

**EL DORADO COUNTY DEVELOPMENT SERVICES  
STAFF REPORT**



**Agenda of:** September 28, 2006  
**Item No.:** 7.a.  
**Staff:** Tom Dougherty

**SPECIAL USE PERMIT**

**FILE NUMBER:** S06-0004

**APPLICANT/PROPERTY OWNER:** Georgetown Divide Public Utility District (GDPUD)

**REQUEST:** Special use permit to allow the construction of a wireless communications facility to include a 120-foot monopine tower to support cellular and emergency agency radio transmission. The facility is proposed to include 60 antennas at various heights with ground support equipment to be located in an existing fenced facility to be expanded to 3,005 square-feet and to be enclosed by a six-foot tall chain link fence with barbed wire atop.

**LOCATION:** On the east side of Chipmunk Ridge Road, approximately 550 feet north of the intersection with Chipmunk Trail, in the Georgetown area (Exhibit A).

**APN:** 061-740-47

**ACREAGE:** 0.069 acre

**GENERAL PLAN:** Low Density Residential (LDR) (Exhibit B)

**ZONING:** Estate Residential Five-acre (RE-5) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**SUMMARY RECOMMENDATION:** Conditional Approval

**BACKGROUND:**

The Telecommunications Act of 1996 became effective on February 8, 1996. This act preserves the authority of the State or local government over decisions regarding the placement, construction, and modifications of personal wireless services, subject to two limitations. Section 704.(7)B(iii) requires any denials to be in writing and supported by “substantial evidence”. Section 704.(7)B(iv) prohibits denial on the basis of radio frequency emissions if those emissions are compliant with Federal regulations.

The American National Standards Institute and the Institute of Electrical and Electronics Engineers (IEEE) have published a standard called ANSI/IRRR C95.1-1992, which until recently set recommended maximum power density levels for radio frequency (RF) energy originating from communications sites and other sources. The Federal Communications Commission (FCC) has also produced its own guidelines, which are more stringent and supersede the ANSI standard. The FCC rules 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 emission 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

Based on the proposed “Radio Frequency Survey Georgetown PUD,” (Diamond Services, January 23, 2006), analysis and computation, the maximum public RF exposure from the existing antennas that will be relocated onto the new monopine tower on this site, with all channels on antennas from both facilities operating at full capacity power density at this location is 0.0056 uW/cm<sup>2</sup> at 1000 ft. This is less than 2.81 percent of the public safety standard established by the FCC. Therefore, the risk of release of hazardous materials or emissions to the public is remote.

Existing Facilities Background: There is another existing tower on the adjoining parcel to the north at the very end of this road. It is an approximately 110-foot tall lattice Federal Aviation Administration tower that they have been using since 1989 as a radar microwave transmitting facility to transmit radar and communication data for air traffic control between their Sacramento facility and their Salt Lake City facility. Collocation on federally owned towers is not permitted for security reasons.

The existing 26-foot tall tower on the water tower was approved on May 23, 1991, under Special Use Permit S90-0048, to allow the construction of the tower and installation of two dish antennas to provide cable television service. The existing 26-foot diameter by 20-foot tall water tower is used for water storage for the Hotchkiss Hill subdivision.

Temporary Use Permit TUP02-0018 was approved on December 26, 2002, to install a Cell-Site on Wheels (COW) on the subject parcel. The COW site was to provide temporary cellular service for Mountain Wireless (now Verizon Wireless.) The COW site lease has expired requiring the relocation of the cellular site.

