

**EL DORADO COUNTY DEVELOPMENT SERVICES  
ZONING ADMINISTRATOR  
STAFF REPORT**



**Agenda of:** May 7, 2008  
**Item No.:** 5.a.  
**Staff:** Robert Peters

**SPECIAL USE PERMIT REVISION**

**FILE NUMBER:** S03-0024-R2/MetroPCS Diamond Road Site

**APPLICANT:** MetroPCS

**AGENT:** Karen Lienert

**PROPERTY OWNER:** Frank Cunha

**REQUEST:** Revision to a special use permit to allow collocation of three (3) pipe mounted antennas at a height of 72 feet on existing 66-foot tall water tower. Additionally, MetroPCS will install up to three (3) radio cabinets within an existing chain-link fenced compound.

**LOCATION:** On the south side of Wedge Hill Road, approximately 0.5 miles west of the intersection with Missouri Flat Road, in the Diamond Springs area, Supervisorial District III. (Exhibit A)

**APN:** 327-260-22 (Exhibit B)

**ACREAGE:** 0.06 acres

**GENERAL PLAN:** Medium Density Residential (MDR) (Exhibit C)

**ZONING:** One-Acre Residential (R1-A) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to Section 15303 of the CEQA Guidelines

**SUMMARY RECOMMENDATION:** Conditional Approval

**BACKGROUND:** The original Special Use Permit, S03-0024, was approved by the County Zoning Administrator on December 3, 2003. It allowed collocation of six (6) antennas mounted at the 70-foot

level on an existing water tower. The water tower was listed as approximately 85 feet tall and 20 feet in diameter. The project included an equipment shelter located on the ground at the base of the tower, situated within an existing chain-link fence enclosure. A revision to Special Use Permit, S03-0024-R1, was administratively approved on February 8, 2005 to allow the addition of a second equipment shelter at the project site which had been purchased by Verizon Wireless. Building permit 169315-1, which was final on January 22, 2007, allowed movement of the existing cabinets immediately east of the existing chain-link fenced enclosure within a new concrete structure and woodcrete fenced enclosure. This facility was constructed and is now operational. Verizon Wireless currently operates three (3) antennas on the site.

MetroPCS submitted the proposed revision to Special Use Permit, S03-0024-R2, on October 17, 2007, and the application was deemed complete on January 16, 2008.

## **STAFF ANALYSIS**

**Project Description:** The project applicant requests a revision to a special use permit to allow collocation of three (3) panel mounted antennas at a height of 72 feet on an existing 66-foot tall water tower. Additionally, MetroPCS will install up to three (3) radio cabinets within the existing chain-link fenced compound (Exhibit F and G).

The proposed project includes a 16-foot by 10-foot (16' x 10', 160 square feet) lease area, within an existing six (6) foot tall chain-link fenced enclosure with brown colored slats. The lease area will support up to three (3) new radio equipment cabinets, adjacent to the base of the water tower and west of an existing concrete equipment shelter and woodcrete fenced enclosure now operated by Verizon Wireless. The existing fencing will not be enlarged to accommodate the proposed additional equipment. All damaged or missing slats will be replaced (See conditions of approval). All MetroPCS equipment within the leased area will be mounted atop a 16 foot by 10 foot (16' x 10', 160 square feet) concrete slab. Proposed construction would also include a new 200 amp electrical panel and meter, a Global Positioning System (GPS) unit, and a motion-controlled floodlight which Planning Services will require to be fully shielded (See conditions of approval).

The facility will continue to be served via an existing approximately 100-foot long gravel driveway. The facility will remain unmanned, and visited approximately once to twice per month for maintenance purposes.

The elevations submitted for the proposed special use permit revision S03-0024-R2 lists the tower at a height of approximately 66 feet (Exhibit G). The original special use permit S03-0024 lists the tower at a height of 85 feet. In a letter to the applicant dated November 5, 2007, staff requested that the applicant verify the overall height of the tower so that clarifications of the actual height of the water tower can be made and the discrepancy in height could be addressed. The applicant has verified that the actual height of the existing water tower is approximately 66 feet.

