

**COUNTY OF EL DORADO DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** August 9, 2012  
**Item No.:** 8  
**Staff:** Gina Paolini

**SPECIAL USE PERMIT**

**FILE NUMBER:** S11-0015/El Dorado Hills South-SBA

**APPLICANT:** SBA Towers, Inc.

**AGENT:** Andrew Lesa, Complete Wireless

**ENGINEER:** Kimley-Horn and Associates, Inc.

**REQUEST:** Special Use Permit to allow the construction of a wireless telecommunications facility consisting of a 65-foot tall monopine tower with a 4-foot lightning rod with up to 48 antennas.

**LOCATION:** Located on the south side of Patterson Way, east of the intersection with Ridgeview Drive, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

**APN:** 120-166-29 (Exhibit B)

**ACREAGE:** 8.99 acres

**GENERAL PLAN:** Open Space (OS) (Exhibit C)

**ZONING:** Recreational Facilities (RF) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Mitigated Negative Declaration

**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; and

2. Approve Special Use Permit S11-0015 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

## **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 County maintains authority over decisions regarding wireless facilities through implementation of Section 17.14.210 of the County Code which requires a Special Use Permit for installation of wireless facilities.

The project site is located with the Ridgeview Village, Unit No. 1. The Ridgeview Village subdivision and zone change were approved by the Board of Supervisors on June 3, 1969. The Final Map for Ridgeview Village, Unit No. 1 was approved on September 23, 1969 for 127 single family residential lots, 1 school lot, 1 utility lot and three common area lots. Ridgeview Village was approved in nine phases.

The project contemplated the school and park site to be contiguous. The 14.4-acre parcel in Ridgeview Village Unit No. 1 known as Lot D was to be made available for use in part as a park site and recreational area, with the school site adjacent. An "Agreement for Dedication of Parksite in the Ridgeview Village" was recorded with the El Dorado Hills Community Services District on November 26, 1973 (Exhibit H). The agreement arranged for the transfer of a 4.4-acre portion of Lot D to the CSD for use as a park site. The developer transferred and dedicated the southerly 4.4 acres of Lot D to the CSD for park purposes, in two phases. The first 2.2 acres was dedicated upon the sale of the 14<sup>th</sup> lot in Ridgeview Unit No. 2 and the second 2.2 acres was dedicated at recording of the final subdivision map for Unit No. 3. Approximately 1 acre of Lot D is owned by the El Dorado Irrigation District and the remaining 8.99 acres was to be for a school site. In July 1978, the State of California Department of Education notified the Buckeye Union School District that it was their position that the site was not acceptable for school purposes. The reasons provided included the steep terrain did not lend itself for adequate development for buildings or playgrounds, being located near Brooks Elementary School, the area did not justify two elementary schools, and the steep approaches for busses to climb to gain access. Buckeye Union School District notified the property owner in September 1978 that the District did not want to tie up the land with no possibility of having a school constructed in the near future. Currently, the 8.99 acres remains open space/recreational area within the subdivision, owned by the developer. The proposed wireless facility would be located within the 8.99 acre site.

## **STAFF ANALYSIS**

**Project Description:** Request for a Special Use Permit to allow for a 65 foot monopine with a 4 foot lightning rod to be located within a 40 foot by 80 foot fenced compound within a 10,000 square foot lease space. AT&T's 12 foot by 27 foot equipment lease area would include an 11

foot 5 inch by 20 foot equipment shelter and a standby generator. SBA's lease space would accommodate two, 12 foot by 25 foot equipment lease areas and one, 7 foot by 7 foot equipment lease area for future tenants. The monopine with a four foot lightning rod would include AT&T, with three sectors and four antennas per sector with six remote radio units and a tower mounted amplifier. The tower would also accommodate three future tenants. Each tenant would have three sectors and four antennas per sector and two future microwave dishes.

A 600-foot long, 12-foot wide gravel driveway would provide access to the site via Patterson Way. The gravel driveway would cross a small drainage swale. A culvert would be placed to convey runoff under the proposed gravel access driveway. The project site plan, elevations and grading plan are attached (Exhibits E-1, E-2, E-3 and E-4).

