

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



Agenda of: April 27, 2023
Staff: Amelia Pedri

CONDITIONAL USE PERMIT REVISION

FILE NUMBER: CUP-R22-0018/Syres Cell Tower Replacement

APPLICANT/AGENT: Matt Veazey/ T-Mobile Agent

OWNER: Steven Syres

REQUEST: Conditional Use Permit Revision CUP-R22-0018 to previously approved Special Use Permit S98-0021 to allow for the replacement of an existing cell tower with a monopine cell tower to include an 18.9-foot height increase from 51.1 feet to 70 feet that would allow for colocation of an additional service provider, T-Mobile.

LOCATION: On the west side of Panorama Road, approximately 1,000 feet south of the intersection with Mother Lode Drive, in the Placerville area, Supervisorial District 3 (Exhibit A).

APN: 329-162-003 (Exhibit E)

ACREAGE: 4.9 acres

GENERAL PLAN: Medium-Density Residential (MDR) (Exhibit C)

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

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Section 15302 of the California Environmental Quality Act (CEQA) Guidelines (Replacement or Reconstruction).

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

1. Find Conditional Use Permit Revision CUP-R22-0018 to be Categorically Exempt pursuant to Section 15302, Replacement or Reconstruction, of the CEQA Guidelines; and

2. Approve Conditional Use Permit Revision CUP-R22-0018 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

A Conditional Use Permit Revision to allow the replacement and operation of a 70-foot-tall stealth monopine, replacing the existing 51.1-foot-tall monopole, along with 12 panel antennas. The proposed revision would include six (6) new antennas and six (6) new supporting radios to be installed on the monopine. Two (2) new hybrid fiber trunk cables to be installed from existing equipment shelter to the new monopine and a new ice bridge to new monopine. Proposed ground equipment associated with this revision would reside within a 1,500-square-foot lease area, with no expansion to the footprint.

PROJECT INFORMATION

Tolling Timeframe: CUP-R22-0018 was submitted on March 25, 2022. A determination of application incompleteness was made on April 22, 2022. The first resubmittal of additional application materials was received on October 14, 2022. Staff sent a second incomplete letter on October 28, 2022, informing the applicant that several items remained outstanding. The second round of incomplete submittal items was received on November 10, 2022. Staff reviewed these materials and on November 23, 2022, sent a follow-up completeness letter. Tolling time of 150 days is complete as of March 12, 2023. The County and the applicant executed a tolling agreement to extend the tolling timeframe to the regularly scheduled Planning Commission hearing of April 27, 2023. The tolling agreement was signed by the applicant and received on March 10, 2023. The applicant agreed to allow for 45 days after the hearing date for any appeals and 42 days upon submittal of a building permit to accommodate the review of those permits.

Background: The original Special Use Permit S98-0021 was approved by the Planning Commission on January 14, 1999 to allow the construction and operation of a telecommunication facility site consisting of a monopole with 12 panel antennas centered at 45 feet, for an overall height of 51.1 feet, within a 1,500-square-foot fenced lease area; construction of a 10-foot by 20-foot prefabricated tan equipment shelter housing electronic equipment. Prior to submittal of the current request CUP-R22-0018, there have been no use permit modifications to the cell tower site since the approval of Special Use Permit S98-0021.

Site Description and Location: The project parcel, consisting of 4.9 acres, and located between 1,818 and 1,826 feet above mean sea level, is located on the west side of Panorama Road, approximately 350 feet west of the intersection with Yonder Hill Road, in the Placerville area. In addition to the existing telecommunication facility, existing structures on the project parcel consist of a single-family dwelling, an accessory dwelling unit (secondary dwelling unit), a barn/storage facility, and other accessory structures. The portion of the property on which the existing/replacement facility would be constructed slopes downward toward the northwest at an approximate 15 to 20 percent slope. The property contains some oak trees and native grasses. The project parcel borders similarly zoned parcels, Single-Unit Residential (R1) to the northeast, One-Acre Residential (R1A) to the south, east, and west, and Multi-unit Residential (RM) zoned properties to the northwest (Exhibit D).