**Site Description:** The site is located on Wedge Hill Road, slightly to the west of Missouri Flat Road at approximately 1880 feet above mean sea level and is surrounded by single-family residential land uses. The site is accessible via an existing the gravel which takes access off of Wedge Hill Road. No significant native or non-native vegetation exists on-site.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	R1A	MDR	Water Tower with Verizon Wireless Antennas and Equipment.
<b>North</b>	R1A	MDR	Single-Family Residence
<b>South</b>	R1A	MDR	Single-Family Residences
<b>East</b>	R1A	MDR	Single-Family Residence
<b>West</b>	R1A	MDR	Single-Family Residence

**General Plan:** The General Plan designates the subject site as Medium-Density Residential (MDR). This land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. General Plan Policy 2.2.5.21 states: “Development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids any incompatibility or shall be located on a different site.” The proposed pipe mounted antennas will be painted brown to match the existing tower (Exhibits E-1 and E-2). The proposed ground equipment will be screened from adjacent land uses by existing chain-link fencing with brown colored slats.

General Plan Policy 5.6.1.4 states: “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.” The applicant has designed the wireless facility in compliance with County regulations, addressing aesthetics, environmental issues, and health and safety concerns. The proposed pipe mounted antennas will be painted brown to match the existing tower (Exhibits E-1 and E-2). The proposed ground equipment will be screened from adjacent land uses by existing chain-link fencing with brown colored slats. The proposed collocation will allow adaptive reuse of an existing telecommunication facility site. The project applicant will submit a structural analysis on the water tank to demonstrate conformance with the safety requirements of the Uniform Building Code (see conditions of approval) All project-related environmental issues have been evaluated during the research leading up to this staff report.

Conclusion: Staff finds that the project, as proposed and conditioned, conforms to the General Plan, specifically Policies 2.2.5.21 and 5.6.1.4.

**Zoning:** The County permits wireless communication facilities in all districts, provided they follow development standards and permitting requirements defined in Section 17.14.200 of the County Code. Section 17.14.200 (D)(3) of the County Code allows collocation of antennas on signs, water tanks, utility poles and towers, light standards and similar structures subject to approval of a special use permit by the zoning administrator. The project proposal and its application and associated materials have been submitted and reviewed in accordance with the requirements for Special Use Permits, Section 17.22.500 et seq.

Section 17.14.200 (B) of the County Code requires that all wireless providers collocate their equipment on existing sites where possible. Communication service providers are, therefore, encouraged to: a) Employ all reasonable measures to site their antenna equipment on existing structures as façade mounts, roof mounts, or collocation on existing towers prior to applying for new towers or poles; b) Work with other service providers and planning staff to collocate where feasible. Where collocation on an existing site is not feasible, develop new sites which are multi-carrier to facilitate future co-location thereby reducing the number of sites countywide; and C) Develop communication facilities (i.e. tower companies) with commitments from licensed carriers. The applicant has designed the proposed project to allow collocation on an existing wireless telecommunications facility site in accordance with Section 17.14.200 (B) of the County Code.

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

- E. *Visual: Visual simulations of the wireless communications facility (including all support facilities) shall be submitted. A visual simulation can consist of either a physical mockup of the facility, balloon simulation, computer simulation or other means.* Two photo simulations from two different vantage points have been submitted to Planning Services (Exhibits E-1 and E-2). The visual simulations show the addition of the three (3) pipe mounted antennas which will be painted brown and blend in with the existing tower. The proposed ground equipment is shielded from view by adjacent land uses by an existing chain-link fence with brown colored slats which match the brown color of the existing tower. The ground equipment is not visible in the photo simulations.
  
- F.1. *Screening: All facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to blend with the surrounding area (tees, barns, etc.). The facility shall be painted to blend with the prevalent architecture, natural features or vegetation of the site.* The applicant is proposing to place three (3) pipe mounted antennas on the existing water tower and the proposed antennas will be painted brown to match the existing tower (Exhibits E-1 and E-2). The proposed ground equipment will be screened from adjacent land uses by existing chain-link fencing with brown colored slats which also blends with the existing water tower and support structure.
  
- F.2. *Setbacks: As set forth in each applicable zoning district, except where locating the facility inside those setbacks is the most practical and unobtrusive location possible on the proposed site.* The project site is 50-foot by 50-foot (50' x 50', 2,500 square feet) in total area (Exhibit G). Pursuant to Section 17.28.080 the R1A zoning district requires 30-foot front and rear setbacks and 15-foot side yard setbacks which would not allow for proposed ground equipment to meet required setbacks. However, for this particular site locating the facilities within the required setbacks is the most practical and unobtrusive location possible, and is consistent with the existing improvements.

