

**EL DORADO COUNTY DEVELOPMENT SERVICES  
STAFF REPORT**



**Agenda of:** September 14, 2006  
**Item No.:** 7.a.  
**Staff:** Tom Dougherty

**SPECIAL USE PERMIT**

**FILE NUMBER:** S96-0007R

**APPLICANT:** Verizon Wireless

**AGENT:** Complete Wireless (Erin Merrill)

**TOWER OWNER:** Entravision Communications/Paul Waegele

**PROPERTY OWNER:** Brush Creek Company/Chuck Bacchi

**REQUEST:** Revision to increase the number of antennas from 11 (9 transmitting and 2 receiving) to 17 (14 transmitting and 3 receiving), and to allow the 3 receiving antennas to be microwave dishes.

**LOCATION:** On the north side of State Route 49, approximately 2,000 feet east of the intersection with Lilyama Road, in the Coloma area. (Exhibit A)

**APN:** 074-050-28

**ACREAGE:** 320 acres

**GENERAL PLAN:** Agricultural Lands (AL) (Exhibit B)

**ZONING:** Exclusive Agriculture (AE) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt per CEQA Section 15301(b) Existing Facilities

**SUMMARY RECOMMENDATION:** Conditional approval

**BACKGROUND:** The Telecommunications Act of 1996 preserves the authority of a state or local government over decisions regarding the placement, construction, and modification of personal wireless services, with the following pertinent limitations:

SEC. 704.(7)B(iii)

Any decision by a state or local government or instrumentality thereof to deny a request to place, construct or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

SEC.704.(7)B(iv)

No state or local government or instrumentality thereof may regulate the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commissions regulations concerning such emissions.

The Federal Communications Commission (FCC) has produced guidelines that categorically exclude certain transmitting facilities from routine evaluations for compliance with the RF emission guidelines if it can be determined that it is unlikely to cause workers or the general public to become exposed to emissions that exceed the guidelines. The following table represents the FCC limits for both occupational and general population exposures to different radio frequencies:

Frequency Range (F) (MHz)	Occupational Exposure (mW/cm <sup>2</sup> )	General Public Exposure (mW/cm <sup>2</sup> )
0.3-1.34	100	100
1.34-3.0	100	180/F <sup>2</sup>
3.0—30	900/F <sup>2</sup>	180/F <sup>2</sup>
30-300	1.0	0.2
300-1,500	F/300	F/1500
1,500-100,000	5.0	1.0

PCS facilities, such as the proposed project, are categorically excluded from the FCC evaluation process if they are located ten meters or more off the ground (other than on a rooftop), or if the total power of all channels is 2000 watts (Effective Radio Power [ERP]) or less. The proposed facility is expected to transmit no more than 18 uWcm<sup>2</sup> watts ERP. The RF level for these six proposed antennas in addition to the existing ones is estimated to be 31.8 uWcm<sup>2</sup> watts ERP, or less than 13.9% of the public safety standard, therefore it is excluded from the FCC evaluation. (Jerrod Bushburg, Ph.D., Health and Medical Physics Consulting, November 25, 2005). Based on the information provided for the proposed wireless facility, it can be determined that the risk of release of hazardous emissions to the public is remote.

**Tower History:** The existing tower was approved by the Planning Commission on July 25, 1996. That decision was appealed to the Board of Supervisors who denied the appeal on August 27, 1996. The approval allowed the construction of a 97-foot tall steel monopole tower and the installation of up to 11 antennas, (9 transmitting and 2 receiving), a 20 foot by 30-foot equipment building, propane standby backup generator, approximately 750-foot extension of an access road, and extension of 1.5

miles of overhead and underground electrical service. The existing antennas attached to the top of the tower make the overall height of the tower 101.2 feet above ground level.

## **STAFF ANALYSIS**

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit request and issues for Planning Commission consideration are provided in the following analysis.