Project Description: A Conditional Use Permit Revision to allow the construction and operation of a 70-ft tall monopine cellular communication facility with six (6) panel antennas, installation of six (6) radios, one (1) antenna mount, two (2) hybrid trunks, and installation of an ice bridge (Exhibit F). Special Use Permit S98-0021 approved the construction and operation of a 12-foot-wide gravel and paved access road, equipment shelter, and related ground equipment.

A Conditional Use Permit Revision CUP-R22-0018 to allow the construction and operation of a 70-foot-tall monopine to replace an existing 51.1-foot-tall monopole, along with six (6) antennas and six (6) supporting radios, along with an existing backup diesel generator and equipment shelter. The reconstructed telecommunications facility and equipment shelter would be housed within the existing lease area. There are no proposed changes to the footprint of the existing lease area or the existing access road to the cell tower site.

STAFF ANALYSIS

Environmental Review: Conditional Use Permit Revision CUP-R22-0018 has been found Categorically Exempt pursuant to Section 15302, Replacement or Reconstruction of existing structures, of the CEQA Guidelines. The proposed use would result in the replacement of the existing 51.1-foot-tall monopole structure with a 70-foot-tall stealth monopine, with no changes to the existing lease area. This new construction is consistent with the allowances pursuant to Section 15302 of the CEQA Guidelines.

Per CEQA Guidelines Section 15062, filing of a Notice of Exemption is required to initiate a 30-day statute of limitations on legal challenges to the County's decision that the project is exempt from CEQA. Pursuant to Resolution No. 240-93, a **\$50.00** processing fee is required by the County Recorder to file the Notice of Exemption. The applicant shall submit the \$50.00 recording fee to Planning Services for the County Recorder to file the Notice of Exemption **within 48 hours** of any decision-making body approving the project. Checks shall be made payable to El Dorado County.

General Plan Consistency: Staff has determined that the proposed project is consistent with the applicable policies and requirements in the El Dorado County General Plan, as discussed below in Section 2.0, General Plan Findings.

Zoning Ordinance Consistency: Staff has determined that the proposed project is consistent with the applicable regulations and requirements in Title 130 of the El Dorado County Code, as discussed below in Sections 3.0 through 4.0, Zoning and Conditional Use Permit Findings.

AGENCY/PUBLIC COMMENTS

The project was distributed for review to affected/interested agencies and departments, including the El Dorado County Air Quality Management District (AQMD), El Dorado County Department of Transportation (DOT), El Dorado County Environmental Management Department (EMD), CAL FIRE, El Dorado County Storm Water Division, El Dorado County Surveyor's Office, El Dorado Irrigation District (EID), Pacific Gas and Electric (PG&E), State of CA – Public Utilities Commission, and El Dorado County Local Agency Formation

Commission (LAFCO). Comments were received from the El Dorado County Storm Water Division. These comments have been included in the Conditions of Approval section below.

El Dorado County Storm Water Division

Comments were received from the El Dorado County Storm Water Division on November 30, 2022. The comments included information regarding standard requirements related to the State of California Phase II Municipal Stormwater 4 (MS4) Permit and the County's post construction water quality requirements. This comment has been provided to the applicant as an advisory, as the MS4 permit is a legal requirement of State law. An Erosion and Sediment Control Plan will need to be included in the plan submittal. If the project will 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 Storm Water Pollution Prevention Plan (SWPPP) This comment has been provided as an advisory.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A.....	Vicinity Map
Exhibit B.....	Assessor's Plat Map
Exhibit C.....	General Plan Land Use Designation Map
Exhibit D.....	Zoning Designation Map
Exhibit E.....	Aerial Map
Exhibit F.....	Site Plan
Exhibit G.....	Arborist Report
Exhibit H.....	Radio Frequency Report
Exhibit I.....	Photo-Simulations
Exhibit J.....	Hazardous Materials Statement