



# PLANNING AND BUILDING DEPARTMENT

## PLANNING SERVICES DIVISION

<https://www.eldoradocounty.ca.gov/Land-Use/Planning-Services>

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**PLACERVILLE OFFICE:**

2850 Fairlane Court, Placerville, CA 95667

**BUILDING**

(530) 621-5315 / (530) 622-1708 Fax

[bldgdept@edcgov.us](mailto:bldgdept@edcgov.us)

**PLANNING**

(530) 621-5355 / (530) 642-0508 Fax

[planning@edcgov.us](mailto:planning@edcgov.us)

**LAKE TAHOE OFFICE:**

924 B Emerald Bay Rd

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

**TO:** El Dorado County Planning Commission **Agenda of:** October 24, 2024

**FROM:** Dana Watkins, Assistant Planner

**DATE:** September 11, 2024

**SUBJECT:** Conditional Use Permit Revision CUP-R24-0007/Five-Year Review of Special Use Permit S17-0004 (Outingdale)

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**FILE NUMBER:** CUP-R24-0007/Five-Year Review of S17-0004 (Outingdale)

**APPLICANT:** Epic Wireless Group, LLC

**AGENT:** Mark Lobaugh

**OWNER:** Kristine Rosin Joy

**REQUEST:** Five-year review of an existing cellular telecommunications facility.

**LOCATION:** South side of Freedom Road, approximately 945 feet west of the intersection with Free Fox Lane, in the Outingdale area, Supervisorial District 2.

**APN:** 046-380-061

**ACREAGE:** 10 acres

**GENERAL PLAN**

**LAND USE DESIGNATION:** Rural Residential (RR)

**ZONING DESIGNATION:** Rural Lands, 10-Acres (RL-10)

**ENVIRONMENTAL DOCUMENT:** Previously adopted Mitigated Negative Declaration

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

1. Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163, and 15164, that there is no substantial evidence requiring the preparation of a Subsequent Mitigated Negative Declaration, a Supplement, or an Addendum to the existing Mitigated Negative Declaration, adopted by the Zoning Administrator on December 14, 2017; and
2. Find that based on this five-year review period, the approved telecommunications facility substantially conforms to the Conditions of Approval for Special Use Permit S17-0004.

**Background:** Special Use Permit S17-0004, approved by the Planning Commission on December 14, 2017, authorized the construction and operation of a 153-foot steel monopole, camouflaged as a 160-foot stealth monopine, one (1) 35-kilowatt (kW) standby propane generator, one (1) equipment shelter, and one (1) 500-gallon propane tank, to be located at 3672 Freedom Road. The monopole and ground equipment were to be placed within a 1,050-square-foot lease area, surrounded by chain link fencing with slats and two (2) rows of barbed wire on top. Condition of Approval (COA) No. 8 requires review of the ongoing operation under the Special Use Permit by the Planning Commission every five (5) years.

**Staff Analysis:** The applicant is requesting a five-year review of the ongoing operation of an existing cellular telecommunications facility. The applicant has provided a Narrative of COA Compliance (Exhibit C) and photographs of the current site conditions (Exhibit D and Exhibit E) to demonstrate that the facility is operating in compliance with all applicable COAs for S17-0004. On February 27, 2024, staff conducted a site visit, accessing the site by vehicle and examining the site on foot. While the facility was maintained in good condition, including access roads, signage, and equipment, vinyl slats were not installed on the chain link fencing which surrounds the equipment lease area. Evidence of these slats being installed was provided by the applicant on July 8, 2024. To confirm vinyl slats were installed in compliance with COAs for S17-0004, on September 5, 2024, staff conducted a second site visit, accessing the site by vehicle and examining the site on foot. All vinyl slats have been installed on the chain link fencing and were found in good condition (Exhibit F).

**Environmental Review:** On December 14, 2017, the Planning Commission adopted a Mitigated Negative Declaration based on the Initial Study prepared by staff in accordance with CEQA Guidelines. along with original approval of this cell tower (S17-0004). Pursuant to CEQA Guidelines Section 15162, 15163, and 15164, a Subsequent, Supplement, or an Addendum, to the existing Mitigated Negative Declaration is not necessary for this project as there has been no substantial change in the project based on the whole record that would cause a significant effect on the environment. This is a five-year review as required by the COA for the existing telecommunications tower facility authorized under the original Special Use Permit.

## SUPPORT INFORMATION

### Attachments

- Exhibit A.....Aerial Map
- Exhibit B.....Staff COA Compliance Verification Report
- Exhibit C.....Applicant Narrative of COA Compliance
- Exhibit D.....Applicant Current Site Photographs
- Exhibit E.....Applicant Current Site Photographs (Vinyl Slats)
- Exhibit F.....Staff Current Site Photographs 09/05/24
- Exhibit G.....S17-0004 Final Conditions of Approval

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