**Site Description:** The site is Lot D, an identified park/recreation lot within the Ridgeview Village Unit No. 1 subdivision and is located at approximately the 1,161-foot elevation above sea level. The site is surrounded by single-family dwellings. The terrain at the site is moderately sloped, trending to the southeast with 5 to 15 percent slopes. There are numerous rock outcrops, small and large within the area. The vegetation community includes blue oak woodland. Associated species include foothill pine and California buckeye. The herbaceous vegetation is typical of annual grassland in the region, containing a mixture of non-native and native species. At the top of the hill in the northwest corner of the project area a small drainage begins. A ditch, adjacent to an access driveway that serves a large municipal water tank, leads into the open space area and drains rain runoff into a naturally occurring, ephemeral swale that is 1 to 2 feet wide. This drainage feature continues down slope, through the project area.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RF	OS	Undeveloped Recreational Facility Land
<b>North</b>	R1	HDR	Residential/Single-family residences
<b>South</b>	RF	OS	Recreational Facilities/El Dorado Hills CSD Park Facilities
<b>East</b>	R1	HDR	Residential/Single-family residences
<b>West</b>	R1	HDR	Residential/Single-family residences

**Discussion:** The project site is located within the Ridgeview Village Unit No. 1 subdivision. The recreational facility lot is surrounded by residential uses, with the closest residential structure located to the east, approximately 220 feet from the project lease area. Directly south of the project site is the El Dorado Hills CSD Ridgeview Neighborhood Park. This park is 4.35 acres in size, with 2.5 acres developed with picnic tables, BBQ's, water fountains and lawn areas. An undeveloped walking path extends from the park though the project site.

**Project Issues:** The primary discussion items for this project include runoff/drainage, aesthetics and greenhouse gases.

**Runoff/Drainage:** Kimley-Horn and Associates, Inc. prepared a Drainage Report for the project site dated December 16, 2011. Following review of the report by the Department of Transportation, the report was revised May 23, 2012 to comply with the El Dorado County Drainage Manual requirements. For a complete discussion on project drainage and culvert design, review Section IX. (Hydrology and Water Quality) of the Initial Study Environmental Checklist (Exhibit L).

The Department of Transportation recommends a condition to require that the drainage study be consistent with the County Drainage Manual and the Storm Water Management Plan (Condition No. 35). In addition, the proposed project must form an entity for maintenance of any shared or common facilities, which include roads and drainage facilities (Condition No. 27). Formation of the entity would be between the property owner, tower owner and tower lessees. The project development activities would be required to adhere to the El Dorado County Grading, Erosion Control and Sediment Ordinance which would require Best Management Practices (BMP's) to minimize degradation of water quality during construction. Conditions of Approval are provided in Attachment 1.

**Aesthetics:** The monopine, fencing and ground equipment would be located within a recreational facility lot within a developed subdivision. The 8.99 acre site has oak canopy coverage of 80 percent (7.2 acres). The SBA lease area is to be 10,000 square feet. SBA proposes to create a 40 foot by 80 foot compound by installing a 6-foot tall wood fence along the perimeter of the lease area. AT&T, the first lease holder on the monopine would install a 12 foot by 20 foot equipment shelter within a 12 foot by 27 foot lease area. All AT&T equipment would be located within the lease area. Because of the heavily wooded area, the ground equipment would not be readily visible from the surrounding residences. The tower has been designed as a monopine to blend with the existing oak woodland and scattered pine trees. The monopine pole would be painted with a non-reflective brown paint, intended to mimic a tree trunk color. Visual simulations have been provided (Exhibit F-1 to F-12).

Section 17.14.210.F.1 of the County Code requires all facilities be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to blend with the surrounding area (trees, barns, etc.). In addition, a facility would be required to be painted to blend with the prevalent architecture, natural features or vegetation of the site. The project has been designed as a monopine, and the height of the pole has been limited, to blend with surrounding tree coverage, while allowing for multiple co-locators.

While visible, the monopine has been designed in accordance with County regulations, addressing aesthetics, environmental issues, and health and safety concerns. The monopine design would minimize the visual impact on the adjacent residential properties while blending with the surrounding tree coverage which is predominantly oak, with some scattered pines.

**Greenhouse Gases:** Air Quality Management District has requested that through CEQA analysis, where feasible, and as appropriate, measures be included as design features of a project, or imposed as mitigation. The project would mitigate for GHG emissions by incorporating

modern construction and design features that reduce energy consumption to the extent feasible. For a complete discussion on Greenhouse gases and project mitigation, review Section VII. (Greenhouse Gas Emissions) of the Initial Study Environmental Checklist (Exhibit L).

**General Plan:** The parcel has a land use designation of Open Space (OS). The proposed wireless telecommunication facility use would not conflict with the OS land use designation for the site, or the RF zone District, as utility infrastructure is permitted within the recreational facility lot with the approval of a Special Use Permit.