### **Project Description:**

Verizon Wireless is requesting to co-locate six wireless communication panel antennas, (three antenna sectors of two six-foot tall, flush-mounted antennas), to be placed at the centerline of 37 feet above ground level, and one three-foot diameter microwave dish mounted at the centerline of 28 feet above ground level. The antennas would be attached to an existing 97-foot tall steel monopole that with the existing antennas on the top of the tower increasing the overall height of the tower to 101.2 feet above ground level. The existing tower, along with an existing 20 foot by 30 foot concrete equipment building are located within an existing approximately 66-foot by 75-foot chain link fence enclosed lease area located at 6241 State Route 49 and identified by Assessor's Parcel number 074-050-28. Within the lease area is an existing, propane supported backup generator. The propane tank is 10 feet long and is located approximately 14 feet from the tower. There are two large HVAC units outside of the structure located on the ground on the west side. Coaxial cable will be brought approximately 30 feet underground from the equipment building to the tower within a 6-foot wide utility easement. Verizon will be adding batteries for emergency backup for use in between the time power goes out and the generator goes on. The batteries will be stored within the existing enclosure. Project site plans are included as Exhibits D1 and D2. Project elevation plans are included as Exhibits E1 and E2.

**Requested Changes to the Conditions of Approval for S 96-0007:** The applicant is requesting the following changes to the original approved conditions:

1. The transmission pole shall not exceed 97 feet in height, measured from natural ground level. Up to ~~11~~ 17 antennas (~~9~~ 14 transmitting and ~~2~~ 3 receiving) shall be permitted. The type of antennas permitted shall substantially conform to ~~Exhibit G~~ Exhibits D1, D2, E1, and E2.

**Discussion:** Staff believes that the way cell towers are looked at have substantially changed since 1996. Much more is known about the effects of radio frequency emissions. Section 17.14.200 of the El Dorado County Zoning Ordinance encourages collocations on existing facilities. The Board of Supervisors have found that "it is in the interest of public health, safety and welfare of the citizens of El Dorado County, and an economic benefit to minimize the number of communication facilities through encouraging the joint use of existing and new towers and the placement of facilities in areas where the adverse impact is minimal, thereby reducing the visual and potential visual intrusion of such facilities on the surrounding area." Staff believes that because of the remoteness of this existing transmitting and receiving communications facility, and the fact it is entirely surrounded by vegetation, and since it was previously approved by the Planning Commission, that the inclusion of additional antennas will meet the intent of 17.14.200.

18. ~~No microwave dishes shall be installed on the pole.~~ No microwave dishes shall be installed on the monopole without prior approval of the Development Services Director or designee.

**Discussion:** Microwave dishes are used by cellular communications companies to allow telephone communications (Telco) between their current sites and to allow the increase of their network and improve cellular coverage to potential new sites. They are preferred to land-line connections which are more expensive as they potentially require ditching or installation of wires onto poles. Planning staff believes that the use of microwave dishes on cellular towers is far less aesthetically and environmentally physically intrusive than ditching or overhead wires are and recommends changing Condition 18 to allow for the potential elimination of the current use of the wires at this site and potentially eliminate the use of them at future locations that would use this site as a relay point.

**Other Issues:** Minor modifications of Conditions 8 and 9 are also recommended to address the existing, unpermitted microwave dish and maintenance of the tower. Four new conditions are recommended (20 thru 23) regarding standard review procedures, removal, and to address Environmental Management Department concerns.

**Proposed Access:** Access to the existing tower site will be provided by an existing graded, semi graveled road the begins at State Route 49 and goes approximately 4 miles through the 320-acre Bacchi Ranch winding up and around Mt. Ararat to the project site at the top. There is an existing turnout approximately 700 feet to the north of the site and an approximately 38-foot wide turnaround at the project site.

**Existing Pole Tenants:** At the very top of the pole is a lightning rod. Below that at approximately 90 feet above ground level are four FM radio transmission antennas that put out 47,000 watts of power and 101.9 megahertz and are operated by KCCO Radio. Below that is a 6-foot diameter microwave dish putting out 946.5 megahertz. Just below that are four antennas used by the El Dorado County Sheriffs Department. Two antennas that have been used for approximately the last five years at 37 feet above ground level by Verizon Wireless. There is an additional six-foot diameter microwave dish mounted on an approximately 10-foot tall pole outside the fence that was placed there without a permit. Planning staff has advised them that it would have to be relocated to within the fenced-in lease area or to be removed completely. If the applicant chooses to relocate it to within the fenced lease area, it would be required to be included in an approved building permit before the final approval can be given to the building permits that will be the result of the subject application. The tower owner is Entravision Communications.

