



COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
<http://www.edcgov.us/planning>
Phone: (530) 621-5355 Fax: (530) 642-0508

Tom Heflin Chair, District III
Dave Pratt, First Vice-Chair, District II
Walter Mathews, Second Vice-Chair, District IV
Lou Rain, District I
Alan Tolhurst, District V

Char TimClerk of the Planning Commission

MINUTES

Regular Meeting April 28, 2011 – 8:30 A.M.

1. CALL TO ORDER

Meeting was called to order at 8:34 a.m. Present: Commissioners Rain, Pratt, Heflin, Mathews and Tolhurst*; Ed Knapp-County Counsel; and Char Tim-Clerk of the Planning Commission.
[*Arrived at 8:46 a.m. and took his seat on the Commission.]

2. ADOPTION OF AGENDA

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and carried (4-0), to adopt the agenda as presented.

AYES: Mathews, Rain, Pratt, Heflin
NOES: None
ABSENT: Tolhurst

3. PLEDGE OF ALLEGIANCE

4. CONSENT CALENDAR (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

a. Minutes: March 24, 2011

Commissioner Pratt pulled this item from the Consent Calendar for discussion. He requested that the word "Drive" be added to the end of "County Club" on page 24, 4th bullet item, so as to clearly identify it as a road.

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and carried (4-0), to approve the March 24, 2011 minutes as amended.

AYES: Mathews, Rain, Pratt, Heflin
NOES: None
ABSENT: Tolhurst

END OF CONSENT CALENDAR

**5. DEPARTMENTAL REPORTS AND COMMUNICATIONS
(Development Services, Transportation, County Counsel)**

Pierre Rivas had nothing to report for Current Planning.

Peter Maurer informed the Commission that staff continued to meet with EDAC every Friday morning to work through issues on the Land Development Manual, Zoning Ordinance Update and the Targeted General Plan Amendment. He anticipated the revised Zoning Ordinance Update, which will now reflect public comments received by staff, to be available on-line for public review within the next two weeks.

6. COMMISSIONERS' REPORTS

Commissioner Pratt informed Eileen Crawford/DOT that Slug Gulch Road was in need of attention as the asphalt was starting to break apart in some areas due to erosion. He also stated that there was a significant amount of public interest in having discussion at the Commission level regarding the pending improvements to Bucks Bar Road and the impacts that would have to local businesses, particularly since the Ag Commission had a discussion on this at a recent meeting. The Commission agenda'd this discussion item for the June 9, 2011, meeting and Ms. Crawford confirmed that DOT staff would be present.

9:00 A.M.

7. PUBLIC FORUM/PUBLIC COMMENT – None

8. SPECIAL USE PERMIT

a. **Special Use Permit Revision and Five-Year Cell Tower Review – S00-0023-R/AT&T Telecommunications Facility-Pinnacle Court** submitted by AT&T (Agent: Patricia Kelly/Lyle Company) for revisions to a Special Use Permit to include the following: (1) Removal of an existing wood monopole and replace with a monopine to accommodate the collocation of AT&T on the Sprint tower with the ground equipment and a shelter to be housed within an existing 1,043 square foot lease area; and (2) Five-year review of an existing cellular telecommunications facility. The property, identified by Assessor's Parcel Number 319-110-13, consisting of 5 acres, is located on the east side of Pinnacle Court, one-fourth mile east of the intersection of Artesia and Shingle Springs Road, in the Shingle Springs area, Supervisorial District 4. *[Project*

Planner: Gina Paolini (Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines)**

Gina Paolini presented the item to the Commission with a recommendation of approval for the Special Use Permit Revision and to also find that the existing telecommunications facility is in substantial conformity with the Conditions of Approval.

Pat Kelly/applicant's agent explained that this would resolve a gap in service for ATT&T in that area. She stated that the monopine pole would be of high quality with dense branches and realistic-looking bark.

Commissioner Tolhurst commended staff in identifying areas for improvement when processing five-year cell tower reviews.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (5-0), to take the following action: 1. Find the project is Exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures); 2. Approve Special Use Permit Revision S00-0023-R based on the Findings and subject to the Conditions of Approval as revised by staff; and 3. Find that for this five-year review period, the existing telecommunications facility is found to be in substantial conformity with the Conditions of Approval for Special Use Permit S00-0023.

AYES: Rain, Tolhurst, Mathews, Pratt, Heflin
NOES: None

This action can be appealed to the Board of Supervisors within 10 working days.