**STAFF ANALYSIS**

**Project Description:** Construction and operation a new wireless communications facility to support cellular and emergency agency radio transmission consisting of a 120-foot tall monopine tower that will have branches on top making the total height 128 feet tall and hold 60 antennas. The pole is proposed to be located within a 3,005 square-foot area enclosed 6-foot tall, green slatted, chain link fence in a shape resembling a triangle somewhat with approximate side lengths of 85 feet, 77 feet, and 70 feet. (For true shape see attached site plan, drawing number A01). Proposed are to be two 12-foot wide entrances with two 6-foot wide gates each. The existing fence will be removed and the area around the existing 26-foot diameter by 20-foot tall water tower will be expanded by cutting 1,240 feet<sup>3</sup> and filling 1,953 feet<sup>3</sup> of the existing soil surface to enlarge the fenced area to the above mentioned dimensions. Two of the existing Comcast Cable microwave antennas mounted on the water tower will remain there and the others will be relocated to the new proposed monopine tower. The monopine is proposed to have the following antennas mounted at nine different levels:

<b>Agency</b>	<b>Proposed Height of Antennas on Pole (from ground level)</b>	<b>Number of Antennas</b>
Proposed PCS/Cellular Antennas (Future)	120 feet	12
Proposed PCS/Cellular Antennas (Future)	112 feet	2
Proposed PCS/Cellular Antennas (Future)	105 feet	12
Proposed PCS/Cellular Antennas (Future)	94 feet	12
Proposed PCS/Cellular Antennas (Future)	83 feet	12
El Dorado County Sheriff's Department and El Dorado County Fire Protection District	75 feet	2
Georgetown Divide Public Utility District	65 feet	2
Pacific Gas and Electric Company	55 feet	4
Georgetown Fire Protection District	45 feet	2

Within the within the approximately 3,005 square-foot fenced area, along with the monopine and water tank, are proposed to be two 15-foot by 10-foot future radio equipment locations at the southern fence line, one 20-foot by 15-foot 6-inch future PCS/cellular user lease area for potential equipment cabinets, and a 5-foot by 10-foot future PCS/cellular generator area and an 11-foot by 2-foot site house panel for power. A typical PCS/cellular lease area is projected in the future to include one equipment shelter with two air conditioning units and one back-up generator. The entire fenced in area for the tower, water tank and support equipment is proposed be graveled.

Project plans are included as Exhibits D, E1 and E2.

**Proposed Access:** The project site is accessed directly from Chipmunk Ridge Road which has a 50-foot wide non-exclusive road and public utility easement and is approximately 550 feet north of the intersection of Chipmunk Trail. Chipmunk Ridge Road is paved for approximately 275 feet from the intersection with Chipmunk Trail and is a gravel road for the remaining portion to the project site. Chipmunk Trail is entirely paved and provides access for a distance of 0.7 mile to Wentworth Springs Road.

**Site Description:** The site is located on a 0.69-acre parcel that is located on top of a hill at the 3229-foot elevation above sea level. It is located almost at the end of Chipmunk Ridge Road which is blacktopped for about half the way up and then graveled the rest of the way. There is one single-family dwelling located approximately 250 to 300 feet to the south of the proposed site that shares the road. The vegetation surrounding the proposed tower site includes ponderosa pines (*Pinus ponderosa*), Douglas fir (*Pseudotsuga menziesii*), pacific madrone (*Arbutus menziesii*), black oaks (*Quercus kelloggii*) and a few scattered sugar pines (*Pinus lambertiana*). The dominant shrub in the direct project vicinity is the non-native scotch broom (*Cytisus scoparius*).

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-5	LDR	Single-family residence
<b>North</b>	RE-5	LDR	Water tower with communications tower
<b>South</b>	RE-5	LDR	Single-family residence
<b>East</b>	RE-5	LDR	Single-family residence
<b>West</b>	RE-5	LDR	Single-family residence

**Discussion:** The 1.0-acre adjoining parcel to the north is owned by the U.S. Government and used by the Federal Aviation Administration's (FAA) Western Pacific Region. The chain link fence enclosed parcel contains an approximately 110-foot tall tower and an entirely enclosed equipment storage building. Both the subject parcel and the FAA parcel are entirely surrounded by the 18-lot Hotchkiss Hill rural subdivision created by Final Map G-88 which was recorded in March of 1988. Some of the lots are vacant, all are zoned for single-family residential uses, and

are subject to the Declaration of Covenants, Conditions, and Restrictions recorded on March 23, 1998 and amended on April 10, 1989.