**Site Description:** The site is located atop Mt. Ararat and the elevation at the base of the existing tower is at the 2005.6-foot elevation above sea level. The site has an intermittent 360 degree view, that is predominately obscured by vegetation, of the Pilot Hill, Cool, Greenwood, Coloma, and Lotus areas. The road to the site runs through pasture and scatted blue oaks until you begin to climb the hill when it changes to a mixture of blue oak (*Quercus douglasii*), interior live oak (*Quercus wislizenii*), foothill (gray) pine (*Pinus sabiniana*), buckbrush (*Ceanothus cuneatus*), white-leaf manzanita (*Arctostaphylos viscida*), California bay (*Umbellularia californica*) coffeeberry (*Rhamnus californica*), toyon (*Heteromeles arbutifolia*), yerba santa (*Eriodictyon californicum*), and annual, seasonal grasses within the direct vicinity of the proposed lease area. The site is characterized by

foothill pines loaded with dwarf mistletoe and stunted trees typical of serpentine rock areas. Intermittent, kicked-up serpentine and other rocks are present on the surface. The ranch currently supports the grazing of goats and cattle.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
<b>Site</b>	AE	AL	Radio and cellular phone transmission antennas and ground support equipment. Grazing land for cattle and goats.
<b>North</b>	AE	RR	Ranch land with single-family residence
<b>South</b>	AE	AL	Ranch land with single-family residence
<b>East</b>	AE	AL	Ranch land with single-family residence
<b>West</b>	RA-40	RR	Ranch land with single-family residence

**Discussion:** The surrounding residences are at significant distances away from the subject site, and the ground support equipment is all or at least partially obstructed from view from surrounding vegetation.

**General Plan:** The General Plan designation of the subject site is Agricultural Lands, (AL). This designation is applied to lands described in Policy 8.1.1.8., which addresses Williamson Acts, choice soils, and commercial crops and grazing in the County’s Rural Regions.

**Policy 2.6.1.5:** “Development on ridgelines shall be reviewed by the County for potential impacts on visual resources and those impacts will be assessed and may require methods such as setbacks, screening, low-glare or directed lighting, automatic light shutoffs, and external color schemes that blend with the surroundings in order to avoid visual breaks to the skyline.”

**Policy 5.6.1.3:** “Special Use Permits shall be required for the installation of community telecommunications facilities (e.g. microwave towers) in residential areas to ensure that siting, aesthetics, environmental issues, surrounding land uses, and health and safety concerns are considered.”

**Discussion:** The 320-acre property is currently under a Williamson Act Contract (AP#97) which is for grazing, and there is a residence and numerous accessory buildings on the property to support the grazing operation. The proposed collocation site tower and facilities are currently being utilized for FM, TV, cellular, and two-way radio antenna transmission purposes within the lease area, and the whole facility was approved by the Planning Commission on July 25, 1996. Verizon proposes to install additional wireless antennas on the existing tower to provide enhanced cellular service within El Dorado County. Planning staff has determined that findings can be made by the Planning Commission through the discretionary special use permit process that the project is consistent with

the specific, fundamental, and mandatory land use development goals, objectives, and policies of the General Plan.

**Zoning:** The proposed use is permitted in the Exclusive Agriculture (AE) Zone District pursuant to Section 17.14.200 (D)(5)(b), which states that new towers or monopoles shall be subject to approval of a special use permit by the planning commission, in this case because it was the El Dorado County Planning Commission that approved the current pole. The proposed use is also permitted pursuant to Section 17.14.200.D.3. a-d, which encourages collocations and requires the facilities blend in as best as possible into the surrounding environment.

**Development Standards:** Section 17.14.200(E) through (J) of the County Code require that all wireless communication facilities meet certain criteria. Below is an analysis of these standards.