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA FINDINGS

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures). The revision to the Special Use Permit would allow for the replacement of the existing cellular facility with an updated monopine and the addition of new ground equipment within an existing lease area. Although collocation of wireless telecommunication facilities is not specifically listed in Section 15303 of the CEQA Guidelines, the items listed in Section 15303 are similar to collocation of wireless communication equipment at an existing facility. Staff has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines. Class 3 exemptions consist of

construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures... include, but are not limited to: (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As conditioned, the proposal is consistent with the intent of 2.2.5.2 (review for General Plan consistency), 2.2.5.21 (compatibility with surroundings), 5.6.1.4 (installation of telecommunication facilities) 6.2.3.2 (adequate access), 6.5.1.2 (noise), and 7.4.2.9 (Important Biological Corridor) because the project will replace an existing outdated pole with an upgraded facility that will improve visual impacts, without further impacting the environment. Adequate services are provided to the site. The project will provide cellular alternatives to the area.

3.0 ZONING FINDINGS

- 3.1 The project is zoned Estate Residential Five-Acre (RE-5) which allows wireless communication facilities with a Special Use Permit in accordance with Section 17.14.210 of the County Code.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance because sufficient screening, setbacks and maintenance would be provided.

4.0 SPECIAL USE PERMIT FINDINGS

- 4.1 **The issuance of the permit is consistent with the General Plan.**

The proposed project has been analyzed for consistency with the General Plan Policies 2.2.5.2 (review for General Plan consistency), 2.2.5.21 (compatibility with surroundings), 5.6.1.4 (installation of telecommunication facilities), 6.2.3.2 (adequate access), 6.5.1.2 (noise), and 7.4.2.9 (Important Biological Corridor) and has been found to be consistent with these policies.

- 4.2 **The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.**

The proposed monopine will comply, as conditioned, with the Development Standards for wireless communication facilities established by Section 17.14.210(E) through (J) of the County Code. The proposed use would not create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood

based on the data and conclusions contained in the staff report. The risk of emissions to the public from the facility would be remote.

4.3 **The proposed use is specifically permitted by Special Use Permit.**

The proposed use, as condition, is specifically permitted by Special Use Permit in a residential zone district pursuant to Section 17.14.210 of the County Code. The proposed use complies with the requirements of County Code Sections 17.14.210 (E) through (J).

Conditions of Approval

El Dorado County Planning Services

1. This Special Use Permit is based upon and limited to compliance with the project description and the following hearing exhibits:

Exhibit E-1 Title Sheet, Site Information and Vicinity Map

Exhibit E-2 Topographic Survey (LS-1)

Exhibit E-3 Topographic Survey (LS-2)

Exhibit E-4 Parcel Site Plan

Exhibit E-5 Site Plan

Exhibit E-6 Equipment Compound Layout

Exhibit E-7 Equipment Layout and Antenna Plan

Exhibit E-8 Elevations

Exhibit E-9 Equipment and Antenna Details

Exhibits G-1 to G-3 Visual Simulations

Any deviations from the project description, exhibits, or Conditions of Approval set forth below shall be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Approval of a revision to a Special Use Permit to include removal of an existing wood monopole and replace the pole with a monopine to accommodate the collocation of AT&T on the Sprint tower on property known as APN 319-110-13. Ground equipment and a shelter would be housed within an existing 1,043 square foot fenced lease area. The fencing shall have no slats. The following includes the project details:

- a. Remove an existing 30-foot Sprint telecommunication wood pole;
- b. Replace existing pole with a 55-foot monopine;
- c. AT&T to place 12 antennas on the pole at a 45 foot RAD center;
- d. Sprint to retain a maximum of 6 antennas on the pole at a 30 foot RAD center;

- e. AT&T to construct an 11.5 foot by 20 foot concrete shelter to house up to 12 cabinets and associated ground equipment;
 - f. One GPS antenna shall be mounted on the equipment shelter; and,
 - g. Sprint to retain seven existing equipment cabinets within the lease area.
- ~~1. This special use permit authorizes the following uses on Assessor's Parcel Number 319-110-13; establishment of a 30 foot tall wooden monopole PCS structure, with antennas placed at 32 feet 4 inches, and 7 adjacent equipment cabinets and power and telephone connections panels.~~
 - ~~2. The applicant shall be subject to any and all requirements of the Shingle Springs Fire Department prior to and during the building permit process. The Fire Department may review the building plans and forward recommendations and requirements to the builder/operator.~~
 - ~~5. The applicant (Sprint PCS) shall assume full responsibility for resolving televisions reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.~~
 - ~~6. No additional antennas of any type shall be mounted on the monopole other than those described in Condition 1 and on the attached exhibits without filing for and receiving approval of an amendment to this special use permit.~~
 - ~~7. The applicant shall consent to the co location of other PCS users on their monopole or immediately adjacent to their site when the increase in pole height would be undesirable. Any increase in pole height or addition of additional cellular antennas will require an amendment to this special use permit.~~
 - ~~8. Due to the ever change technology of wireless communication technology and systems, this special use permit shall be reviewed by the El Dorado County Planning Commission every five years. At each five year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject property and related equipment. The Planning commission shall review the status report, and based upon an assessment of the information provided, current wireless technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and/or (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 the operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission to conduct or complete the five year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Planning Director to cover the cost of the five year review.~~

