

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



Agenda of: October 25, 2012
Item No.: 8
Staff: Tom Dougherty

SPECIAL USE PERMIT

FILE NUMBER: S12-0009/Anthem Telecom Telecommunications Tower-Camino

APPLICANT: Anthem Telecom

AGENT: Gordon Bell, Bell and Associates

ENGINEER: Streamline Engineering

REQUEST: Special Use Permit to allow the construction of a wireless telecommunications facility consisting of the construction of an 85-foot tall monopine telecommunications tower for up to four total carriers.

LOCATION: South side of Camp Snowline Road, approximately 700 feet east of the intersection with Pony Express Trail, in the Camino area, Supervisorial District 3. (Exhibit A)

APN: 076-011-44 (Exhibit B)

ACREAGE: 1.66 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit D)

ZONING: One-Acre Residential (R1A) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Negative Declaration

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 S12-0009 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

PROJECT INFORMATION

Project Description: Special Use Permit request to allow the construction of an 85-foot tall monopine telecommunications tower for up to four total carriers. The current proposal includes one carrier with nine antennas at a centerline of 77 feet above ground level, one 11.5 foot by 20 foot by ten-foot tall equipment shelter, two wall-mounted air conditioners, within a 30 foot by 90-foot lease area. The lease area would be fenced with slatted chain link fencing. The review also analyzes the three future carriers for up to 12 antennas and two microwave dishes each, and ground support equipment similar to the current request.

Site Description: The site is within a 1.66-acre parcel located at approximately the 3,600-foot elevation above sea level. There is an existing single-family dwelling with an existing attached garage located on the parcel approximately 190 feet to the southwest of the proposed lease area. The proposed lease area is relatively flat. The majority of the site is covered with tree canopy with the exception of the proposed lease area, existing dwelling area and driveways which are cleared. Camp Snowline Road has an existing automatic gate across the road where it enters the subject parcel and the one adjoining to the north. The right-of-way for U.S. Highway 50 adjoins the parcel at the south boundary.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MDR	Residential/Single-family residence
North	R1A	MDR	Residential// Single-family residence
South	R1A	OS	Residential/U.S. Highway 50
East	R1A	OS	Residential/Single-family residence
West	MP	MFR	Residential/ Single-family residence

Discussion: The surrounding parcels are designated for residential uses by the General Plan. The closest residential structure on a surrounding parcel is located approximately 350 feet from the lease area.

STAFF ANALYSIS

The parcel is zoned One-Acre Residential (R1A). County Code permits wireless communication facilities in all districts with an approved Special Use Permit (17.28.070.C), provided they follow standards and permitting requirements defined in Section 17.14.210.F of the County Code.

These standards include screening, compliance with setbacks, and proper maintenance and they are discussed below in the Design and Development Standards section.

Project Issues: The primary discussion items for this project include access, aesthetics, land use compatibility, noise, and utilities.

Access: The project site is accessed from Pony Express Trail to Camp Snowline Road for a distance of approximately 850 feet. Camp Snowline Road, a private roadway, is currently paved up to the point where the subject parcel's gravel driveway joins it. At the end of the road, the residents have erected a gate across Camp Snowline Road, where it serves three parcels. Parcel Map PM49-86 includes a note referring to Notice of Restriction 06-68335 which requires Fire District approval and a special use permit for any gate installed across Camp Snowline Road. No special use permit was ever attained. The project has a recommended condition of approval requiring the removal of that gate prior to issuance of any building or grading permit for the subject application.

General Plan Policy 6.2.3.2 (adequate access) directs that the applicant demonstrate that adequate access exists, or can be provided, to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. DOT has reviewed the project and determined that the access roads are adequate for the proposal. The El Dorado County Fire Protection District has recommended conditions assuring that an adequate turnaround and emergency ingress/egress capabilities will be provided to and at the site to accommodate their equipment. Because the project will meet 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, as conditioned, the Fire District has no outstanding concerns with the project.

Aesthetics: As shown in the Visual Simulations provided in Exhibits G-1 and G-2, the top of the proposed monopine would be visible from a section of U.S. Highway 50 that has been designated by the State as a Scenic Highway. The existing vegetation would block the ground equipment fully from view from the highway, as well as from the surrounding residences. The monopine top portion would be anticipated to blend in with the existing band of conifer trees between the site and the highway. The project has recommended conditions that would assure all antennas would be covered with antenna socks that match the color and texture of the branch needles. The "branches" would be conditioned to be installed with random lengths that create an asymmetrical appearance conforming to the shape of a natural pine tree as best as possible with the current available technology.