The following General Plan policies apply to this project:

**General Plan Consistency:** **Policy 2.2.5.2** requires *all applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approval shall be granted unless a finding is made that the project or permit is consistent with the General Plan.*

**Discussion:** Wireless telecommunication facilities are permitted by Special Use Permit in the RF Zone District. Approval of the Special Use Permit would authorize the establishment of the wireless telecommunication facility within the RF Zone District. With the proposed Conditions of Approval, the project would be consistent with the General Plan.

**Land Use Compatibility:** **Policy 2.2.5.21** directs that 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 project is proposed.*

**Discussion:** The project has been designed as a monopine to minimize the visual impact on adjacent properties, as required by Section 17.14.210.F.1 (Screening) of the County Code. As proposed and conditioned the wireless telecommunications tower would be consistent with the General Plan.

**Special Use Permit Required:** **Policy 5.6.1.4** states that *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 project site is located within a developed subdivision within a recreational facility lot. The project has been designed to comply with County regulations addressing aesthetics, environmental issues, and health and safety concerns. The proposed monopine would blend with the surrounding tree coverage which is predominantly oak, with some scattered pines. As proposed, the project would be consistent with the General Plan.

**Adequate Access for Emergencies:** **Policy 6.2.3.2** directs the applicant to *demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area.*

Discussion: A 600-foot long, 12-foot wide gravel driveway would provide access to the site via Patterson Way. The El Dorado Hills Fire Department has reviewed the project access and would require an unobstructed width of 12 feet with a vertical clearance of 13 feet 6 inches in height. An appropriate turnaround would be required, and approved by the El Dorado Hills Fire Department. As conditioned, the project would be in compliance with this policy.

Noise Impacts: **Policy 6.5.1.2** states that *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.* **Policy 6.5.1.7** states that *noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses.*

Discussion: The nearest residential use is located to the east approximately 220 feet from the project lease area. To evaluate potential noise impacts from the project, Hammett & Edison, Inc. Consulting Engineers prepared a noise assessment for the project.

The project proposes to install two air conditioning units to cool the equipment inside the shelter. The air conditioning units would be installed as a pair for redundancy. Both units would not operate simultaneously. To the southeast of the pole, a stand-by generator for emergency use would be installed, in the event of a power outage. This generator would operate for a 15-minute test period once a week during normal business hours on a non-holiday weekday, to ensure readiness in the event of a power outage.

The air-condition manufacturer reports that maximum noise level from the unit would be 70 dBA, measured 5 feet to the front of the unit. The generator manufacturer reports that the maximum noise level from the unit would be 58 dBA, measured at 23 feet from the center of the unit. Measuring continuous operation of both the air conditioning units and generator, determined that the calculated noise levels at the property line to the east would be 36.9 dBA for the air conditioning units and 38.2 dBA for the generator, respectively. Together these total 40.6 dBA, without consideration of attenuating effects of terrain and vegetation. This would be below the most restrictive nighttime limit of 45 dBA within the Community Region.

Routine maintenance visits would occur once or twice a month. Changes in traffic-generated noise levels along the unnamed access driveway would be unmeasurable.

Based on the analysis provided, the project would be in compliance with Table 6-2 of the General Plan that limits acoustical noise emission levels.

Riparian areas and Wetlands: **Policy 7.3.3.4** states that the *“County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands”*

Discussion: A Drainage Impact Assessment, dated December 12, 2011 has been prepared for the project site by Sierra Ecosystem Associates. A small drainage has been identified at the northwest corner of the project. This drainage has been analyzed in accordance with General

Plan Policy 7.3.3.4. A ditch, adjacent to an access driveway that serves a large municipal water tank, leads into the open space area and drains rain runoff into a naturally occurring, ephemeral swale that is 1 to 2 feet wide. The vegetated swale has a soil substrate with vegetation consistent with the surrounding upland vegetation. This drainage feature continues down slope, through the project area. There is no defined bed and bank or sediment sorting that occurs in ephemeral or intermittent streams. At no point along the length of the drainage feature is there riparian habitat.

The drainage conditions change approximately 100 feet downslope appearing to receive enough water to support some hydrophytic vegetation. However, at this location, the drainage is directly adjacent to a residence. Landscape irrigation runoff is likely adding to the potential wetland conditions. Between this residence and Patterson Way, the drainage becomes more channelized, but continues to have upland vegetation and a soil and rock substrate, with no evidence of recent flow. The drainage enters a culvert at Patterson Way, approximately 75 feet further down-slope.