2. Site Plan: Project improvements shall be completed in conformance with the plans submitted and in conformance with the Conditions of Approval herein and shall substantially comply with Exhibits E1-9 and G1-3. Minor variations are allowed, however, any major changes in the design of the tower and shelters, location of tower or shelters, and access ways shall require review and approval by Planning Services prior to project modifications.
3. Condition Compliance: Prior to commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services for verification of compliance with applicable conditions of approval. The operator shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
4. Exterior Lighting/Maintenance: All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color. No antenna shall project out past the "branch" tips. All facility RF antennas shall be painted with non-reflective paint and maintained to match the color of the branches. Colors of the monopine, antennas, and other appurtenances shall be maintained to ensure the appearance remains consistent and that nothing on the tower causes a reflection of light. All improvements associated with the facility, including equipment shelters, towers, antenna and fencing shall be properly maintained in good visual repair at all times. The monopine shall be maintained in order to provide a quality and aesthetically pleasing exterior finish, including maintenance and upkeep. Planning Services shall verify the painting of the structures and antennas and verify antenna projections within the "branches" prior to issuance of final occupancy for the building permit.
5. Exterior Lighting: Exterior lighting shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. The final lighting plan shall be submitted for review and approval by Planning Services with the building permit application prior to issuance of a building permit. The light shall be activated with motion-sensor or timer.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
6. Television/Electrical Interference: The applicant shall assume full responsibility for resolving television reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.
7. Future Expansions: Expansions to the lease area, increases in pole height, or additional antennas mounted on the monopine shall be subject to review and approval by the

Development Services Director. Should the Director find that additional lease area, height or antennas may create a significant visual impact, the Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit.

8. **Co-location:** The applicant shall consent to the co-location of other wireless telecommunication communication users on their monopine when the increase in pole height could be accommodated. All new collocations, and/or addition of any new piece of equipment that creates noise, shall be subject to the submittal of an acoustical analysis for review and approval by the Development Services Director. Should the Director find that additional noise may create a significant impact; the Director shall decide if the changes can be approved administratively or shall be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit.
9. **Obsolete Equipment:** All obsolete or unused communication facilities shall be removed within six months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project conditions.
10. **Five-year Review:** Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Department every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall determine whether to:
 - a. Allow the facility to continue to operate under all applicable conditions; 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 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 Director to cover the cost of processing a five-year review on a time and materials basis.

11. **Zoning Violations:** The operator (lessee) and property owner (lessor) are responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the owner and the operator.

12. Processing Fees: The applicant shall make the actual and full payment of Planning Services processing fees for the Special Use Permit application prior to issuance of any County development permit.
13. Archeological Resources: If human remains are discovered at any time during the grading activities, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the applicant shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the applicant and shall be subject to review and approval by Planning Services.

14. Hold Harmless Agreement: In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

El Dorado County Building Services

415. **Building Permit:** The applicant shall apply for and secure a building permit from the El Dorado County Building Services ~~Department~~.

El Dorado County Department of Transportation

316. **Access Road:** The access road shall be a minimum of 12 feet in width and shall have a cover of aggregate base constructed to the El Dorado County Department of Transportation standards.

El Dorado County Environmental Management-Hazardous Waste Division

17. Solid Waste/Hazardous Materials: Under the CUPA programs, if the operation will involve the storage of reportable quantities of hazardous materials (55 gallons, 500 lbs,

200 cubic feet) for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid.