- F.3. *Maintenance: All improvements associated with the communication facility, including equipment shelters, towers, antenna, fencing, and landscaping shall be properly maintained at all times. Colors of towers and other improvements shall be maintained to ensure the appearance remains consistent with approved conditions related to color. Maintenance personnel would visit the site approximately twice a month, at which time the facilities would be inspected to ensure proper operation. The project has been conditioned to require that all improvements associated with the telecommunication facility shall be maintained at all times and MetroPCS facilities be consistent with the features depicted in the visual simulations (See conditions of approval).*
- G. *Radio Frequency Radiation (RF) Requirement: The application for a land use permit shall contain a report or summary of the estimates of the non-ionizing radiation generated by the facility. The report shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site, the extent that measurable fields extend in all directions from the facility. There have been concerns expressed by some federal and state public health agencies about possible negative effects from exposure to electromagnetic fields (EMF). EMF is emitted from all electrical sources, including utility power lines (i.e., PG&E electrical transmission lines) and from sources such as wireless facilities. In order to ensure that all proposed wireless facilities comply with the allowable limits established by the Federal Communication Commission (FCC), a Radio Frequency (RF) Report is required to be prepared for all wireless facilities. The RF Report for the proposed project is attached to this staff report as Exhibit H. The report lists the American National Standard Institute (ANSI) non-occupational exposure limitation for sites of this type at a combined total level of 1 milliwatt per square centimeter. The calculated maximum combined emission level of this site is 0.0056 milliwatts per square centimeter, or 1 percent of the ANSI maximum exposure limit. Thus, the report concludes that RF emissions from the existing and proposed antennas would not exceed the FCC exposure limits for the general population.*
- H. *Availability: All existing communication facilities shall be available to other carriers as long as structural or technological obstacles do not exist. The applicant has designed the proposed project to allow collocation on an existing wireless telecommunications facility site. A structural analysis will be performed on the water tower to demonstrate conformance with the safety requirements of the Uniform Building Code. This structural analysis will be provided at the time of the building permit application (See conditions of approval).*
- I. *Unused Facilities: All obsolete or unused communication facilities are to be removed within six (6) months after the use of that facility has ceased or the facility has been abandoned. The applicant shall notify the planning department at the time of abandonment and all disturbance related to the communication facility shall be restored to pre-project condition. The project has been conditioned to comply with this requirement (See conditions of approval).*

J. *Permit Application Requirements: In order to protect the visual character of established neighborhoods and to protect school children for potential safety hazards due to a potentially attractive nuisance, in addition to the noticing requirements of Chapter 17.22, the following shall be provided by the applicant:*

1. *The school district(s) in which the facility is located shall be identified. If the proposed wireless facility is located within 1000 feet of a school, the school district listed shall be notified during the initial consultation.*
2. *For facilities proposed to be located on residentially-zoned land, the applicant shall identify any homeowners association established by CC&Rs which might govern the property. Any homeowners association identified will be notified during the initial consultation.*

There are no schools located within 1,000 feet of the site and the parcel is not part of a subdivision which is governed by CC&Rs. The noticing requirements of Chapter 17.22 are sufficient.

After review of the submitted site plan, elevation and visual simulations, it has been determined that the proposed project meets the standards contained in Section 17.14.200 (E) through (J) of the County Code. The aesthetic impacts associated with the project have been fully considered.

Conclusion: As discussed above, staff finds the project, as proposed and conditioned, is consistent with all applicable provisions of County Zoning Ordinance Title 17.

**Five-Year Review:** Due to the ever-changing technology of wireless communication systems, special use permits related to wireless conditions are required to be reviewed by the Planning Commission every five years. The original facility, approved by the Zoning Administrator on December 3, 2003, is still operational. Based upon the review conducted for this collocation application, staff recommends that this entire facility be considered to be approved for use through a date five years issuance of the building permit.

See the attached site plan and elevation (Exhibit F and G). Photo simulations, as required under Section 17.14.200 (E), are also available to view (Exhibits E-1 and E-2). Additional documentation is located in the project file at Planning Services.

**Federal Communication Commission (FCC):** The Federal Communication Commission (FCC) prohibits local governments from denying a wireless facility project based on concerns about the dangers of exposure to radio frequency/EMF. This is due to inconclusive evidence about the health risk of exposure to radio frequency EMF.

## **ENVIRONMENTAL REVIEW**

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15303 of the CEQA Guidelines which states that Class 3 exemptions consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures... include, but are not limited to: (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. Although not

specifically listed, collocation of wireless communication equipment at an existing facility is similar to the items listed in Section 15303 of the CEQA Guidelines.

Pursuant to Resolution No. 240-93, a \$50.<sup>00</sup> processing fee is required by the County Recorder to file the Notice of Exemption.

