

Recommendation: Staff Recommends that the Planning Commission take the following actions:

1. Find the Special Use Permit S05-0021-R to be exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines;
2. Find that based on this five-year review period, the approved telecommunication facility substantially conforms with the Conditions of Approval for S05-0021; and
3. Modify Condition of Approval number eight as outlined below:
 8. Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the County Development Services Division ~~Planning Commission~~ every five years. At each five-year review, the permit holder shall provide the Development Services Division ~~Planning Commission~~ with a status report on the then current use of the subject site and related equipment. The Development Services Division ~~Planning Commission~~ shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (2) Initiate proceedings to revoke the special use permit, requiring the facility's removal, if it is no longer an integral part of the wireless communication system. By operation of this condition, it is the intent of the County ~~Planning Commission~~ to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the County ~~Planning Commission~~ to conduct or complete a five-year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Development Services Director ~~Deputy Director of Planning~~ to cover the cost of processing a five-year review.

4. Add a new condition of approval:

21. **Generator Maintenance:** Any routine maintenance that requires running the generator or automatic cycling of the generator shall be performed between the hours of 9 a.m. and 3 p.m. Monday through Friday.

Background: Special Use Permit S05-0021 was approved by the Planning Commission on February 9, 2006 allowing Nextel Communications to construct a wireless communication facility within a 40-foot by 40-foot lease area. The permit included approval of a 55-foot tall monopine stealth tower, 12 panel antennas at the 51-foot height, a 6-foot tall chain link fence enclosure with brown slats, one gate opening and one equipment shelter.

Staff Analysis: The applicant is requesting a five-year review of the existing cellular telecommunications facility. The applicant has provided the attached Status Report and as built plans (see Attachments 1 and 2) that identify that the facility is operating in compliance with all

applicable conditions of approval for S05-0021 and that the facility has been maintained to ensure lessening of visual impacts (See Attachment 3).

The proposed modification to Condition of Approval number eight will bring the condition up to date with the standard conditions now being placed upon telecommunication facilities that require ongoing maintenance for aesthetic purposes. The modified condition allows for a more streamlined processing of five-year reviews for these types of telecommunication facilities. The addition of Condition of approval number 21 is a condition that the Planning Commission has requested for similar projects.

Environmental Review: Staff has determined that, pursuant to CEQA Guidelines Section 15061(b)(3), 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 the special use permit. The review for compliance with the conditions of approval for the special use permit includes any remedial measures to be taken to ensure compliance. It can be found that the compliance review will not have an impact on the environment and is therefore not subject to CEQA.

SUPPORT INFORMATION

Exhibit 1.....S05-0021 Conditions of Approval-February 9, 2006;
with Responses
Exhibit 2.....S05-0021-R As Built Plans
Exhibit 3.....Current Site Photos