El Dorado County Fire Protection District

18. Fees: The applicant shall submit a site review fee to the El Dorado County Fire Protection District of \$150.00 prior to the review of the plans.
19. Fire Access: The fire access for the site shall meet "Fire Safe" standards.
20. Fire Turnaround: The required turnaround shall meet district standards. The driveway shall have a 13'6" vertical clearance and be capable of supporting a 45,000 pound load. The turnaround and driveway improvements shall be completed prior to finaling of the building permits.
21. Street Address: The applicant shall post a 12" minimum street address sign at Artesia Road and Pinnacle Court prior to finaling of the building permits.
22. Gated Access: Gates shall have Knox padlocks. The applicant shall obtain application for Knox padlocks prior to installation.
23. Shelter Access: The applicant shall provide a Knox Box for the shelter. The applicant shall obtain application for Knox Box at the district office prior to installation.
24. Access Keys: The applicant shall provide keys for the shelter, generator and any locked cabinet to the District prior to finaling of the building permits.
25. Defensible Space: A person who owns, leases, controls, operates or maintains a building or structure in, upon or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands or land that is covered with flammable material shall maintain defensible space of 100-feet from each side and from the front and rear of the structure (for purposes of clarification, defensible space shall conform to the Applied Forest Management Report, PRC 4291 fire safe clearance).
26. Fire Extinguisher: A fire extinguisher with a minimum 20BC rating is required. The applicant shall mount an extinguisher within 75' of the generator and in a weatherproof cabinet prior to finaling of the building permit.
27. Plan Approval: The applicant shall provide a full set of plans, prior to construction, to the El Dorado County Fire District. The applicant may be subject to additional requirements or conditions depending on building construction and use. The project shall be permitted and approved by the El Dorado County Fire District.

b. **Five-Year Cell Tower Review – S05-0018/Cellular Tower Facility-Pollock Pines** submitted by VERIZON WIRELESS (Agent: Andrew Lesa/Complete Wireless Consulting, Inc.) for a five-year review of an existing cellular telecommunications facility. The property, identified by Assessor's Parcel Number 101-201-80, consisting of 2.12 acres, is located on the south side of Pony Express Trail, approximately 1,910 feet east of the intersection with Blair Road, in the Pollock Pines area, Supervisorial District 2. *[Project Planner: Tom Dougherty]* (Statutory Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines)**

Tom Dougherty presented the item to the Commission with a recommendation to find that the existing telecommunications facility is in substantial conformity with the Conditions of Approval.

Andrew Lesa/applicant's agent explained that they had been unaware of the erosion damage to the access road until staff brought it to their attention during the five-year cell tower review. As a result, they are in the process of repairing the road and, therefore, requested that Condition #5 be amended to extend the time period from 60 days to 90 days. Pierre Rivas responded that staff was in agreement with the requested change.

In response to Commissioner Tolhurst's comment, Mr. Lesa agreed that during the repairs the drainage could be re-directed to prevent erosion damage in the future. Commissioner Tolhurst indicated that he would like staff, preferably DOT, to conduct a site visit to ensure that this had been completed. After a detailed discussion on which Department would be the most appropriate for the site inspection, County Counsel Ed Knapp recommended, with concurrence from Mr. Rivas, to use the wording "County staff" in the condition.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Rain, and carried (5-0), to take the following action: 1. Find that the project is Exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines; 2. Find that for this five-year review period, upon satisfaction of revised Condition #5, the existing telecommunications facility can be found to be in substantial conformity with the Conditions of Approval for Special Use Permit S05-0018 as presented; and 3. Revise Conditions #5 and #8 as shown in the Conditions of Approval and to amend Condition #5 further by revising the time period to 90 days and adding language for County staff to conduct a site visit.

AYES: Pratt, Tolhurst, Rain, Mathews, Heflin
NOES: None

This action can be appealed to the Board of Supervisors within 10 working days.

Conditions of Approval

Planning Services

1. This special use permit approval is based upon and limited to compliance with the approved project description and Conditions of Approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Construction and operation of a new wireless communications facility. Construction includes 12 panel antennas to be placed on a 120 foot tower designed to resemble a pine tree, often called a monopine, with associated ground support equipment, within a 30 by 50 foot lease area on the Choi property at the 3,874-foot elevation above sea level at 5940 Pony Express Trail in Pollock Pines. The antennas will be located 110 feet up from ground level. The antennas will be painted green and the tower will be painted flat brown and faux bark covering it up to 47 feet. The branches start at 42 feet above ground level. The tower will accommodate four total carriers with the potential that each one can place 12 antennas. The 1,500 square foot lease area is to be surrounded by a six-foot-high chain-link fence with barbed wire atop for security, along with a 12-foot entrance closed by two six-foot gates. Utilities will be trenched from existing receptacles to the lease area along an existing parking area just south of the existing motel and the existing 20-foot wide access and utility easement along the eastern parcel boundary. A fire district approved hammerhead-type turnaround is to be provided at the lease area.

Access to the site is provided off of Pony Express Trail to an access easement on a 530-foot driveway which dead ends into a hammerhead design at the site.

This special use permit authorizes maintenance personnel to visit the site approximately once or twice a month, at which time the facilities would be inspected to ensure proper operation.