The applicant is proposing to place equipment cabinets and support equipment within a building to be surrounded by a chain link enclosure located within a 30-foot by 90-foot lease area. Vinyl green slats would be inserted into the fencing to buffer views into the enclosed lease area. As illustrated in the photo simulations, site plan, and elevations, the tower and ground equipment are designed to standards set by Zoning Code Section 17.14.210 to blend with the existing vegetation as best as possible with the technology currently available.

Land Use Compatibility: Policy 2.2.5.9 allows support services in residential areas by use permit, provided that they do not have an adverse effect on surrounding properties. Policy 2.2.5.21 directs that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. A cellular telecommunications facility is considered to be a public utility facility, though owned privately. The project would be compatible and consistent with the medium density residential land use designation for residential uses because it has been designed to minimize the visual and noise effects on adjacent properties, as directed by Section 17.14.210 of the Zoning Ordinance. All facility components would be painted colors that blend with surrounding vegetation. The supplied noise data for the proposed air conditioners and possible future backup generator have been analyzed for consistency with General Plan noise standards. As proposed and conditioned the communications tower would be consistent with these policies.

Noise Impacts: 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. The applicant has supplied specification sheets for the two proposed air conditioners as well as a potential future backup generator. No generator accompanies the current request, however, in the future a standby diesel power generator for emergency use in the event of a power outage may be installed within the fenced enclosure. The submitted specification sheet for a typical generator demonstrates that on the days the generator would be tested the noise levels at 23 feet would be anticipated to be 65 dBA and due to terrain and vegetation factors, would be anticipated to be less than 45 dBA at 100 feet. The air conditioners are proposed to be mounted in the walls of the equipment shelter facing Highway 50. The submitted noise data shows the noise from the air conditioners for the proposed AT&T shelter would be anticipated to fall below the 45 dBA threshold from Table 6.2 for rural parcels at 100 feet from the source.

It is assumed for this analysis that all future carrier's air conditioners will have the same noise specifications as the current proposal. Because air conditioner technology and specific model types may change in the future, the project has a recommended condition of approval that requires each future carrier to submit a cumulative noise analysis for the entire project at that point that demonstrates compliance with the General Plan noise standards prior to issuance of a building permit.

Utilities: Approximately 345 feet of trenching would be required to underground the electric and telephone (Telco) wires from the existing electrical transformer and telephone/data service boxes. The existing junction points are located to the west of the proposed lease area within the project parcel. The trench would be located within a proposed five-foot wide utility easement to be located as shown in the attached Sheet A-1. The service would connect with the existing transformer and telephone communication wires and is not proposed to require any oak tree removal.

Conclusion: The project has been reviewed in accordance with the General Plan policies, and it is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Design and Development Standards:

Section 17.14.210.B of the County Code requires that all wireless providers collocate their equipment on existing sites where possible. The applicant has provided a discussion about the site selection in the project description (Exhibit H), and coverage maps (Exhibits I-1 to I-6), in which they demonstrate how the subject parcel location was chosen. The tower is proposed in order to allow wireless communication to provide in-building coverage in the local area and to fill up the cellular communications gap in coverage. Another goal is to create one structure that could potentially accommodate other wireless service provider serving the area. The supplied analysis found the subject project site to be the most optimum to achieve their needed coverage area.

Development Standards: Section 17.14.210.E thru J of the County Code requires that all wireless communication facilities meet certain criteria. Below is an analysis of these standards.

- E. **Visual:** The project provides photo-simulations to show the changes that are being requested under this action. The photo simulation would be used during the plan check permit process to insure that the project conforms to the exhibits approved with the application. Photo simulations of the proposed wireless facility are included as Exhibits G-1 and G-2.