- F (1): Screening: The equipment shelter and related equipment within the lease area are existing, and they are surrounded by a six-foot tall chain link fenced enclosure that has been painted dark green and has barbed wire atop. Visual simulations of the wireless facility have been submitted (see Exhibits F1, F2 and F3). The panel antennas will be conditioned to blend in with the tower color and be non-reflective.
- F (2): Setbacks: The ground support facilities would be in a fenced enclosure located approximately 600 feet from the closest property line which is to the north. No setbacks would be affected.
- F (3): Maintenance: Maintenance personnel would visit the site approximately once a month, at which time the facilities would be inspected to ensure proper operation. This project and as well as the previous S96-0007 approval both have been conditioned to require that the colors and materials of the fencing and panels be maintained at all times.
- G. Radiofrequency Radiation (RF) Requirement: Section 17.14.200(G) requires that the applicant submit a report or summary of the estimates of non-ionizing radiation generated by the facility and maximum electric and magnetic field strengths at the edge of the facility site. Verizon submitted a report indicating that the RF level for these six proposed antennas in addition to the existing ones is estimated to be 31.8  $\mu\text{Wcm}^2$  watts ERP, or less than 13.9 per cent of the public safety standard therefore, it is excluded from the FCC evaluation. (Jerrold Bushburg, Ph.D., Health and Medical Physics Consulting, November 25, 2005)
- H. Availability: Section 17.14.200 (H) requires that all existing communication facilities be available to other carriers as long as structural or technological obstacles do not exist. This is a collocation project.
- I. Unused Facilities: Section 17.14.200 (I) requires that all obsolete or unused communication facilities be removed within six months after the use of that facility has ceased or the facility has been abandoned. The project has been conditioned to comply with this requirement (Condition 6).

- J. Other Permit Requirements: Section 17.14.200(J) states certain notification requirements for projects located within 1,000 feet of a school or in subdivisions governed by CC&Rs. There are no schools within 1,000 feet of the site or subdivisions governed by CC&Rs within 1,000 feet that needed to be notified.

After review of the submitted site plans and visual simulations it has been determined that the proposed project meets the standards contained in Section 17.14.200 E through J of the County Code. The aesthetic impacts associated with the project have been considered. As designed and conditioned, there are no unresolved issues with the project.

**Agency and Public Comments:** The following agencies provided comments on this application. Copies of their written comments are available at the Planning Services office. From these comments, the following issues were raised:

Garden Valley Fire District: This property is in the sphere of influence for the Garden Valley Fire District. Pursuant to phone conversations with Garden Valley Fire, the site is so remote that it will be considered a wildland fire area, and the District staff has determined no additional conditions/improvements will be required of this collocation.

El Dorado County Environmental Management Department-Hazardous Materials Division: If operation will at any time involve storage of reportable quantities of hazardous materials for backup power generation, a hazardous materials business plan must be submitted and applicable fees paid.

These agencies had no specific concerns regarding the proposed special use permit.

El Dorado County Department of Transportation  
El Dorado County Pioneer Cemeteries  
El Dorado County Air Quality Management District  
El Dorado County Environmental Management Department-Hazardous Materials Division  
Cool/Pilot Hill Advisory Committee  
Greenwood Civic Organization

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

## **ENVIRONMENTAL REVIEW**

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301(b) of the CEQA Guidelines stating that minor expansion of existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage or other public utility services may occur. Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Exemption.

## **RECOMENDATION**

Staff recommends that the Zoning Administrator take the following actions:

- 1. Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301 (b) of the CEQA Guidelines; and
- 2. Approve Special Use Permit S96-0007R, subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**SUPPORT INFORMATION**

**Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Vicinity Map/ Assessor’s Parcel Map
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D1 .....	Overall Site Plan labeled C-1, Revised 07/24/06
Exhibit D2 .....	Overall Site Layout Plan, labeled A1.1, Revised 07/24/06
Exhibit E1 .....	Elevation labeled A1.2 Revised 07/24/06
Exhibit E2 .....	Elevation labeled A1.3 Revised 07/24/06
Exhibits F1, F2, F3 .....	Visual Simulations
Exhibits G1, G2, G3, G4, G5, G6 .....	Site Visit Photos-February 20, 2006
Exhibit H .....	Original Approved Antennas for S 96-0007
Exhibit I .....	Current Antenna Occupants on the tower as of February 20, 2006
Exhibit J .....	Conditions of Approval for S 96-07
Exhibits K1 and K2 .....	Aerial Photos

