

# DEVELOPMENT SERVICES DEPARTMENT

County of  
EL DORADO

<http://www.co.el-dorado.ca.us/devservices>

PLANNING  
SERVICES



**PLACERVILLE OFFICE:**

2850 FAIRLANE COURT  
PLACERVILLE, CA. 95667  
(530) 621-5355  
(530) 642-0508 Fax  
Counter Hours: 8:00 AM to 4:00 PM  
[planning@co.el-dorado.ca.us](mailto:planning@co.el-dorado.ca.us)

**LAKE TAHOE OFFICE:**

3368 LAKE TAHOE BLVD., SUITE 302  
SOUTH LAKE TAHOE, CA 96150  
(530) 573-3330  
(530) 542-9082 Fax  
Counter Hours: 8:00 AM to 4:00 PM  
[tahoebuild@co.el-dorado.ca.us](mailto:tahoebuild@co.el-dorado.ca.us)

**EL DORADO HILLS OFFICE:**

4950 HILLSDALE CIRCLE, SUITE 100  
EL DORADO HILLS, CA 95762  
(916) 358-3600 and (530) 621-5582  
(916) 941-0269 Fax  
Counter Hours: 8:00 AM to 4:00 PM  
[planning@co.el-dorado.ca.us](mailto:planning@co.el-dorado.ca.us)

## MEMORANDUM

**DATE:** July 31, 2007 **Agenda of:** August 1, 2007  
**TO:** Zoning Administrator **Item #** 5.b.  
**FROM:** Pat Kelly, Project Planner  
**SUBJECT:** Special Use Permit S00-0012R

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*The following are the original approved findings and conditions (in sequence) under Special Use Permit S00-0012 for the installation of a telecommunication facility. The conditions that are not applicable to this project are shown with a ~~strike through~~ while the additional conditions that are applicable are shown with an underline.*

**S0012 – As approved by the Planning Commission on September 28, 2000**

### FINDINGS

1. ~~The proposed project, as conditioned, will not have a significant effect on the environment. Further, the project will not affect wetlands, water courses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters, under the jurisdiction of the State Department of Fish and Game, therefore, the project, has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91) is applicable.~~

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301 of the CEQA Guidelines which establishes that additions to existing structures are exempt.

2. The use authorized by Section 17.70.100 (C) 17.14.200 (D) and Section 17.14.070 (A-2) and (B) of the El Dorado County Code Zoning Code permits co-locations of communication wireless equipment on an existing monopine subject to approval of a Special Use Permit.

The proposed use and design conforms to the Zoning Code because the project meets all development standards for a co-location for wireless communication equipment on an existing wireless communication structure in the Estate Residential Ten-acre (RE-10) Zone District.

3. The proposed use conforms to the provisions of Section 17.22, Special Use Permits of the County Zoning Ordinance. A finding can be made that the proposed use is consistent with Section 17.14.540(A) of the Zoning Code which requires the Zoning Administrator to make the following findings prior to approval of a Special Use Permit:

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

Issuance of the Special Use Permit is consistent with the General Plan because the wireless facility would be a co-location on an existing monopine. The antennas and ground mounted equipment have been designated to blend in with the surrounding area.

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

The proposed use and design will not be detrimental to the public health, safety, and welfare, nor injurious to the neighborhood because the wireless facility has been designed to minimize visual impacts and would not create emissions that exceed established thresholds for maximum exposure.

**c. The proposed use is specifically permitted by Special Use Permit pursuant to this Title.**

Section 17.14.200 (D) (4) of the Zoning Code permits co-location of communication wireless equipment on an existing monopine subject to approval of a Special Use Permit.

- ~~4. The proposed use will not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.~~

- ~~5. This project is subject to the findings contained in Subparagraph 8 of the Final Court Order of July 19, 1999.~~

~~a. The approval or project will not significantly impair the County's ability to adopt and implement a new General Plan after complying with CEQA.~~

~~b. The approval or project complies with all other requirements of law.~~

~~e. The approval or project is consistent with the text and maps of the 1996 General Plan as amended through February 4, 1999.~~

4. A finding can be made that the proposed use is consistent with the policies and land use map in the County General Plan because the installation of the wireless communication equipment would be a co-location on an existing wireless communication facility. The antennas and ground mounted equipment have designed to blend in with the surrounding area.

## CONDITIONS

1. This special use permit request approval is for the following uses only as identified in Assessor's Parcel Number 102-210-08: The installation of an 80-foot high monopole with three sectorized antenna panels with two antennas each, base cabinet area and 1,200 square feet of lease area. Minor changes may be approved by the Planning Director. Any major changes will require the filing of an amended special use permit for the proposed request based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked Exhibit D (Site Plan Map) dated August 1, 2007 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 would constitute a violation of permit approval.

The project description is as follows:

Special Use Permit S00-0012R is a request to co-locate six (6) antennas at a height of sixty-two (62) feet on an existing eighty (80) foot monopine owned by SureWest. Additionally, T-Mobile would install up to three (3) 2.5'x 4.25'x5.5' radio cabinets on an existing 1200 square foot concrete pad enclosed with a six foot high chain link fence located at the base of the monopine where SureWest ground-mounted equipment exists.