- F. **Development Standards:**
 - 1. **Screening:** The applicant is proposing to place equipment cabinets and support equipment within a pre-fabricated concrete building to be surrounded by a vinyl-slatted chain link fence enclosure located within a 30-foot by 90-foot lease area. As illustrated in the photo simulations, site plan and elevations, the tower and ground equipment are designed to standards set by Zoning Code Section 17.14.210 to blend with the existing surrounding vegetation. The ground equipment will further be screened from views by the existing vegetation.
 - 2. **Setbacks:** The R1A Zone District requires 30-foot side setback from the property lines for a structure such as a telecommunications facility components. The site plan, Sheet A-1, shows the closest property line is approximately 32 feet to the south of the proposed lease area.
 - 3. **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 conditions are recommended to require that the colors and materials of the equipment building, ground support equipment be maintained at all times and to be consistent with the features depicted in the visual simulations and elevations. A condition of approval has been included requiring the perpetual maintenance of the facility.

- G. **Radio Frequency (RF) Requirements:** Section 17.14.210.G of the County Code 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, as regulated by the Federal Communication Commission (FCC). The RF analysis dated June 7, 2012 found that for a person anywhere at ground level, the maximum RF exposure level due to the installation of four carrier's antennas between the 53 to 77-foot heights above ground level was calculated to be 0.0353 mW/cm² which is five percent of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby residence would be 7.2 percent of the public exposure limit. The report validates the figures based on the FCC Regulations for measurements identifying quantitative standards for human exposure limits based on radio frequency emissions. Therefore, the risk of release of hazardous materials or emissions to the public was determined to be remote. A copy of the study is included as an attachment to the Negative Declaration and Initial Study in Exhibit L.

- H. **Availability:** Section 17.14.210.H of the County Code requires that all existing communication facilities be available to other carriers as long as structural or technological obstacles do not exist. The tower has been designed to permit the collocation of three additional carriers, depending on their needs and requirements. The project has been conditioned to allow the continued co-location at this facility, with approval of a building permit, as determined by the Development Services Director.
- I. **Unused Facilities:** Section 17.14.210.I of the County Code 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.
- 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 not governed by CC&Rs, nor is it within 1,000 feet of a school site.

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 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.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study, (Environmental Checklist Form and Discussion of Impacts, included in the attached as Exhibit L), to determine if the Special Use project may have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a 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 Parcel Number Map
Exhibit C	Parcel Map PM49-86 (two pages)
Exhibit D	General Plan Land Use Designations Map
Exhibit E	Zoning Designations Map
Exhibit F-1	Overall Site Plan, Sheet A-1; July 5, 2012
Exhibit F-2	Site Plan, Sheet A-2; July 5, 2012
Exhibit F-3	AT&T Equipment Plan and Details, Sheet A-3; July 7, 2012
Exhibit F-4	AT&T Antenna Plan and Details, Sheet A-4; July 7, 2012
Exhibit F-5	Elevations, Sheet A-5; July 7, 2012
Exhibits G-1 and G-2	Visual Simulations
Exhibit H	Applicant-submitted Project Description; July 5, 2012 (9 pages)
Exhibits I-1 to I-6	Applicant-submitted <i>Zoning Coverage Maps</i> (6 pages)
Exhibits J-1 and J-2	Site Visit Photos
Exhibit K	Aerial Photo
Exhibit L	Proposed Negative Declaration and Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit S12-0009/Anthem Telecom Telecommunications Tower-Camino Planning Commission/October 25, 2012

Planning Services

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 F-1	Overall Site Plan, Sheet A-1, dated July 5, 2012
Exhibit F-2	Site Plan, Sheet A-2, dated July 5, 2012
Exhibit F-3	AT&T Equipment Plan and Details, Sheet A-3, dated July 7, 2012
Exhibit F-4	AT&T Antenna Plan and Details, Sheet A-4, dated July 7, 2012
Exhibit F-5	Elevations, Sheet A-5, dated July 7, 2012
Exhibits G-1, G-2.....	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.