The project site is not within any airport safety zone or airport land use plan area. Georgetown Airport is located approximately 2.7 miles to the east of the subject site as the crow flies. The flight landing and taking off from that airport is in a north and south direction.

**General Plan:** The General Plan designation of the subject site is Low-Density Residential (LDR). This land use designation establishes areas for single-family residential development in a rural setting.

**Policy 2.2.5.21:** “Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the Development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.”

**Discussion:** The proposed monopine has been designed to minimize the effects on adjacent properties. The antennas and microwave dishes are to be painted a flat green color to blend in with the foliage. As proposed and conditioned, the mono-pine is consistent with General Plan Policy 2.2.5.21.

**Policy 5.6.1.4:** :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.:

**Policy 6.5.1.2:** “Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.”

**Discussion:** The subject parcel adjoins Chipmunk Ridge Trail. Construction of the facility would consist of moderate grading for the expansion of the existing fenced in area, setting the mono-pine, placing ground equipment in the lease area, and installing a fence. These activities would occur weekdays only over an approximately four- to six-week period during daylight hours and would not involve extensive use of heavy equipment that would be a substantial source of noise or vibration at the residence. Operation of the ground equipment, including the backup generator, would generate noise comparable to a household air conditioner 20 feet away. (Backup generator “Cheat Sheet,” received May 28, 2006). The two air conditioning units projected for the equipment shelter show a maximum of 57.97 decibels at a 20 foot distance from the units, (Bard Outdoor Sound Pressure chart, received November 8, 2005). Routine maintenance visits would occur once a month. Changes in traffic-generated noise levels along Chipmunk Trail and Chipmunk Ridge Road with the addition of the maintenance vehicle(s) would not be measurable. Short-term and long-term impacts would be less than significant.

The proposed monopine and the equipment shelter have been designed to blend with the surroundings by painting the pole flat brown. The branches begin approximately 12 feet up from ground level. The antennas and microwave dishes will be required to be painted with a non-reflective green paint. The chain link fence is proposed to be covered with dark green colored slats to camouflage the ground support equipment from view.

The free-standing monopine tower is designed to resemble a generic pine tree in height and structure. It somewhat resembles a ponderosa pine (*Pinus ponderosa*) in shape and silhouette. Ponderosa pines are common in the Georgetown area. There are ponderosa pines located on the proposed site. The options presently available to disguise the tower include making it resemble approximately 10 known conifer designs, one broad-leafed-tree design, a palm tree, or other man-made types of designs such as flag poles or steeples, or an un-camouflaged monopole. Planning staff believes that the monopine or the broad-leaf tree designs could potentially provide the best camouflage for this site given the existing technology.

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 during the research leading up to this staff report. Therefore, staff finds that the project, as proposed and conditioned, conforms to the General Plan.

**Zoning:**

The County permits wireless communication facilities in all districts, provided they follow standards and permitting requirements defined in Section 17.14.200 of the County Code. These standards include screening, compliance with setbacks, and proper maintenance. The applicant has provided a project narrative explaining the project site selection process (Exhibit G).

**Special Use Permit Request:**

To comply with County requirements, the project has been designed as a multi-carrier facility, to allow for future collocation. As discussed in detail above in the project description section, 60 antennas are proposed to eventually be contained on the proposed monopine. To address maintenance issues, the applicant proposes to have a technician service the wireless facility and equipment at least once or twice a month to ensure proper performance of the facility.

Pursuant to County Code Section 17.14.200(D) (5) (b), wireless facilities are permitted in the Estate Residential Five-acre (RE-5) Zone District upon approval of a special use permit.

Section 17.22.540 (A) requires the Planning Commission to make the following findings prior to approval of a special use permit:

1. The issuance of the permit is consistent with the General Plan;
2. The proposed use would not be detrimental to the public health, safety, and welfare, or injurious to the neighborhood; and
3. The proposed use is specifically permitted by special use permit pursuant to this Title.

Discussion: General Plan Policy 5.6.1.4 requires approval of a special use permit for wireless facilities in a residential district. The project as proposed and conditioned will be designed to minimize its effects on the surrounding uses.