2. All site improvements shall conform to the site plan and elevations attached as Exhibit D.
3. All equipment shelters, cabinets, or other auxiliary structures shall be painted in a matching color. Planning Services shall verify the painting of the structures prior to final inspection of the facility.
4. For collocation purposes, no further review by the Planning Commission shall be required provided that all ground-mounted equipment is located within the proposed leased area and provided that any one of the four proposed carriers installs no more than 12 panel antennas per carrier are placed on the mono-pine, and there shall not be any increase in the overall height of the tower and branches.

5. All improvements associated with the communication facility, including equipment shelters, antennae, ~~and fencing, and access driveway surfacing and drainage~~ shall be properly maintained at all times. Planning Services requires that that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent. The gravel driveway shall be maintained in a dust free and erosion controlled condition at all times. The applicant shall schedule a field inspection with County staff to inspect and approve the work performed to assure the existing long-term road surface and drainage problems have been rectified. Proof that the access driveway surfacing and drainage problems have been corrected shall be received by Planning Services within 60 90 days from the end of the ten-day appeal period for the April 28, 2011 hearing approval.
6. The applicant shall assume full responsibility for resolving television reception interference, if any, caused by operation of this facility. The applicant shall take corrective action within 30 days of receipt by Planning Services of any written television interference complaint.
7. All obsolete or unused communication facilities shall be removed by the applicant within six (6) months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify the Planning Department at the time of abandonment, and all disturbance related to the communication facility shall be restored to pre-project condition.
8. ~~Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the Planning Commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then-current use of the subject site and related equipment. The 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 o the wireless communication system. By operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the 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 Deputy Director of Planning to cover the cost of processing a five-year review.~~

Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Department every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and determine whether to:

- (A) Allow the facility to continue to operate under all applicable conditions; 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 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 Director to cover the cost of processing a five-year review on a time and materials basis.

9. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance.
10. In the event of the discovery of human remains, all work is to stop, and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.

El Dorado County Fire Protection District

11. The applicant shall be subject to a site plan review fee of \$150.00. The site plan review fee shall be due to the District prior to commencement of any work performed.
12. The applicant shall install a minimum 12-foot wide all weather access road with a vertical clearance of 13 feet 6 inches, and any turn in the road shall have a minimum inside turning radius of 40 feet. The road shall be capable of supporting a 40,000 pound load and shall not exceed a road grade of 16 percent. El Dorado County Fire Protection District shall review and approve the location and design of the access road prior to issuance of a grading permit.
13. The applicant shall provide a Fire District approved turn-a-round within 50 feet of the project site. As an alternative to a turnaround, the applicant may install a clean agent system in the equipment shelter. The system shall be approved by the Fire District prior to issuance of the building permit.

14. The applicant shall provide high priority Knox access padlock for emergency access through the 12-foot gate and into the fenced enclosure site. The gates shall comply with the Fire Prevention Officer's standard. The El Dorado County Fire Protection District shall verify the installation of the security system prior to final inspection of the facility.
15. Vegetation control is required at site.

El Dorado County Air Quality Management District

16. If the project construction will involve grading and excavation operations which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust, District Rules 223, 223.1 and 223.2 which address the regulations and mitigation measures for fugitive dust emissions and asbestos emission shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust and asbestos shall comply with the requirements of Rule 223, 223.1 and 223.2, whichever rule is appropriate. In addition, the appropriate Fugitive dust Plan (FDP) Application or Asbestos Dust Mitigation Plan (ADMP) application shall be submitted to and approved by the District prior to the start of project construction.
17. Burning of wastes that result from Land Development Clearing must be permitted through the District. Only vegetative waste material may be disposed of using an open outdoor fire (Rule 300).
18. Project construction may involve road development and shall adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials and the County ordinance concerning asbestos dust.
19. Prior to construction/installation of the back up generator or any other new point source emission units or non-permitted emission units (i.e. gasoline dispensing facility, boilers, internal combustion engines, emergency generators, etc.) authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagram(s) equipment specifications and emission factors.

c. Five-Year Cell Tower Review – S05-0028/Cellular Tower Facility-Cameron Park submitted by VERIZON WIRELESS (Agent: Andrew Lesa/Complete Wireless Consulting, Inc.) for a five-year review of an existing cellular telecommunications facility. The property, identified by Assessor's Parcel Number 109-250-45, consisting of 4.67 acres, is located on the north side of Lariat Drive, approximately 754 feet west of the intersection with Flying C Road, in the Cameron Park area, Supervisorial District 2. [*Project Planner: Tom Dougherty*] (Statutory Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines)**

Tom Dougherty presented the item to the Commission with a recommendation to find that the existing telecommunications facility is not in substantial conformity with the Conditions of Approval.