



## Legislation Details

<b>File #:</b>	15-0562	<b>Version:</b>	1
<b>Type:</b>	Agenda Item	<b>Status:</b>	Approved
<b>File created:</b>	4/20/2015	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	5/14/2015	<b>Final action:</b>	5/14/2015
<b>Title:</b>	<p>Hearing to consider a request for a five-year review of an existing cellular telecommunications facility [Five-Year Review-Special Use Permit S09-0015-R/New Coloma Monopine ]** on property identified by Assessor's Parcel Number 088-420-06, consisting of 5 acres, in the Coloma area, submitted by SBA Communications Corporation; and staff recommending the Planning Commission take the following actions:</p> <ol style="list-style-type: none"><li>1) Find Special Use Permit S09-0015-R to be exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines;</li><li>2) Find that based on this five-year review period, the approved telecommunication facility substantially conforms to the Conditions of Approval for S09-0015;</li><li>3) Modify Condition of Approval number 6 as follows: 6. Native landscape In accordance with a new landscaping plan to be submitted within 90 days, native or non-native shrubs and trees shall be planted around the entire fenced area as shown in Exhibit E-10. All landscaping associated with the wireless telecommunications facility shall be properly maintained and shall be irrigated when necessary to promote and maintain growth. Dead or dying vegetation shall be removed. Applicant shall install and maintain landscaping in accordance with the approved landscaping plan in perpetuity or unless otherwise modified through any future permit. Proof that the landscaping has been installed as described shall be received by Planning Services prior to issuance of final occupancy. within 90 days following landscape plan approval.</li><li>4) Modify Condition of Approval number 12 as follows: 12. Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Department Division every five years. At each five-year review, the permit holder shall provide the Development Services Department Division with a status report on the then current use of the subject site and related equipment. The Development Services Division shall review the status and present that report to the approving authority with a recommendation determine whether to: (A) Allow the facility to continue to operate under all applicable conditions or modify the conditions of approval in order to reduce identified adverse impacts; or (B) Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system. By operation of this condition, it is the intent of the County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Division Director to cover the cost of processing a five-year review on a time and materials basis.</li><li>5) Add a new Condition of Approval: Planning Services 28. 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. (Supervisory District 4)</li></ol>		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. A - Five-Year Review Staff Memo 04-06-15 PC 05-14-15.pdf, 2. B - Five-Year Review Proof of Publication PC 05-14-15.pdf, 3. Five-Year Review Planning Commission Minutes 05-14-15.pdf		

Date	Ver.	Action By	Action	Result
5/14/2015	1	Planning Commission	Approved	Pass