After review of the submitted site plan and visual simulations, it has been determined that the proposed project meets the standards contained in Section 17.14.200 F and G of the County Code. It can be found that the use will not conflict with the current adjacent uses and will provide a benefit to the area by improving cellular service and emergency radio communications.

### **Design and Development Standards:**

Section 17.14.200 (B) of the County Code requires that all wireless providers collocate their equipment on existing sites where possible. Below is an analysis of these standards.

1. Communication service providers are, therefore, encouraged to:
  - a. Employ all reasonable measures to site their antenna equipment on existing structures as façade mounts, roof mounts, or collocation on existing towers prior to applying for new towers or poles;
  - b. Work with other service providers and planning staff to collocate where feasible. Where collocation on an existing site is not feasible, develop new sites which are multi-carrier to facilitate future co-location thereby reducing the number of sites countywide;
  - c. Develop communication facilities (i.e. tower companies) with commitments from licensed carriers.

Discussion: As discussed in the “Project Narrative,” received by Planning Services May 18, 2006, the tower is proposed in order to improve GDPUD’s internal communications, meet requirements of the Department of Homeland Security, and provide a more secure environment and to clean up an unsightly jumble of existing antennas. Other goals are to improve wireless phone and internet communications, improve emergency agency communications, and to create one structure that can accommodate all of the anticipated wireless users in the area, thereby eliminating the need for additional towers.

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

- a. Screening: The applicant is proposing to place the equipment shelter and steel mono-pine within a six-foot-tall chain link fence enclosure. Visual simulations of the wireless facility have been submitted (Exhibits F1 and F2). As illustrated in the simulations, the monopine and ground equipment are designed as best as possible to blend into the surrounding area. The ground equipment will be screened from views from existing residences by existing vegetation and by the installation of dark green plastic slats on the chain link fencing. The top of the proposed tower will be partially visible from Wentworth Springs near Creekside School, and from intermittent other points on Wentworth Springs Road and within

Hotchkiss Hill Subdivision. However, staff believes the monopine will blend in well with the surrounding native conifers.

- b. Setbacks: The monopine and equipment shelter would be located within a fenced enclosure on a parcel that measures 3,005 square feet. Normally that would qualify the parcel for One-family Residential (R1) Zone District setbacks of 20 feet from a road easement and five feet from a side yard parcel boundary. The physical road varies from 16 to 18 feet wide within a 50-foot road and public utility easement.

Section 17.14.200 (6) F2 of the Zoning Ordinance states that setbacks may be waived if “locating the facility inside those setbacks is the most practical and unobtrusive location possible on the proposed site.”

Planning staff recommends waiving the setback requirements in this case for the following reasons:

- The southern and eastern portions of the parcel are the fill areas and thus not good areas for the structural support of the tower.
  - The area north of the water tank is subject to a five-foot setback, and locating the tower there puts it too close to the water tank.
  - The ground support equipment must be located near the tower and also needs consideration in the design in order to allow for room for all agencies/companies to locate their support equipment.
  - The water tank and current communications facilities are existing approximately six feet from the edge of road easement and were previously approved at those locations.
  - Georgetown Fire Protection District commented they have no problems with the width of road, the existing turnaround situation, or the proposed tower location.
- c. Maintenance: Maintenance personnel would visit the site approximately once or twice a month, at which time the facilities would be inspected to ensure proper operation. The project has been conditioned to require that the colors and materials of the monopine and equipment shelter be maintained at all times and consistent with the features depicted in the visual simulations.
- d. 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. This is discussed above in more detail in the “Background” section.
- e. 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. The project has been conditioned to allow for collocation, with no further review by the Planning Commission required provided that all ground-mounted equipment is located within the proposed leased area and

provided that no more than 12 panel antennas are placed on the tree pole at any one time by any one carrier, (Condition 4).

- f. 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 7).
- g. Other Permit Requirements: Section 17.14.200(J) states certain notification requirements for projects located with 1,000 feet of a school or in subdivisions governed by CC&Rs. There are no schools within 1,000 feet of the site. The subject parcel is not part of Hotchkiss Hill subdivision which is governed by CC&Rs.