The consultant has determined that the drainage does not meet the California Department of Fish and Game (CDFG) definition of stream as a, “body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes water courses having surface or subsurface flow that supports or has supported riparian vegetation.” The drainage onsite does not have a defined bed and bank; does not support riparian vegetation; and does not support fish or other aquatic life.

Because the feature does not in the consultant’s opinion meet the definition of stream or wetland according to the definitions under California Code of Regulations, the project would not be subject to California jurisdiction under Section 1600 of the Fish and Game Code and would not require a stream bed alteration agreement. In addition, based on the guidance from the Environmental Protection Agency (EPA) and Army Corp of Engineers (ACOE), this feature does not meet the Clean Water Act (CWA) definition of wetland, tributary or “other water”. It does not have defined bed and bank with a visible Ordinary High Water Mark and it is not a wetland swale with wetland indicators. Because it does not meet this definition it is not subject to the CWA and does not require a 404 Permit.

The project would not be subject to El Dorado County’s General Plan Policy 7.3.3.4, which does not require setbacks from ephemeral drainages.

Oak Woodland: **Policy 7.4.4.4** requires *“For all new development projects that would result in soil disturbance on parcels that (1) are over an acre and have at least 1 percent total canopy cover or (2) are less than an acre and have at least 10 percent total canopy cover by woodlands habitats..., County shall require the project applicant to adhere to the tree canopy retention and replacement standards.”*

Discussion: Sierra Ecosystem Associates has prepared an Oak Woodland Mitigation Plan for the project site in compliance with General Plan Policy 7.4.4.4 (Exhibit J). The parcel is 391,816 square feet in size, with an oak canopy of 315,782 (81 percent coverage). The project is required to retain 60 percent of the existing canopy. The applicant would be removing 19,862 square feet (6 percent) of canopy for tower and driveway development. The project would retain 295,920 square feet (94 percent) of oak canopy. The applicant proposes a 22,115 square foot oak

woodland tree conservation easement to contain 20,023 square feet of oak canopy within the easement to replace the oak woodland removed for the project. Staff has analyzed the proposed easement in accordance with the Interim Interpretive Guidelines for General Plan Policy 7.4.4.4. The applicant may obtain a conservation easement, but the easement must be off-site with healthy oak woodland canopy area equivalent to 100 percent of the oak canopy area proposed to be removed. The proposed easement is not off-site, as it is outside the project lease area but within the project parcel and much of the tree removal is a result of the access road construction which is outside of the lease area. For this project, if a qualifying off-site easement is not provided, the applicant would be required to replace the oak woodland on-site in accordance with the replacement provisions requiring a 1:1 replacement ratio.

**Conclusion:** The project has been reviewed in accordance with the applicable General Plan policies and would be consistent with the General Plan with project conditions. Findings of Consistency with the General Plan are provided in Attachment 2.

**Zoning:** The parcel has a zoning designation of Recreational Facilities (RF). In accordance with Section 17.14.210.D.5.b of the County Code, a new tower or monopole would require Planning Commission approval of a Special Use Permit when located within the RF zone district. The RF district is defined as “Land and water areas which can accommodate one or more public recreation activities and/or public service facilities without causing irreversible changes to soil, vegetation, air, water, aesthetic values and human resources.” The RF district allows for various uses with site plan approval, which include but are not limited to picnic areas, ball fields and courts, public utilities structures or overhead lines, playgrounds, golf courses, swimming pools, stables, riding and hiking trails, hunting, farms and facilities or clubs (for non-firearm use). The wireless telecommunication facility would be providing a public service facility to the surrounding area while improving a wireless service coverage gap within the vicinity. The applicant would minimize earth disturbance to driveway and building pad creation. In addition, a conservation easement would be created to conserve oak woodland at the site in perpetuity. Aesthetic impacts on surrounding residential properties would be minimal.

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

Section 17.14.210.B of the County Code requires that all communication service providers co-locate on existing sites where feasible. The applicant has provided an Alternative Analysis dated November 3, 2011 (Exhibit I). The coverage objective was to address customer complaints regarding a confirmed coverage gap within the El Dorado Hills vicinity, while identifying the least intrusive site location. AT&T has identified a site that would offer enhanced coverage to the outlined areas of poor coverage in the El Dorado Hills area along El Dorado Hills Boulevard. The tower would also provide co-location opportunities for enhanced coverage for multiple carriers.

**Development Standards:** Section 17.14.210.E thru J of the County Code requires that all wireless telecommunication facilities comply with development standards. Below is an analysis of these standards.