**RECOMMENDATION**

Staff recommends the Zoning Administrator take the following actions:

1. Find the project is Exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures); and
2. Approve Special Use Permit S03-0024-R2 based on the findings in Attachment 2 and subject to the conditions in Attachment 1.

**SUPPORT INFORMATION**

**Attachments:**

- Attachment 1 ..... Conditions of Approval
- Attachment 2 ..... Findings
  
- Exhibit A ..... Vicinity Map
- Exhibit B ..... Assessor’s Parcel Map
- Exhibit C ..... General Plan Land Use Map
- Exhibit D ..... Zoning Map
- Exhibit E-1 and E-2..... Visual Simulations
- Exhibit F ..... Site Plan, Sheet A-1
- Exhibit G ..... Elevations, Sheet A-2
- Exhibit H ..... Radio Frequency (RF) Report

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

File Number S03-0024-R2 – Diamond Road Site/MetroPCS  
May 7, 2008 Zoning Administrator Hearing

### El Dorado County Planning Services

1. This special use permit revision is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked; Exhibits E-1 and E-2 dated October 25, 2007, Exhibits F,G, and H dated May 7, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project, as originally approved, consists of the following:

The project shall consist of the co-location of six (6) antennas at the ~~seventy-foot (70')~~ sixty-foot (60') level onto an existing and abandoned water tower, approximately ~~eighty-five feet (85')~~ sixty-six feet (66') in height. The supporting facilities are to be one (1) 69" x 34<sup>1</sup>/<sub>4</sub>" x 31<sup>3</sup>/<sub>4</sub>" equipment cabinet within a fenced 55" x 66" area on a concrete pad.

Revision S07-0034 consisted of the following:

A revision to a special use permit to allow an addition of a second equipment box at an existing wireless telecommunications facility.

Revision S07-0034-R2 consists of the following:

A revision to a special use permit to allow collocation of three (3) pipe mounted antennas at a height of 72 feet on an existing 66-foot tall water tower. Additionally, MetroPCS will install up to three (3) radio cabinets within the existing chain-link fenced compound.

Project equipment shall be located within a 16-foot by 10-foot (16' x 10', 160 square feet) lease area, within an existing six (6) foot tall chain-link fenced enclosure with brown colored slats. The lease area shall support up to three (3) new radio equipment cabinets, adjacent to the base of the water tower and west of an existing concrete equipment shelter and woodcrete fenced enclosure now operated by Verizon Wireless. The existing fencing shall not be enlarged to accommodate the additional equipment. All damaged or missing slats shall be replaced. All MetroPCS equipment within the leased area shall be mounted atop a 16 foot by 10 foot (16' x 10', 160 square feet) concrete slab. Proposed construction would also include a new 200 amp electrical panel and meter, a Global Positioning System (GPS) unit, and a motion-controlled fully-shielded floodlight.



The facility shall continue to be served via an existing approximately 100-foot long gravel driveway. The facility shall remain unmanned, and visited approximately once to twice per month for maintenance purposes.

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. All Development Services fees for processing this application shall be paid in full prior to issuance of a Building Permit.
3. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the applicant and landowner agrees 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 applicant 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 subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

- 2.4. All site improvements shall conform to Exhibits ~~E~~, E-1, E-2, F, ~~F-1~~, and ~~F-2~~. and G. Conformance to these Exhibits shall include:
  - a. All antennas and connecting infrastructure shall be painted and maintained in a rust/brown color matching that of the existing tower (tank and legs).
  - b. The fence surrounding the equipment yard area shall be a minimum of six feet (6') in height. At no time shall any supporting equipment housed within the equipment yard extend above the top of the fence.
  - c. The equipment yard fence shall be lined with slats, and both the fence and the slats shall be painted a rust/brown color such that a blending of the fence and slats with the surrounding area is achieved.
3. ~~During all grading and construction activities in the project area, an Archaeologist or Historian approved by the Planning Director shall be on call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease~~

~~within fifty feet (50') of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance. The project grading and building plans shall include this condition of approval on the plans. The Planning Department shall review the grading and building plans prior to issuance of a grading or building permit.~~

~~Further, in the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within twenty four (24) hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. The project grading and building plans shall include this condition of approval on the plans. The Planning Department shall review the grading and building plans prior to the issuance of the grading or building permit.~~