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

Agency and Public Comments: The following agencies provided commented on this application. From these comments, the following issues were raised:

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.

El Dorado County Air Quality District: The District 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. These conditions are addressed during the building permit process.

Georgetown Fire Protection District: District staff responded in a phone conversation July 17, 2006, that they were fine with existing access conditions and did not recommend adding any conditions for the project as they had adequate turnaround distance using the driveway half way up the road in an emergency.

The following agencies were solicited for comments and either did not respond with concerns or responded they had no recommended conditions of approval:

El Dorado County Department of Transportation  
El Dorado County Environmental Management Department, Environmental Health Division  
Georgetown Advisory Committee  
Georgetown Divide Recreation District  
Georgetown Airport  
El Dorado County Resource Conservation District/Georgetown  
Pacific Gas & Electric

Copies of the responding agency's written comments are available at the Planning Services office. At the time of the preparation of this report, staff had not received any comments from the public.

### **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Exhibit J) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (California Fish and Game Code Section 711.4).

### **RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

1. Adopt the Negative Declaration, based on the Initial Study prepared by staff; and
2. Approve Special Use Permit S06-0004, 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 A1 .....	Vicinity
Exhibit A2.....	Assessor's Parcel Map
Exhibit A3.....	Hotchkiss Hill subdivision map
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D.....	Site Plan, Drawing Number A01 Dated June 8, 2006
Exhibit E1 .....	Elevations, Drawing Number A03, Dated June 8, 2006
Exhibit E2 .....	Water Tower Elevation, Drawing Number A02, Dated June 8, 2006
Exhibits F1 and F2.....	Visual Simulations provided by applicant
Exhibit G.....	Project Narrative, received May 18, 2006
Exhibits H1 thru H6.....	Site Visit Photos from July 14, 2006
Exhibit I .....	Aerial Photograph
Exhibit J .....	Initial Study

**ATTACHMENT 1**  
**CONDITIONS OF APPROVAL**

**FILE NUMBER S06-0004**

**El Dorado County 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 a new wireless communications facility to support cellular and emergency agency radio transmission consisting of a 120-foot tall monopine tower that will have branches on top making the total height 128 feet tall, and hold 60 antennas. The pole is proposed to be located within a 3,005 square-foot area enclosed 6-foot tall, green slatted, chain link fence in a shape resembling a triangle somewhat with approximate side lengths of 85 feet, 77 feet, and 70 feet. (For true shape see attached site plan, drawing number A01). Proposed are to be two 12-foot wide entrances with two 6-foot wide gates each. The existing fence will be removed and the area around the existing 26-foot diameter by 20-foot tall water tower will be expanded by cutting 1,240 feet<sup>3</sup> and filling 1,953 feet<sup>3</sup> of the existing soil surface to enlarge the fenced area to the above mentioned dimensions. Two of the existing Comcast Cable microwave antennas mounted on the water tower will remain, and the others will be relocated to the new proposed monopine tower. The monopine is proposed to have the following antennas mounted at nine different levels:

<b>Agency</b>	<b>Proposed Height of Antennas (from ground level)</b>	<b>Number of Antennas</b>
Proposed PCS/Cellular Antennas (Future)	120 feet	12
Proposed PCS/Cellular Antennas (Future)	112 feet	2
Proposed PCS/Cellular Antennas (Future)	105 feet	12
Proposed PCS/Cellular Antennas (Future)	94 feet	12
Proposed PCS/Cellular Antennas (Future)	83 feet	12

Agency	Proposed Height of Antennas (from ground level)	Number of Antennas
El Dorado County Sheriff's Department and El Dorado County Fire Protection District	75 feet	2
Georgetown Divide Public Utility District	65 feet	2
Pacific Gas and Electric Company	55 feet	4
Georgetown Fire Protection District	45 feet	2

Within the within the approximately 3,005 square-foot fenced area, along with the monopine and water tank are proposed to be two 15 foot by 10-foot future radio equipment locations at the southern fence line, one 20-foot by 15-foot 6-inch future PCS/cellular lease area for equipment cabinets, a potential 5-foot by 10-foot generator area and an 11-foot by 2-foot site house panel for power. The future PCS/cellular lease area is projected in the future to include one equipment shelter with two air conditioning units and one back-up generator. The entire fenced in area for the tower, water tank and support equipment is proposed be graveled.