- E. **Visual:** Visual simulations of the tower, ground equipment and surroundings have been provided (Exhibits F-1 to F-12). The simulations demonstrate that the tower would blend with the vegetation within the area and the equipment would be adequately screened.
- F. **Development Standards:**
1. **Screening:** The applicant is proposing to place the equipment cabinets and support equipment within a pre-fabricated shelter surrounded by a wood fence. As illustrated by the photo simulations, the tower and ground equipment have been designed to blend with the surrounding vegetation in accordance with Section 17.14.210.F.1 of the County Code.
  2. **Setbacks:** The RF Zone District requires a 50-foot setback from all property lines for structural components associated with a wireless telecommunications facility. The closest property line would be 226 feet.
  3. **Maintenance:** Condition of Approval No. 7 would require that all improvements associated with the facility, including equipment shelters, towers, antenna, fencing, and landscape be properly maintained in good visual repair at all times.
- G. **Radio Frequency (RF) Requirements:** Section 17.14.210.G of the County Code requires 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, as regulated by the Federal Communication Commission (FCC). Hammett & Edison, Inc., Consulting Engineers prepared an RF report for the project site dated November 3, 2011. The study found that for a person anywhere at ground level, the maximum RF exposure level due to the proposed project operation was calculated to be 0.024 mW/cm<sup>2</sup> which would be 3.3 percent of the applicable public exposure limit. The maximum calculated level at the second –floor elevation of any nearby residence would be 2.7 percent of public exposure limit. These results would be “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation. The highest calculated level in publicly accessible areas is much less than prevailing standards allowed for exposures of unlimited duration. Based on the analysis, the project would comply with the prevailing standards for limiting public exposure to radio frequency energy and therefore, would comply with the Federal Communications Commission requirements.
- H. **Availability:** Section 17.14.210.H of the County Code requires that all existing wireless telecommunication facilities be available to other carriers as long as structural or technological obstacles do not exist. The project has been designed as a co-locating facility, allowing up to 3 additional carriers to co-locate on the monopine.
- I. **Unused Facilities:** Section 17.14.210.I of the County Code requires that all obsolete or unused wireless telecommunication 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 No. 9).

- J. **Other Permit Requirements:** Section 17.14.210.J of the County Code states certain notification requirements for projects located within 1,000 feet of a school or in subdivisions governed by CC&Rs. This project parcel is governed by CC&Rs, but is not within 1,000 feet of a school site. The CC&Rs did not establish a HOA; therefore, there are no additional noticing requirements for this project.

**Conclusion:** As discussed above, staff finds the project, as proposed and conditioned, would be consistent with all applicable provisions of Title 17 of the County Code.

**Agency and Public Comments:** The project was circulated for review and comments from various affected agencies. A formal Technical Advisory Committee (TAC) review meeting was held on January 9, 2012 to discuss comments. The following agencies provided comments and/or conditions for this project:

1. El Dorado Hills Fire Department, May 15, 2012
2. County of El Dorado Department of Transportation, December 20, 2011 and June 1, 2012
3. El Dorado County Environmental Management
4. El Dorado County Air Quality Management District, April 30, 2012
5. El Dorado Hills Area Planning Advisory Committee, December 29, 2011
6. El Dorado Hills Community Services District, December 13, 2011

The appropriate conditions from the reviewing agency are included in Attachment 2.

Copies of all written comments are available at the Planning Services office. From these comments, the following issues were raised:

The El Dorado Hills CSD stated that they were actively in negotiations with a cell tower provider to locate a cellular facility on the Ridgeview Park site, directly adjacent to the project site. The CSD expressed concern with the visual impacts with having two cell towers in close proximity. The CSD also expressed concern with the financial impact the project would have on the District as a result of having a competing cell tower adjacent to the District property. The potential District cell tower provider offered to contribute funding to the District to be used to upgrade and improve Ridgeview Park, as a part of the lease agreement. It is important to note that a Special Use Permit to allow for the development of a cell tower at the park site has not been submitted to the County.

The APAC reviewed the project on December 14, 2011 and did not establish support or non-support, due to lack of sufficient comparative assessment for both proposals. The County did not provide additional information to APAC because a proposal for the park site was not forthcoming.

The County has received an email from a concerned neighbor. Issues raised include visual impacts and health concerns. The email has been attached (Exhibit K). Staff has analyzed the

concerns brought forth and believes that the proposed use, as conditioned, would not impact the surrounding neighbors.