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

FILE NUMBER S96-0007R

### CONDITIONS OF APPROVAL

#### El Dorado County Planning Services

1. The transmission pole shall not exceed 97 feet in height, measured from natural ground level. Up to ~~11~~ 17 antennas (~~9~~ 14 transmitting and ~~2~~ 3 receiving) shall be permitted. The type of antennas permitted shall substantially conform to ~~Exhibit G~~ Exhibits D1, D2, E1 and E2.

The project, as approved, consists of the following:

Revision to Special Use Permit S96-0007 to collocate six wireless communication panel antennas, (three antenna sectors of two six-foot tall, flush-mounted antennas), to be placed at the centerline of 37 feet above ground level, and one three-foot diameter microwave dish mounted at the centerline of 28 feet above ground level. The antennas would be attached to an existing 97-foot tall steel monopole that with the existing antennas on the top of the tower increasing the overall height of the tower to 101.2 feet above ground level.

The existing tower, along with an existing 20 foot by 30 foot concrete equipment building are located within an existing approximately 66-foot by 75-foot, chain link fence enclosed lease area located at 6241 State Route 49 and identified by Assessor's Parcel number 074-050-28. Within the existing building is a propane supported backup generator. There is a propane tank 10 feet long located approximately 14 feet from the tower. Coaxial cable will be brought approximately 30 feet underground from the equipment building to the tower within a 6-foot wide utility easement. Backup batteries will be added by Verizon and stored within the existing building.

2. All site improvements for S96-0007R shall conform to the site plan attached as Exhibits D1 and D2 and elevations attached as Exhibits E1 and E2. All site plan and elevation exhibits are dated 11/29/05, (November 29, 2005). The pole, all antennas and their ground support equipment shall be located within the chain link fence lease area. ~~Road access, building construction, and fencing shall substantially conform to Exhibits D, F and H.~~
3. The applicant shall submit a site improvement/grading plan to the Department of Transportation for review and approval. The plan shall only be for the portion of new road to be constructed accessing the tower location. The plan shall be in conformance with the County of El Dorado Design and Improvement Standards Manual, and the Grading, Erosion and Sediment Control Ordinance, modified as acceptable to the Department of Transportation, given the limited use and scope of the project.

4. The applicant shall be subject to the general grading permit fee commensurate with the scope of the proposed project.
5. If human remains are discovered at any time during the subdivision improvement phase, 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, respectively. If archaeological artifacts are discovered, the subdivider shall retain an archaeologist to make recommendations for treatment of the artifacts. Treatment of Native American remains or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.
6. The project is subject to the applicable regulations of the El Dorado County Air Pollution Control District especially as it relates to dust emission control, burning of "land development clearing," and generation equipment. Approval of the building permit by the Environmental Management Department/Air Pollution Control District shall satisfy this condition.
7. The applicant shall assume full responsibility for resolving electronic device reception interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of receipt of any written complaint.
8. The applicant shall obtain a building permit for the proposed tower and related equipment building, as well as for all new antennas and the microwave dish that is mounted on a separate pole by itself.
9. The tower and antennas shall be painted ionosphere gray, and the chain link fencing and equipment building shall be painted a non-reflective dark color consistent with the vegetation in the area. Colors of the tower and other improvements shall be maintained to ensure the appearance remains consistent. All improvements associated with the communication facility, including equipment shelters, towers, antenna, fencing, and landscaping shall be properly maintained at all times. The existing fencing surrounding the enclosure shall be improved so that it touches the dirt on all four sides to prevent any potential for entrance.
10. The emergency power generator shall be located inside the equipment building. Testing of the generator shall only occur between the hours of 8:00 a.m. and 6:00 p.m. Monday thru Friday. The generator shall be equipped with an exhaust muffler system. Exhaust and generator sounds shall not exceed the General Plan hourly noise level standard for rural areas at the nearest property line of 50 Leq dB. Hospital type generator/muffler (lower sound) shall be installed in the equipment building.
11. The applicant shall engage Hatfield and Dawson, Seattle, Washington, in consultation with Dr. Asher Sheppard to review the March 29, 1996, study by Hammett and Edison regarding radio frequency emissions and potential electronic interference within 15 days of final approval of this special use permit. Any significant variation or deviation of their findings

with the Hammett and Edison study shall be immediately reported to the Development Services Director.

