

**COUNTY OF EL DORADO DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** January 22, 2015

**Staff:** Aaron Mount

**FIVE-YEAR CELL TOWER REVIEW–SPECIAL USE PERMIT**

**FILE NUMBER:** S07-0024-R/Union Mine Tower

**APPLICANT:** Verizon Wireless

**AGENT:** Craig Walkenhurst, Lyle Company

**PROPERTY OWNER:** Diamond Springs/El Dorado Fire Protection District

**REQUEST:** Request for a five-year review of an existing cellular telecommunications facility.

**LOCATION:** On the east side of Quartz Drive, approximately 0.6 mile north of the intersection with Crystal Boulevard, in the El Dorado area, Supervisorial District 2. (Exhibit A)

**APN:** 092-152-04

**ACREAGE:** 0.23 acre

**GENERAL PLAN:** Low Density Residential-Platted Lands (LDR-PL) (Exhibit C)

**ZONING:** One-Acre Residential (R1A) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

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

1. Find the project exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines;
2. Find that the five-year review of the telecommunication facility demonstrates the cell tower facility is in conformance with the Conditions of Approval for S07-0024; and

3. Approve the modifications to the Conditions of Approval for S07-0024-R, based on the Findings and subject to the Conditions of Approval as presented.

## **STAFF ANALYSIS**

### **Background:**

Special Use Permit S07-0024 was approved by the Planning Commission on April 24, 2008 to allow the construction of a wireless communications facility to include a 110-foot self-supporting lattice tower with 12 panel antennas and related ground equipment within a 1,750 square-foot proposed lease area enclosed by a six-foot tall chain link fence. The project included relocation of all existing emergency agency antennas to the new tower at the same heights. The lattice tower replaced an existing 90-foot guyed lattice tower.

### **Revision Request:**

The revision is required because the five-year review is due for the facility. It was found upon visiting the site that the height of the tower had been increased by addition of new communications equipment placed by the property owner, the El Dorado/Diamond Springs Fire protection District. The tower has been increased in height by eleven feet which is allowable consistent with condition of approval Number Six allowing an increase in height of 15 feet without a revision to this special use permit. The total height of the tower is now 121 feet which is under the allowable height of 125 feet. Plans have been submitted showing the new communications equipment (Exhibit C). The addition to the tower is not visible from Highway 49 and does not create a significant visual impact. Additionally, the communications equipment is for public health and safety as it is used exclusively by the Fire Protection District.

### **Condition Modification:**

To streamline future reviews, staff is recommending that the Planning Commission revise Condition No. 7 to permit future five-year reviews to be completed at staff-level, as most five year reviews are found to be in compliance with the original Conditions of Approval and can be administered at staff level with minimal administrative time. The new condition would continue to require towers that remain out of compliance to be forwarded to the Planning Commission for review.

### **Conclusion:**

Based on review of the site plans (Exhibit C), and photos of the facility, dated July 7, 2014 (Exhibit E), staff has verified the project is in compliance with the Conditions of Approval and recommends the Planning Commission approve the five-year review and approve the revised Conditions of Approval.

## **ENVIRONMENTAL REVIEW**

Staff has determined that, pursuant to CEQA Guidelines Section 15061(b)(3), that this action is exempt under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This is a five-year review required by the conditions of approval for the existing telecommunications tower facility authorized under special use permit. The review of compliance with the conditions of approval for the special use permit, remedial measures to be taken, including modifications to the conditions, ensure compliance of the telecommunications facility with the special use permit and it can be seen with certainty that there is no possibility that these actions in question may have a significant effect on

the environment and is therefore not subject to CEQA.

A \$50 processing fee is required by the County Recorder to file the Notice of Exemption (NOE). The filing of the NOE is optional, however, not filing the NOE extends the statute of limitations for legal challenges to the project from 35 days to 180 days.

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Conditions of Approval  
Findings

Exhibit A.....Location Map  
Exhibit B .....Original Approved Plans for S07-0024  
Exhibit C .....Verizon Project Plans As Built  
Exhibit D.....Applicant’s Statement of Use Permit Compliance  
Exhibit E .....Site Photographs