The project site is accessed directly from Chipmunk Ridge Road which has a 50-foot wide non-exclusive road and public utility easement and is approximately 550 feet north of the intersection of Chipmunk Trail

This special use permit authorizes GDPUD authorized maintenance personnel to visit the site at which time the facilities would be inspected to ensure proper maintenance and operation.

2. All site improvements shall conform to the site plan and elevations attached as Exhibits D, E1, and E2.
3. All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color. The chain link fence shall be covered entirely by dark green colored plastic slats. Said fence shall not have gaps at any portion where it touches ground level and shall have barbed wire attached to the entire top portion. No antenna shall project out past the branch tips. Planning Services shall verify the painting of the structures and antennas, said fence conditions and antenna projections within the branches prior to final inspection and approval of the facility. Lighting shall only be used for nighttime maintenance. A security light may be permitted however; it shall operate by a motion sensor only.
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 proposed carriers installs no more than 12

panel antennas per carrier on the monopine and that there shall not be any increase overall height of the tower and branches.

5. All improvements associated with the communication facility, including equipment shelters, antennae, and fencing 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.
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 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.
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 Development Services Director or his designee to cover the cost of processing a five-year review.
9. 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 Environmental Management Department/Hazardous Materials Division:

10. 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 S06-0004**

Special Use Permit S06-0004 has been requested by Georgetown Divide Public Utility District (GDPUD) for the purpose of installing a 120-foot steel monopine, with branches at the top making the total height 128 feet, with 60 antennas mounted at various heights at 6671 Chipmunk Ridge Road in Georgetown. This special use permit authorizes GDPUD to place the mono-pine and ground equipment within the 3,005 square-foot parcel identified by Assessor's Parcel Number 061-740-47 to be enclosed by a 6-foot-high chain link fence with barbed wire atop and dark green plastic slats covering it, and two 12-foot wide gate on the west side of the enclosure. The special use permit may be approved or conditionally approved based on the following findings:

#### **1.0 CEQA FINDING**

- 1.1 Based on the Initial Study (Exhibit J), staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.
- 1.2 This negative declaration reflects the independent judgment and analysis of El Dorado County.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of Planning Services, 2850 Fairlane Court, Placerville, CA.
- 1.4 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 It can be found 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.
- 2.2 It can be found the proposed use is consistent with the policy 2.2.5.21 in the 2004 El Dorado County General Plan because the proposed monopine has been designed to minimize the effects on adjacent properties. The antennas and microwave dishes are to be painted a flat green color to blend in with the foliage, the chain link fenced enclosure will be covered with plastic dark green slats and the ground equipment will all be painted the same color that will blend in with the surrounding environment.

- 2.3 It can be found the proposed use is consistent with the Policies 5.6.1.4 and 6.5.1.2 in the 2004 El Dorado County General Plan because, as discussed in the Staff Report, the aesthetics of monopine tower have been addressed as well as possible, and the impacts of noise from short-term construction, and the potential introduction of a generator and two air conditioners have been analyzed in the Initial Study and found to have a less than significant impact.

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

- 3.1 It can be found the proposed use complies with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, because the use complies with the requirements of County Code Section 17.14, Wireless Communication Facilities, Sections 17.28.170 thru 17.28.210 and Section 17.22.540, and “Required Findings for Special Use Permit.” 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.

This is a new wireless proposal designed as a multi-carrier facility, to allow for future co-location, which is encouraged by the County. To address maintenance issues, the applicant proposes to have Georgetown Divide Public Utility District approved technicians service the wireless facility and equipment approximately once or twice a month to ensure proper performance of the facility. It is found that 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. The visual impact from the addition of the mono-pine in the Community Region of Georgetown can be considered less than significant.