Approval of the Special Use Permit allows the construction and operation of a new multi-user wireless communications facility to support cellular transmission, within the existing 1.66-acre parcel identified by Assessor's Parcel Number 076-011-44, and consisting of the following:

- a. An 85-foot tall monopine telecommunications tower for up to four total carriers (tallest branches 85 feet; top of metal pole to be 80 feet, both above ground level);
- b. Nine antennas at a centerline of 77 feet above ground level;
- c. One 20-foot by 11.5-foot prefabricated ground equipment shelter to house equipment cabinets and associated equipment, the height shall be consistent with that shown on Sheet A-5;
- d. One 6-foot tall chain link fence constructed around the perimeter of the 30 by 90-foot lease area, with green vinyl slats installed for screening with two 6-foot wide gates for access;
- e. Two air conditioning units shall be mounted on the outside of the equipment enclosure as shown on Sheet A-2;
- f. One shielded light mounted near the equipment shelter door as shown in Sheet Number A-3;

- g. One, 5-foot wide utility easement for undergrounding the electrical and telecommunications utilities for a distance of approximately 345 feet, to be located as shown on Sheet A-1.

The approval also allows up to four total carriers to collocate on the tower through the building permit process for up to 12 antennas and two microwave dishes each, and related ground support equipment. Each future carrier shall submit a cumulative noise analysis with their building permit application that demonstrates the entire project is in compliance with General Plan noise standards as set forth in Condition 8.

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.

2. **Gate:** A special use permit application for the existing gate across Camp Snowline Road, shown in Exhibit J-1, as required pursuant to Parcel Map PM49-86 (Exhibit C), shall be submitted by the affected parcel owners prior to issuance of any building or grading permit for the subject telecommunications tower. The special use permit for the gate shall be approved by the Planning Commission prior to building permit final for the subject telecommunications tower. If no special use permit application has been filed, the entire gate and all related components shall be removed entirely, prior to issuance of a grading or building permit for the subject telecommunications facility.
3. **Expiration:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four 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. **Project Conformance:** Project improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits E-1 to F-3. Minor variations are allowed, however, any major changes in any element of the approved project shall require review and approval by the Development Services Director. Should the Director find that additional lease area, height or antennas or other changes to the approved project may create a significant visual impact, the Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit. This review shall always occur prior to any approved project modifications.

5. **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.
6. **Changes or Expansions of the Approved Project:** Expansions to the lease area, increases in pole height, or additional antennas mounted on the monopine shall be subject to review and approval by the Development Services Director. Should the Director find that additional lease area, height or antennas may create a significant visual impact, the Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit.
7. **Lighting:** One exterior emergency light is approved and shall be located as shown on Sheet A-3. The light shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. The final lighting fixture specification sheet and location shall be submitted for review and approval by Planning Services for conformance with Sheet A-3 prior to issuance of a building permit. The light shall be activated with motion-sensor or timer. All future carriers shall demonstrate the same compliance prior to issuance of any future building permit for that carrier.

Should the installed light be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
8. **Collocations:** The applicant shall consent to the co-location of other wireless telecommunication communication users on this tower when feasible and without an increase in the height of the tower, and/or antennas. All new collocations, and/or addition of any new piece of equipment that creates noise, shall be subject to the submittal of equipment noise specification report, and/or a full site acoustical analysis, as determined by Planning Services, for review and approval by the Development Services Director if generators, air conditioners or any other noise making piece of equipment are included in the project proposal. Should the Director find that additional noise may create a significant impact; the Director shall decide if the changes can be approved administratively through the building permit process or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit.
9. **Facility Appearance and Maintenance:** All equipment shelters, cabinets or other auxiliary structures for all carriers shall be painted with substantially consistent colors to meet the screening requirements of Section 17.14.210.F. All facility 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. The branches shall have a dark green color that resembles the surrounding conifer trees. The fenced enclosure shall contain dark green or brown slats and shall not have gaps at any portion where it touches ground level. No antenna shall project out past the “branch” tips. Colors of the tower, facade, antennas, and other appurtenances shall be maintained to ensure the appearance remains consistent and so that nothing on the tower causes a reflection of light. All improvements associated with the facility, including equipment shelters, towers, antenna, fencing, and landscape shall be properly maintained in good visual repair at all times. The applicants shall provide proof to Planning Services that the painting of the structures and antennas, are painted as conditioned prior to final approval for the Building Permit.

10. **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.
11. **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.
12. **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.

13. **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.
14. **Cultural Resources:** If human remains are discovered at any time during the project improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the applicants shall retain an archaeologist to evaluate the resource.

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

15. **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.
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. 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.