- 4.5. The project shall be subject to a building permit from the El Dorado County Building Department. During the construction and location of the facilities allowed by this special use permit and the building permit referenced above, all reasonable precautions shall be taken to protect the existing tower from damage or deterioration. The measures by which this shall be done shall be shown on the building permit.
- 5.6. The applicant shall repair all damage to the access road (Wedge Hill Road) from Missouri Flat Road to the project site.
- 6.7. All improvements associated with the communication facility, including equipment shelters, towers, antenna, fencing, and landscaping shall be properly maintained at all times. Colors of towers and other improvements shall be maintained to ensure the appearance remains consistent with approved conditions relating to color. Should the colors change as the result of time or conditions currently unforeseen, appropriate modifications to the facility colors must be changed as well.
- 7.8. All obsolete or unused communication facilities shall be removed within six (6) months after the use of the facility has ceased or after the facility has been abandoned. The applicant shall notify ~~the Planning Department~~ Services at the time of abandonment, and all disturbance related to the communication facility shall be restored to pre-project condition.
- 8.9. Due to the ever-changing technology of wireless communications systems, this special use permit shall be reviewed by the Planning commission every five years. The original facility approved by the Zoning Administrator on December 3, 2003, is still operational. Based upon the review conducted for this collocation application, the facility is considered approved for use through a date five years after Zoning Administrator approval of the revised special use permit. At each five-year review, the permit holder shall provide the

Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning commission shall review the status report and, based on an assessment of the information provided, current wireless communication technology, and possible local or cumulative impacts, determine whether to:

- a. Modify the conditions of approval in order to reduce identified adverse impacts; and
- b. Initiate proceedings to revoke the Special Use Permit, requiring the facility's removal, if it is no longer an integral part of the wireless communications system; or
- c. Allow the facility to operate under all applicable conditions.

By operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning commission to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee as determined by the Planning Director to cover the cost of processing a five-year review on a time and materials basis.

- ~~9.10.~~ Prior to the issuance of any development permit commencement of any use authorized by this permit, the applicant shall submit in writing how each of the Conditions of Approval are satisfied provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services for verification of compliance with applicable conditions of approval. The operator shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
- ~~10.11.~~ Pursuant to Resolution No. 240-93, a ~~\$35.00~~ \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning ~~Department~~ Services prior to the issuance of any development permit being issued on the project parcel. Said fee must be presented to the El Dorado County Planning Department within sixty (60) days of this approval.
12. Future collocations shall be considered by the Zoning Administrator in accordance with Section 17.14.200.(3) of the County Zoning Ordinance.
13. Lighting shall only be used for night-time maintenance and shall operate by a motion sensor only and be fully-shielded.
14. At the time of building plan submittal, the project applicant will submit a structural analysis on the water tank to demonstrate conformance with the safety requirements of the Uniform Building Code.
15. 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.

## ATTACHMENT 2 FINDINGS

File Number S03-0024-R2 – Diamond Road Site/MetroPCS  
May 7, 2008 Zoning Administrator Hearing

### **1.0 CEQA FINDINGS**

- 1.1 Although collocation of wireless telecommunication facilities is not specifically listed in Section 15303 of the CEQA Guidelines, the items listed in Section 15303 are similar to collocation of wireless communication equipment at an existing facility. Staff has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines. Class 3 exemptions consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures... include, but are not limited to: (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.
- 1.2 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.

### **2.0 SPECIAL USE PERMIT FINDINGS**

#### **2.1 The issuance of the permit is consistent with the General Plan;**

It can be found that the proposed use is consistent with the policies in the 2004 El Dorado County General Plan, as discussed in the General Plan section of this staff report. The proposed use is consistent with the Policies 2.2.5.21 and 5.6.1.4 in the 2004 El Dorado County General Plan because the aesthetics of the proposed collocation of pipe mounted antennas and related ground equipment have been addressed and the designed attempts to minimize the effects on adjacent properties. The proposed antennas will be painted brown to match the existing tower. The proposed ground equipment will be screened from adjacent land uses by existing chain-link fencing with brown colored slats which also blends with the existing water tower.

#### **2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;**

The proposed use would not 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 one (1) percent of the public safety standard established by the FCC the risk of the release of hazardous materials or emissions to the public is remote.

**2.3 The proposed use is specifically permitted by special use permit pursuant to this Title.**

Pursuant to Section 17.14.200 (D) (3) of the County Code requires a Special Use Permit for collocation of new antennas on existing non-building structures or public facilities. Section 17.22 outlines the requirements for special use permits and the project and associated materials have been reviewed in accordance with this section. Also, the proposed use complies with the requirements of County Code Sections 17.14.200 (E) through (J) and 17.28.050 thru 17.28.080. As proposed, the project is consistent with these requirements.