## **ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study, (Environmental Checklist Form and Discussion of Impacts, included in the attached as Exhibit L). Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,101.50 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,101.50 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Location Map
Exhibit B .....	Assessor's Map
Exhibit C .....	General Plan Land Use Designation Map
Exhibit D .....	Zoning Designation Map
Exhibit E-1 .....	Site Plan Z-1
Exhibit E-2 .....	Enlarged Site Plan Z-2
Exhibit E-3 .....	Site Elevations Z-3
Exhibit E-4 .....	Grading Plan Z-4
Exhibits E-5 .....	Lighting Specs LT-1
Exhibit F-1 to F-12.....	Visual Simulations
Exhibit G .....	Project Support Statement
Exhibits H .....	Agreement for Dedication of Parksite in Ridgeview Village
Exhibit I .....	Alternative Analysis; November 3, 2011
Exhibits J.....	Oak Woodland Mitigation Plan
Exhibit K.....	Trisha Williams Email; May 2, 2012
Exhibit L .....	Mitigated Negative Declaration and Initial Study

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

### Special Use Permit S11-0015/El Dorado Hills South-SBA Planning Commission/August 9, 2012

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit E-1 .....Site Plan Z-1  
Exhibit E-2 .....Enlarged Site Plan Z-2  
Exhibit E-3 .....Site Elevations Z-3  
Exhibit E-4 .....Grading Plan Z-4  
Exhibits E-5 .....Lighting Specs LT-1  
Exhibits F-1 to F-12 .....Visual Simulations

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:

Approval of the Special Use Permit allowing the construction and operation of a new multi-user wireless telecommunication facility within an existing 8.99-acre parcel identified by Assessor's Parcel Number 120-166-29, and consisting of the following:

- a. One 65-foot monopine with a 4 foot lightning rod (bottom branches to begin at 15 feet above ground level and tallest branches to coincide with the lightening rod at 69 feet above ground level.
- b. A 40 foot by 80 foot fenced compound within a 10,000 square foot SBA lease area. The fence shall be six feet tall and constructed of solid wood.
- c. A 12 foot by 27 foot equipment lease area for AT&T to include an 11 foot 5 inch by 20 foot prefabricated equipment shelter to house equipment cabinets, air conditioning units and other associated equipment.
- d. One diesel standby generator for use by AT&T outside of the equipment enclosure as shown on Sheet Z-2 and as specified by Hammett & Edison, Inc Consulting Engineers, Noise Assessment dated October 26, 2011.
- e. Two, 12 foot by 25 foot equipment lease areas and one, 7 foot by 7 foot equipment lease areas for future tenants.

- f. Three antenna sectors and four antennas per sector (12 total antennas) for AT&T mounted at a 50 foot center line above ground level. Installation also includes six remote radio units and a tower mounted amplifier.
- g. Two GPS antennas mounted on the roof top of the AT&T prefabricated shelter building.
- h. The tower is designed to accommodate three future tenants. Each tenant shall have a maximum of three antenna sectors and four antennas per sector (36 total antennas) and two future microwave dishes.
- i. One shielded light mounted near the equipment shelter door as shown in Exhibits E-2 and E-5, Sheet Number Z-2 and LT-1;
- j. One, 20-foot wide access and utility easement, for a distance of approximately 600 feet, as shown on Exhibit Z-1. The easement would be utilized to underground the electrical and telecommunications utilities and for providing a 12-foot wide gravel driveway for the required unobstructed fire access to the site.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, 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.

### **Conditions of Approval from the Mitigated Negative Declaration**

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance

- 2. **Greenhouse Gas and Energy Efficiency:** All new buildings shall install energy efficient lighting (e.g., light emitting diodes (LEDs), heating and cooling systems, appliances, equipment, and control systems.

*Timing/Implementation: The applicant shall provide Planning Services with energy efficiency information for all new lighting (e.g., light emitting diodes (LEDs), heating and cooling systems, appliances, equipment, and control systems demonstrating that all systems are meeting energy efficiency standards prior to issuance of a building permit.*

### **Planning Services**

- 3. **Expiration:** Pursuant to County Code Section 17.22.250, implementation of the project shall occur within twenty-four (24) months of approval of this permit, otherwise the

permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with Conditions of Approval.