12. For a two-year period following the installation of the pole and antenna, the applicant shall engage Hatfield and Dawson, Seattle, Washington, in consultation with Dr. Asher Sheppard to conduct semi-annual field monitoring at a reasonable number of locations on the adjacent Rothenberg property, not to exceed eight such locations.
13. The equipment building shall be partially recessed into the hillside to reduce visibility as indicated on Tab 2 in the report dated July 25, 1996.
14. The pole shall be relocated not less than 100 yards but not more than 200 yards to the southeast subject to obtaining FCC approvals and to confirmation (sic) that range of coverage is not affected.
15. The applicant is to work with the Department of Transportation to relocate the road to the west and north sides of Mt. Ararat in order to minimize the visual impact from the adjacent property.
16. Space on the pole shall be reserved for the Sheriff's Department (and fire and other services) at the discretion of the Sheriff's Department at no cost for the use to the Sheriff's Department.
17. Install low impact, low visibility antennae where possible.
18. ~~No microwave dishes shall be installed on the pole.~~ No microwave dishes shall be installed on the monopole without prior approval of the Development Services Director or designee.
19. For a period of 30 years, the applicant agrees not to seek a special use permit to place any additional pole or tower on the real property it owns and which is visible from the adjacent Rothenberg property.
20. 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 condition.
21. 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 of 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 Planning Director to cover the cost of processing a five-year review.

22. Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Exemption.

**El Dorado County Environmental Management Department/Hazardous Materials Division:**

23. Under the Certified Unified Program Agency (CUPA) programs, if the operation, at any time, will involve 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.

# **ATTACHMENT 2 FINDINGS**

## **FILE NUMBER S96-0007R**

### **1.0 CEQA FINDINGS**

- 1.1 The Planning Commission finds that the proposed project be Categorical Exempt from CEQA pursuant to Section 15301(b) of the CEQA Guidelines stating that minor expansion of existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage or other public utility services may occur.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.
- 1.3 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.

### **2.0 ADMINSTRATIVE FINDINGS**

- 2.1 The proposed use is consistent with the policies in the 2004 El Dorado County General Plan, as discussed in the General Plan section of this staff report.
- 2.3 The proposed use is consistent with the Policies 2.6.1.5 and 5.6.1.3 in the 2004 El Dorado County General Plan because, as discussed in the staff report, the aesthetics of existing tower were previously addressed by the approval of S96-0007 and the additional antennas subject of this permit (S96-0007R) will not create an additional significant impact.

### **3.0 SPECIAL USE PERMIT FINDINGS**

- 3.1 The applicant has designed the wireless facility in compliance with County regulations, addressing aesthetics, environmental issues and health and safety concerns. All project-related environmental issues have been evaluated in the Initial Study. Therefore, staff finds that the project, as conditioned and mitigated, conforms to the General Plan.
- 3.2 The proposed use is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report. the use will not conflict with the adjacent uses, and will provide a benefit to the area by improving cellular service. After review of the submitted site plan and visual simulations it has been determined that the aesthetic impacts associated with the project have been fully considered as well as possible in the continuance of the existing Planning Commission approved tower.

The visual impact from the addition of antennas on an existing pole in the Rural Region of Coloma can be considered less than significant.

- 3.3 The use complies with the requirements of County Code Section 17.14, Wireless Communication Facilities, Sections 17.36.060 thru 17.36.100, Exclusive Agricultural Districts, and Section 17.22.540, and “Required Findings for Special Use Permit,” as it has been analyzed in the staff report and initial study against the said sections of the County Code.