

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



Agenda of:

November 13, 2014

Staff:

Bianca Dinkler

FIVE-YEAR CELL TOWER REVIEW–SPECIAL USE PERMIT

FILE NUMBER: S03-0001-R-3/Cingular Wireless/T-Mobile (Pacific House)

APPLICANT: Crown Castle

AGENT: Karen Lienert, Cingular Wireless/T-Mobile

PROPERTY OWNER: Hugh Lewis

REQUEST: Request to:

- 1) Change-out three existing antenna panels and replace with four newer, similar sized antenna panels, at the 149-foot height;
- 2) Install a new T-Mobile battery cabinet to be located within the existing equipment shelter; and
- 3) Five-year review of the existing cellular telecommunications facility located at 3041 Hazel Valley Road in Pollock Pines.

LOCATION: On the south side of Highway 50, approximately one-half mile southeast of the intersection with Ice House Road, in the Ice House/American River Canyon area, Supervisorial District 5.
(Exhibit A)

APN: 011-090-50 (Exhibit B)

ACREAGE: 500.63 acres

GENERAL PLAN: Natural Resource (NR) (Exhibit C)

ZONING: Timberland Preserve Zone (TPZ) (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 S03-0001; and
3. Approve the modifications to the Conditions of Approval for S03-0001-R-3, based on the Findings and subject to the Conditions of Approval as presented.

STAFF ANALYSIS

Background:

The original Special Use Permit (S03-0001) was approved by the Planning Commission on July 10, 2003. It allowed construction by Cingular Wireless of a new 153 foot tall wireless monopine with twelve panel antennas mounted at approximately 148 feet. The project included an equipment shelter within a 35x35 foot (1,225 square feet) chain-link fence enclosure. The facility was constructed and has been operational since 2003.

A revision to the Special Use Permit (S03-0001-R-1) was approved by the Zoning Administrator on October 17, 2007. Under S03-0001-R-1, a finding of substantial compliance was made with revisions to allow co-location of four Metro PCS antennas at the 140-foot height, and three radio cabinets within the existing fenced lease area.

A second revision to the Special Use Permit (S03-0001-R-2) was approved by Development Services staff on February 17, 2011. Under S03-0001-R-2, a finding of substantial compliance was made with revisions to make minor modifications of antenna replacements to remove four and replace with two, and branch repairs to move antennas back into the branches, and the addition of a battery cabinet within the existing equipment shelter. The building permit for these minor modifications was finalized July 18, 2011. Other miscellaneous building permits have been issued to replace a roof, finalized August 12, 2011, and a battery change-out to a hydrogen fuel cell, finalized September 26, 2012.

The Current Revision:

The third revision to the Special Use Permit (S03-0001-R-3) is a request to remove three antennas and replace with four antennas, and install a new T-Mobile battery cabinet within the existing equipment shelter. These minor modifications would typically be permitted without Planning Commission review; however the five-year review is due. The final approval of the building permit for these minor modifications is subject to approval of the five-year review by the Planning Commission.

Condition Modification:

To streamline future reviews, staff is recommending that the Planning Commission revise Condition No. 14 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 E), and photos of the facility, dated August 22, 2014 (Exhibit F), 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 covered by 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 as 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:

Conditions of Approval
Findings

Exhibit A.....Location Map
Exhibit BAssessor's Parcel Map
Exhibit CGeneral Plan Land Use Map
Exhibit D.....Zoning Map
Exhibit ESite Plan (Sheets T1.1, A1.1, A2.1, A3.1)
Exhibit F.....Photos 1-9, August 22, 2014