Air Quality Management District

18. The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. AQMD Rules 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. Project construction may involve road development and should adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.
20. Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
21. Prior to construction/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 501.3.A)
22. 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 Fire Protection District

23. Site/Inspection Review Fee: The applicant shall submit a site review fee of \$150.00 prior to issuance of building permit.
24. Turnouts: Driveways exceeding 150 feet in length shall provide a turnout near the midpoint of the driveway. Turnouts shall be a minimum of 10-feet wide and 30-feet long with a minimum of 25-foot taper at each end. Proof of compliance shall be received from the applicant prior to building permit final.
25. Fire Apparatus Access Roads: Fire Apparatus Access Roads shall be minimum 20 feet in width. Said fire access road width shall be waived and current proposed road width shall be accepted with Condition #26 being met.

26. Turnarounds: The applicant shall provide a turnaround approved by El Dorado County Fire Protection District.
27. Signs shall be posted stating "DEAD END ROAD – NO TURNAROUND" at access road to tower.
28. Padlocks: All Gates shall have Knox padlocks. Application can be obtained at the District's office: 4040 Carson Rd., Camino, CA 95709. Proof of compliance shall be received from the applicant prior to building permit final.
29. Knox Box: The applicant shall provide a Knox Box for the shelter. Application can be obtained at the district office. Proof of compliance shall be received from the applicant prior to building permit final.
30. Keys: The applicant shall provide keys for the shelter, generator and any locked cabinet. Proof of compliance shall be received from the applicant prior to building permit final.
31. Vegetation Management: Vegetation control is required inside the fence perimeter in perpetuity.
32. Defensible Space: The applicant shall maintain defensible space of 100 feet from each side and from the front and rear of the structure. (For the purposes of clarification, defensible space shall conform to the Applied forest Management Report, PRC 4291 fire safe clearance).
33. Fire Extinguisher: The applicant shall provide a fire extinguisher with a minimum 20BC rating. The extinguisher must be within 75 feet of the generator and mounted in weatherproof cabinet. Proof of compliance shall be received from the applicant prior to building permit final.

ATTACHMENT 2

FINDINGS

Special Use Permit S12-0009/Anthem Telecom Telecommunications Tower-Camino Planning Commission/October 25, 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 Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 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. 2.2.5.9 (support in a residential area) and 2.2.5.21 (compatibility with surroundings) because a cellular telecommunications facility has historically been considered to be a public facility and the project would provide residential support uses. As conditioned, it would be compatible with surrounding uses, have minimal impacts on visual resources, existing utilities, existing emergency response access and times, and will create noises at insignificant levels. There are adequate services to facilitate the site, such as water, power and telephone communication facilities. The project provides improved cellular service for phone, as well as internet and emergency communications to the Camino and Highway 50 corridor area;
 - b. 6.2.3.2 (adequate access) because as conditioned, the project will meet 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 County Fire Protection District; and

- c. 6.5.1.7 (noise exposure) because the air conditioner and generator specification sheets demonstrates that the project will have noise levels anticipated to comply with the County's standards listed in Table 6-2 in the General Plan that limit acoustical noise emission levels, and the project is conditioned for future carriers to do an additional noise analysis for their building permits to re-verify project compliance at each building permit.

3.0 ZONING FINDINGS

- 3.1 The project site is zoned R1A, which allows wireless communication facilities subject to the standards and permitting requirements of Section 17.14.210 of the County Code. These standards include screening, compliance with setbacks, and proper maintenance. The project has demonstrated that as proposed and conditioned, it is compliant with Zoning Ordinance Section 17.14.210.

4.0 SPECIAL USE PERMIT FINDINGS

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

The proposed use is consistent with the policies and requirements in the El Dorado County General Plan, as discussed in the General Plan and Special Use Permit sections of this Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.1.

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

The use will not conflict with the adjacent uses as the ground-support equipment will be buffered from view by a six-foot tall slatted chain link fence and existing vegetation. The project is anticipated to result in insignificant environmental, visual, noise, and traffic impacts to surrounding residents. The proposed use is not anticipated to create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report. At less than five percent of the public safety standard established by the FCC, the risk of Radio Frequency ("RF") emissions to the public is remote.

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

The proposed use complies with the requirements of County Code Sections 17.14.210.5.b (telecommunications towers subject of a special use permit; 17.14.210.E through J (facility requirements/analysis), 17.28.070.C (special use permit required for public utility structures in the R1A Zone District), and 17.28.080 (minimum yard setbacks for R1A Zone District).