4. **Responsibility for 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.
5. **Co-locating:** For co-location 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 at any one time, and that there shall not be an increase in overall height of the tower and branches.
6. **Facility Appearance and Screening:** All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color to comply with the screening requirements of Section 17.14.210.F of the County Code. The pole shall have simulated bark, and the RF antennas shall be painted with non-reflective paint and maintained to match the color of the branch needles. All antennas shall be covered with antenna socks that shall match the color and texture of the branch needles. The “branches” shall be installed with random lengths that create an asymmetrical appearance conforming to the shape of a natural pine tree. No antenna shall project out past the “branch” tips. Planning Services shall verify the painting of all structures prior to final inspection and approval of the facility.
7. **Facility Maintenance:** All improvements associated with the communication facility, including equipment shelters, antennae, and fencing shall be properly maintained at all times. Colors of the panels, equipment enclosure, and other improvements visible to the public shall be maintained to ensure the appearance remains consistent.
8. **Conditions Compliance:** Prior to issuance of a building permit or 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 prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.
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 review the status and present that report to the approving authority with a recommendation 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. **Compliance Responsibility:** 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. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the Special Use Permit and Building Permits prior to issuance of a Building Permit.
13. **Archeological Resources:** 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 shall 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. Planning Services shall confirm the inclusion of this requirement on the grading plans prior to issuance of a grading permit.
14. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,101.50 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.
15. **Oak Woodland:** The applicant shall be required to provide oak woodland replacement as follows:

- a. Provide a replacement plan for oak canopy removed as part of road and infrastructure improvements and pad development (0.45 acres), prepared by a licensed arborist to Planning Services for approval prior to issuance of a grading permit or removal of any oak tree. In addition, an Agreement to the satisfaction of County Counsel and the Director of Development Services shall be submitted to ensure the long term maintenance and preservation of the replacement trees planted. The maintenance and monitoring shall be required for a minimum of 10 years after planting. The Agreement shall be submitted and approved by Planning Services prior to final building inspection; or
  - b. Provide off-site mitigation in accordance with the Interim Interpretive Guidelines for General Plan Policy 7.4.4.4, with the recordation of an Oak Tree Mitigation Agreement. The applicant shall provide the off-site replacement plan for oak canopy removed as part of road and infrastructure improvements and pad development (0.45 acres), prepared by a licensed arborist to Planning Services for approval prior to issuance of a grading permit or removal of any oak tree. If the off-site location is approved, the Oak Tree Mitigation Agreement and Easement shall be prepared and recorded prior to issuance of grading permit.
16. **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.

### **Environmental Management- Solid Waste and Hazardous Materials Division**

17. **Hazardous Materials:** Under the CUPA programs, because 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 shall be submitted to the Environmental Management Department and applicable fees paid prior to issuance of a Building Permit.

### **Air Quality Management District**

18. **Fugitive Dust Mitigation Plan:** 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 (PM<sub>10</sub>) in the form of dust. AQMD Rule

223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions, shall be adhered to during the construction process. Mitigation Measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.1. In addition, a Fugitive Dust Mitigation Plan (FDMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction.

19. **Road Development:** Project construction involves road development and shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.
20. **Burning of Waste:** Burning of wastes that result from "Land Development Clearing" shall be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
21. **Architectural Coatings:** The project construction will involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
22. **Exhaust Emissions:** The AQMD's goal is to strive to achieve and maintain ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The applicant shall implement the following measures to reduce impacts on air quality from equipment exhaust emissions:

Heavy Equipment and Mobile Source Mitigation Measures:

- a. Use low-emission on-site mobile construction equipment.
- b. Maintain equipment in tune per manufacturer specifications.
- c. Retard diesel engine injection timing by two to four degrees.
- d. Use electricity from power poles rather than temporary gasoline or diesel generators.
- e. Use reformulated low-emission diesel fuel.
- f. Use catalytic converters on gasoline-powered equipment.
- g. Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
- h. Do not leave inactive construction equipment idling for prolonged periods (i.e., more than two minutes).
- i. Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
- j. Configure construction parking to minimize traffic interference.
- k. Develop a construction traffic management plan that includes, but is not limited to: Providing temporary traffic control during all phases of construction activities to improve traffic flow; rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

23. **Point Source Emissions:** Prior to construction or installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors (Rule 501.3A.)
24. **Combustion Engines:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be permitted by the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment.

### **El Dorado County Department of Transportation**

25. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachment from the proposed private driveway onto Patterson way to the provisions of County Design Std **103A-2**. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the issuance of any permit.
26. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
27. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: private roads and drainage facilities. DOT shall review the document forming the entity to ensure the provisions are adequate prior to the issuance of any permit.
28. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
29. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to the issuance of any permit.
30. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
31. **Grading Permit / Plan:** If more than 250 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation 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 Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.

32. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
33. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
34. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
35. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Department of Transportation prior to issuance of building permit or the applicant shall obtain an approved improvement agreement with security.

36. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans.
37. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

### **El Dorado Hills Fire Department**

38. **KNOX System:** The gated access shall have a fire department approved KNOX padlock installed. The structure shall have fire department approved KNOX box installed to contain the master key to open all exterior doors. KNOX box order forms are available at El Dorado Hills Fire Department, located at 1050 Wilson Blvd., El Dorado Hills.

39. **Fire Extinguisher:** The project applicant shall provide and maintain a minimum of one 2A 10B:C fire extinguisher at the site. The extinguisher shall be mounted where readily available within the building prior to final building inspection.
40. **Fire Access:** Fire access roads to the site shall be a minimum unobstructed width of twelve (12) feet wide and unobstructed vertical clearance shall not be less than thirteen (13) feet six (6) inches in height.
41. **Fire Turnaround:** The project shall provide a turnaround designed in accordance with the State Fire Safe Regulations and be approved by El Dorado Hills Fire Department prior to issuance of a building permit.

## **ATTACHMENT 2**

### **FINDINGS**

#### **Special Use Permit S11-0015/El Dorado Hills South-SBA Planning Commission/August 9, 2012**

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 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 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 The Planning Commission finds the project is consistent with the following General Plan policies:
  - a. 2.2.5.2 (General Plan Consistency) and 2.2.5.21 (Compatibility with surroundings) because a Special Use Permit has been requested for the wireless telecommunication facility and the project has been evaluated in accordance with the applicable General Plan policies. The project has been designed as a monopine to minimize the visual impact on the adjacent residential properties, as required by Section 17.14.210.F.1 (Screening) of the County Code and will have minimal impact on the surroundings;
  - b. 5.6.1.4 (Special Use Permit required) because the project has been designed to comply County regulations, addressing aesthetics, environmental issues, and health and safety concerns. The aesthetics of the proposed monopine will blend

with the surrounding tree coverage which is predominantly oak, with some scattered pines;

- c. 6.2.3.2 (Adequate access) because the project will comply with the minimum Fire Safe standards for the on-site access driveway width and surfacing as well as the turnaround capacity for emergency vehicles at the lease area site to the satisfaction of the El dorado Hills Fire Department;
- d. 6.5.1.2 and 6.5.1.7 (Noise exposure) because the noise assessment demonstrates that the project will have noise levels that will comply with the County's standards listed in Table 6-2 in the General Plan that limit acoustical noise emission levels;
- e. 7.3.3.4 (Bodies of water and wetlands) because a drainage impact assessment was prepared for the site and determined that the onsite drainage did not meet the definition of wetland, tributary or "other water" as defined by EPA or ACOE; the ephemeral drainage will not be subject to setbacks as specified by this policy; and;
- f. 7.4.4.4 (Oak woodland) because the project will provide replacement oak woodland canopy equal to or greater than 0.45 acres which shall be replaced on-site in accordance with the replacement provisions requiring a 1:1 replacement ratio. The applicant may also have the option to obtain an off-site conservation easement of healthy oak woodland canopy area, equivalent to 100 percent of the oak canopy area proposed to be removed.

### **3.0 ZONING FINDINGS**

- 3.1 The proposed use is permitted by Special Use Permit in the Recreational Facility (RF) zone district, pursuant to Section 17.14.210 of the County Code provided that the Special Use Permit findings outlined below can be made by the Planning Commission.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within Section 17.14.210.F of the County, which include but are not limited to screening, setbacks and maintenance.

### **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 General Plan Policies 2.2.5.2 (General Plan consistency) 2.2.5.21 (land use compatibility), 5.6.1.4 (Special Use Permit required) 6.2.3.2 (Adequate access), 6.5.1.2 and 6.5.1.7 (Noise exposure), 7.3.3.4 (Bodies of water and wetlands) and 7.4.4.4 (Oak woodland) and has been found to be

consistent with these policies as discussed in the General Plan findings section above and within the staff report.

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

The use will comply, as conditioned, with the Development Standards specified in Section 17.14.210 of the County Code. The proposed Special Use Permit, as conditioned, has been found to comply with the requirements of Chapter 17.22, Special Use Permits. The proposed use will not be detrimental to the public health, safety and welfare, nor injurious to the neighborhood, because the RF emissions study determined that the project will comply with the safety standards established for public exposure and the adjacent residential properties will not be negatively impacted by the project.

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

The proposed use, as conditioned, is specifically permitted by Special Use Permit in a RF zone district pursuant to Section 17.14.210 of the County Code.