

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



Agenda of: August 24, 2023

Staff: Timothy Pitt

CONDITIONAL USE PERMIT

FILE NUMBER: CUP23-0004/Pleasant Valley Monopine

APPLICANT/AGENT: Assurance Development for Vertical Bridge/T-Mobile

OWNER: Dallas Olson and Susan Olson

REQUEST: Conditional Use Permit to allow the construction and operation of a new unmanned 100-foot-tall monopine telecommunication facility. The monopine is proposed to include twelve (12) panel antennas, six (6) remote radio units (RRU), one (1) two-foot microwave dish antenna, one (1) GPS antenna, required antenna cabling, and two (2) ground mounted radio cabinets on a raised concrete pad within a 40-foot by 40-foot fenced lease area, enclosed by an eight-foot-tall chain-link fence.

LOCATION: West side of Pleasant Valley Road, approximately 380 feet south of the intersection with Ponderhill Way, in the Diamond Springs area, Supervisorial District 3 (Exhibit A).

APN: 098-100-083 (Exhibit B)

ACREAGE: 10.01 acres

GENERAL PLAN: Low Density Residential (LDR) (Exhibit C)

ZONING: Residential Estate – Five-Acre Minimum (RE-5) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Negative Declaration prepared based on an Initial Study in accordance with the California Environmental Quality Act (CEQA) Guidelines (Exhibit H).

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

1. Adopt the Negative Declaration based on the Initial Study prepared by staff in accordance with CEQA Guidelines; and
2. Approve Conditional Use Permit CUP23-0004 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Conditional Use Permit (CUP) to allow for the construction and operation of a public wireless communication facility including a 100-foot-tall monopine hosting twelve (12) panel antennas, supporting mounted equipment and supporting ground equipment including two (2) ground mounted radio cabinets on a raised concrete pad within a 40-foot by 40-foot fenced leased area surrounded by an eight-foot-tall chain link fence.

PROJECT INFORMATION

Tolling Timeframe: CUP23-0004 was submitted February 1, 2023. A determination of application completeness was issued on February 16, 2023. A response from the applicant with additional materials was received on March 10, 2023. Additional materials were received from the applicant on March 14, 2023 and a subsequent incomplete letter was issued the same day. The applicant submitted the required materials on March 27, 2023 and a letter of application completeness was issued April 3, 2023. With an application date of February 1, 2023, the 150-day shot clock period would have expired July 1, 2023, however, that shot clock period was paused after the incomplete letter was issued on February 16, 2023, using 15 days of the shot clock. The pause ended when additional application materials were submitted on March 10, 2023, preserving 22 days from the running shot clock. An additional four (4) days ran off the clock from March 10, 2023 to March 14, 2023 when the second incomplete letter was issued, for a total of 19 days elapsed and 131 days remaining on the shot clock. 13 days passed before additional materials were received from the applicant, during which time the clock was paused, and another seven (7) days elapsed before a completeness determination was made on April 3, 2023. At that point, 26 days had elapsed from the shot clock and 124 days remained making the new shot clock deadline August 5, 2023. The project does include a tolling agreement which extended the project time to September 12, 2023 (Exhibit G). This additional time will allow the project to be heard at the August 24, 2023 Planning Commission hearing. If there should be an appeal filed, the tolling agreement has provided for additional time for a Board of Supervisor's appeal hearing.

Background: The subject parcel has been developed with a single-family residence and various outbuildings associated with the residence. The proposed development site is an undeveloped portion of the southeast corner of the subject parcel.

Site Description: The 10.01-acre subject parcel is located on the west side of Pleasant Valley Road, approximately 380 feet south of the intersection with Ponderhill Way, in the Diamond

Springs area. The topography of the subject parcel is primarily flat with an elevation of approximately 2,070 feet above mean sea level, on the western slope of the Sierra Nevada Mountains. The proposed lease area consists of a 1,600-square-foot fenced area on the southeast corner of the parcel. The vegetation on the site is primarily grass and pine trees. Primary access to the project site would be from a new encroachment from Pleasant Valley Road, while the existing encroachment for the parcel further to the north on Pleasant Valley Road would remain a viable alternative access route, if necessary. The proposed cellular facility would be located on a relatively flat area adjacent to Pleasant Valley Road behind a roadside row of pine trees which aid in the concealment of the facility. The subject parcel borders similarly zoned parcels with residential and light agricultural uses. The site is located in the Diamond Springs Community Region.

Project Description: A CUP to allow the construction and ongoing operation of a new 100-foot-tall telecommunications facility with a stealth monopine design. The facility is proposed to include twelve (12) antennas, six (6) RRUs, one (1) two-foot microwave dish antenna, one (1) GPS antenna, required antenna cabling, and two (2) ground mounted radio cabinets on a raised concrete pad within a 40-foot by 40-foot fenced lease area. There is no diesel-powered standby backup generator proposed for this project at this time. The leased area would be surrounded by an eight-foot-tall chain-link fence.

The applicants reviewed four (4) other sites with the potential to provide coverage for the service gap in this area. The alternative sites were either determined to not provide the coverage of the chosen site or property owner interest could not be obtained. The chosen site was deemed to be the most appropriate location for the installation of a wireless facility based on propagation and radio frequency cover studies conducted. The chosen site is the least intrusive and will create improved wireless coverage for the underserved wireless users in the surrounding area.

STAFF ANALYSIS

Environmental Review: In accordance with CEQA, staff has prepared an Initial Study analyzing the potential environmental effects resulting from the implementation of the project. Based on the Initial Study, a Negative Declaration has been prepared (Exhibit H).

According to the CEQA Guidelines Section 15075, filing a Notice of Determination (NOD) is required to initiate a 30-day statute of limitations on legal challenges to the County's environmental determination. The filing of the NOD is optional; however, not filing the NOD extends the statute of limitations for legal challenges to the project from 35 days to 180 days. Should the applicant choose to have the NOD filed and recorded, the applicant shall submit to Planning Services a recording fee of \$50.00 as required by the County Recorder, as well as the current 2023 California Department of Fish and Wildlife CEQA review fee for a Negative Declaration, \$2,764.00. This fee is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

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 and 4.0, Zoning and Conditional Use Permit Findings.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval

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.....Site Plan
Exhibit G.....Tolling Agreement
Exhibit H.....Proposed Negative Declaration and Initial Study