Access to the project site is to be provided by an easement located on the leased property adjacent to an existing eight (8) to ten (10) foot gravel road which leads to the Bass Lake Golf Course maintenance area.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structure, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

2. The applicant shall secure a building permit from the El Dorado County Building ~~Department~~ Services for the proposed telecommunications facility.
3. The applicant shall be subject to any and all requirements of the El Dorado Hills Fire Department prior to and during the building permit process. The applicant shall develop and implement a Wildfire Fire Safe Plan that is approved by the Cal Fire (CDF) and the El Dorado Hills Fire Department prior to and during the building permit process. Applicant shall pay any fees requested by CDF or/and El Dorado Hills Fire Department.

4. The applicant (~~RCS Wireless~~) shall assume full responsibility for resolving television reception interference, ~~if any, or other electrical interruptions~~ caused by operation of this facility. The applicant shall ~~be required to remedy the situation~~ take corrective action within 30 days of ~~the receipt by Planning Services~~ of any written television interference complaint.
5. ~~The applicant shall consent to the co location of other PCS users either on proposed monopole or immediately adjacent to their site when the increase in the pole height would not be appropriate.~~
- 6-5. Due to the ever-changing technology of wireless communication ~~industry and systems,~~ ~~this~~ the special use permit shall be reviewed by the ~~El Dorado County Planning Commission~~ Zoning Administrator every five (5) years. At each five year ~~the time of this~~ review, the permit holder shall provide the ~~Planning Commission~~ Zoning Administrator with a status report on the current use of the subject ~~property site~~ and ~~the related on-site equipment~~. The ~~Planning Commission~~ Zoning Administrator shall review the status report and based upon an assessment of the information provided, current wireless technology, and possible local and cumulative impacts, determine whether to:
  - a. Modify the conditions of approval in order to reduce identified adverse impacts; and
  - b. Initiate proceedings to revoke the special use permit, requiring the facility's removal, if no longer an integral part of the facility wireless communication system.

~~The intent of these provisions is to enable the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the abovementioned language. The failure of the Planning Commission to conduct or complete the five-year review as required shall not result in the expiration of 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 process.~~

By operation of this condition, it is the intent of the Zoning Administrator to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Zoning Administrator 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 or designee to cover the cost of processing a five-(5) year review.

- 7 6. ~~The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual," the "Grading, Erosion and Sediment Control Ordinance," the "Drainage Manual," the "Off Street Parking and Loading Ordinance," and the State of California~~

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Handicapped Accessibility Standards. All site improvements shall conform to the site plan and elevations attached as Exhibit D.

- ~~8.7.~~ The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to commencement of any work performed. 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 inspect and approval of the facility.
- ~~9 8.~~ The applicant shall be subject to the County traffic impact mitigation (TIM) fee. Pursuant to Resolution No. 32-98, said fee shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid. All improvements associated with the wireless communication facility, including equipment shelters, cabinets and antennas shall be properly maintained at all times. Planning Services requires that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
- ~~10 9.~~ The applicant shall be subject to the State system infrastructure traffic impact mitigation (TIM) fee. Pursuant to Resolution No. 31-98, said fee shall be due upon the issuance of a building permit. If prior to the application for a building permit for said project a revised fee is established, such revised amount shall be paid. All obsolete or unused wireless 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 Planning Services when the site has been restored to pre-project condition.
- ~~11 10.~~ The access road from the existing golf cart path to the site shall be improved to a minimum of 12 feet in width and surfaced with four inch of three quarter inch CL-2 aggregate base. Any Fire Department access requirements shall be in addition to this condition. 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.
- ~~12 11.~~ All fencing for the proposed facility shall be non-combustible including any slats that may be provided. 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, as provided in Section 66474.9(b) of the California Government Code.

The landowner 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 subdivision, which action is brought within the time period provided for in Section 66499.37.

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

~~13 12. A low security Knox box padlock shall be provided on the gate for access to the fenced area. Prior to issuance of a Building Permit the applicant shall remit payment of any outstanding fees as detailed and required in "the agreement of payment for processing fees" authorized for this project.~~

~~14 13 The applicant shall be required to post a sign with emergency phone numbers on the fence by the gate. 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 Planning Services at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition.~~

El Dorado County Environmental Management Department/Hazardous materials Division:

~~15 14. The applicant shall provide for removal of all vegetation within five feet of each side of the 12 foot wide access road and for an additional five feet, all the trees along the access route shall have the limbs removed up to a minimum height of 12 feet. Under the Certified Unified Program Agency (CUPA) programs, if the project involves the storage of reportable quantities of hazardous materials for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid.~~

~~16 15. The applicant shall provide for an all weather surface turnaround at the gate area, of an adequate size to enable an emergency vehicle (i.e., fire engine) to have an adequate turnaround radius~~

~~17 16. The special use permit request is subject to all California Fire Safe Regulations and the Uniform Fire Code~~

~~18 17. The tower shall be constructed as a stealth tower in the form of a tree.~~