lock or key entry system as approved by the fire code official.
25. **Fencing:** Lots that back up to wildland open space shall be required to use non-combustible type fencing.
26. **Knox Box and Keys:** All Commercial or Public occupied buildings shall install a Knox Box and building keys including, but not limited to, main entry doors, utility closets, roof accesses, alarm panels, fire sprinkler locks and all other keys required by the fire code official for emergency access. It is recommended, but not required, that residential buildings also add a Knox Box and main front door key for improved emergency access.
27. **Parking and Fire Lanes:** All parking restrictions as stated in the El Dorado County Fire Ordinance shall be in effect. All streets with parking restrictions will be signed or marked with red curbs as described in the El Dorado County Regional Fire Protection Standard titled "No Parking-Fire Lane." All curbs in the parking lot(s) that are not designated as parking spaces will be painted red and marked every 25 feet "no parking fire lane." This shall be white letters on a red background, as per El Dorado County Standard B-004.
28. **Vegetative Fire Clearance:** Prior to June 1st each year, there shall be vegetation clearance around all Emergency Vehicle Access (EVA) and the property in accordance with Public Resources Code Section 4291.

29. **Knox Key Shunt:** A Knox Key Shunt system shall be installed to terminate power to all back-up power generators.
30. **Landscaping:** The landscaping plan shall be reviewed by the Fire Department to ensure that trees, plants, and other landscaping features proposed to be adjacent to the Fire Apparatus Access roads, Fire and Life Safety equipment, and near address locations on buildings and monuments will not impede fire apparatus access or visual recognition.
31. **Building and Fire Plans:** Building, fire sprinkler and fire alarm plans shall be reviewed and approved by the Fire Department prior to respective permit issuance. The plans shall provide the use and occupancy classification for each building for future comments in regard to fire sprinklers, fire alarms, exiting, occupant loads, and other fire and life safety features.

#### **Surveyor**

32. **Boundary Monuments:** All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyors Act).