



Legislation Details (With Text)

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File created: 10/28/2014 **In control:** Board of Supervisors

On agenda: 1/6/2015 **Final action:** 1/6/2015

Title: HEARING - To consider a request submitted by Bob Hablitzel appealing the approval by the Planning Commission on November 13, 2014 for Special Use Permit S14-0004/Verizon Wireless Communication Facility (Mono-Pine) on property identified by Assessor's Parcel Number 126-051-17, consisting of 10.0 acres, in the El Dorado Hills area. Staff recommending the Board consider the following:
 1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
 2) Deny the appeal, thereby upholding the approval of Special Use Permit S14-0004 by the Planning Commission on November 13, 2014, based on the Findings and subject to the Conditions of Approval as approved. (Est. Time: 30 Min.)
 (Supervisorial District 1 4)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2A - Appeal Form BOS 1-6-15, 2. 2B - Planning Commission Minutes 11-13-14 BOS 1-6-15, 3. 2C - Approved Findings & Conditions-PC 11-13-14 BOS 1-6-15, 4. 2D - Board Hearing Letter BOS 1-6-15, 5. 2E - Proof Publication BOS 1-6-15, 6. Public Comment Rcvd 12-31-14 BOS 1-6-15, 7. FINAL Findings.pdf, 8. FINAL Conditions of Approval.pdf, 9. ADOPTED Negative Declaration.pdf, 10. A - Staff Report PC 11-13-14, 11. B - Conditions of Approval PC 11-13-14, 12. C - Findings PC 11-13-14, 13. D - Exhibits A-H2 PC 11-13-14, 14. E - Exhibit I - Proposed Negative Declaration and Initial Study PC 11-13-14, 15. F - Proof of Publication PC 11-13-14, 16. G - Proof of Publication-CORRECTED PC 11-13-14, 17. H - Applicant's PowerPoint Presentation, 18. Public Comment Rcvd 11-04-14 PC 11-13-14, 19. Public Comment Rcvd 11-07-14 PC 11-13-14, 20. Public Comment Rcvd 11-12-14 PC 11-13-14

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------|---------------|--------|
| 1/6/2015 | 2 | Board of Supervisors | Appeal Denied | Pass |
| 11/13/2014 | 1 | Planning Commission | Approved | Pass |

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 (Supervisorial District-4 4)

Background

This is a request submitted by BOB HABLITZEL appealing the approval by the Planning Commission on November 13, 2014 for Special Use Permit S14-0004/Verizon Wireless Communication Facility (Mono-Pine) on property identified by Assessor's Parcel Number 126-051-17, consisting of 10.0

acres, located northwest of Lake Vista Lane, approximately 1,050 feet west of the intersection with Arroyo Vista Way, in the El Dorado Hills area, Supervisorial District 1. The appeal is based on four issues addressed below. [Project Planner: Lillian MacLeod] (Negative Declaration prepared)

This application was considered by the Planning Commission on November 13, 2014 and was approved by a vote of 5-0. The minutes from this meeting are attached.

STAFF ANALYSIS OF APPEAL

1. Commission added condition for applicant to repair private road during construction but not to cooperate in ongoing maintenance. Request similar condition as County has placed on other items regarding this project.

(Response:) The Planning Commission conditioned the project to require the applicant to restore the private access road to its previous condition prior to construction and installation of the cell tower facility. Ongoing maintenance will be a civil matter between the property owners who utilize the private road on a daily basis and the cell tower carrier/applicant who may utilize it once or twice a month.

2. The environmental documents refer to three antennae not 9 as the applicant tried to present at the Commission hearing.

(Response:) The application was for a cell tower containing three panel antennas on each of three sector arrays for a total of nine panel antennas. The site plan approved by the Planning Commission reflected this, but the Staff Report omitted mention of the three sector arrays in the project description. The agent clarified the number of antennas at the hearing and the radio frequency (RF) analysis was conducted based on a total of nine panel antennas.

3. Applicant did not demonstrate the non ability to house equipment on adjacent tower with adjacent parcel owner willing to work with applicant over the concerns raised.

(Response:) At hearing, the applicant's agent, Mr. Heine, discussed at length the reasons why it was infeasible to co-locate on the existing tower located a distance from the proposed cell site.

4. Applicant did not address cumulative effects of adjacent cell tower in letter presented to the Commission at hearing.

(Response:) Staff addressed the non-ionizing RF emissions from the proposed cell tower in the Initial Study based on the RF analysis dated June 2, 2014, and found it to be less than significant.

Clerk of the Board Follow-up Actions

The Clerk of the Board to send copies of correspondence to the Division.

Contact

Roger Trout
Development Services Division Director
Community Development Agency