

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



Agenda of: January 21, 2009
Item No.: 4.b.
Staff: Thomas A. Lloyd

SPECIAL USE PERMIT REVISION

FILE NUMBER: S01-0005-R1/Verizon PG&E collocation

APPLICANT: Verizon/Complete Wireless

AGENT: Jillian Faria

PROPERTY OWNER: Pacific Gas and Electric

REQUEST: Revision to a special use permit to allow replacement of three panel antennas atop an existing 14-foot pole extension on an 84.2-foot Pacific Gas and Electric Transmission pole. Additionally, the revision will allow the installation of a seven-foot by 22-foot pre-fabricated equipment shelter, a standby diesel generator with a 210 gallon fuel storage tank, two GPS antennas, two air conditioning units, and necessary electrical and telecommunications service connections within a fenced 13-foot by 50-foot lease area. The back-up emergency generator will be utilized in response to power outages or disaster. The generator will be operated for approximately one hour per week for testing and during any outage or disaster. No lighting is proposed.

LOCATION: On the east side of Sunset Lane, 1,000 feet northeast of the intersection with South Shingle Road in the Shingle Springs area; Supervisorial District II (Exhibit A)

APN: 090-430-23

ACREAGE: 1.0 acre

GENERAL PLAN: Multi-Family Residential (MFR) (Exhibit B)

ZONING: One-Acre Residential (R1-A) (Exhibit C)

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

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 S01-0005-R1 based on the findings in Attachment 2 and subject to the conditions in Attachment 1.

BACKGROUND: The original Special Use Permit, S01-0005, was approved by the County Planning Commission on June 14, 2001. It approved the installation and operation of a cellular communications facility including the installation of three panel antennas flush mounted to the existing PG&E pole, a single equipment cabinet located within a 247 square foot lease area, and a GPS antenna mounted atop a ten-foot, eight-inch pole inside the lease area.

On July 3, 2001, a letter was issued from the El Dorado County Building Department to the applicant stating that the approved installation and appurtenances were not within the jurisdiction of the Building Department as they were to be located within a public utility easement. As such, the Building Department required no permit or review, with the caveat that should PG&E require a County electrical permit prior to setting a meter for new electrical service, the request would be accommodated by the County.

Verizon Wireless, through Complete Wireless Consulting, submitted the proposed revision to Special Use Permit, S01-0005, on October 28, 2008, and the application was deemed complete on October 29, 2008.

STAFF ANALYSIS

Project Description: The project applicant requests a revision to a special use permit to allow replacement of three panel antennas atop an existing 14-foot pole extension on an 84.2-foot Pacific Gas and Electric Transmission pole. Additionally, the revision will allow the installation of a seven-foot by 22-foot pre-fabricated equipment shelter, a standby diesel generator with a 210 gallon fuel storage tank, two GPS antennas, two air conditioning units, and necessary electrical and telecommunications service connections within a fenced 13-foot by 50-foot lease area. No lighting is proposed. The facility will remain unmanned, and visited approximately once to twice per month for maintenance purposes. (Exhibits F and G).

As a result of a new Pacific Gas and Electric requirement, the new equipment facility must now be located a minimum of 30 feet from the base of the pole, a change from the original approved permit. The existing fenced enclosure and equipment cabinets, originally installed and operated by SureWest and since acquired by Verizon Wireless, will be removed as they are neither compatible with PG&E requirements, nor Verizon technology.

Site Description: The site is located in the Shingle Springs area. The parcel is located at approximately 1,500 feet above mean sea level, is surrounded by a mixture of single-family residential and commercial land uses, is relatively flat, and is predominately vegetated with grasses, oak, and eucalyptus trees. The site is accessible via Becken Lane, a short gravel stub out from Sunset Lane.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R1A	MFR	PG&E Transmission Tower w/ cellular equipment
North	R1A	MFR	Undeveloped/Single Family Residence
South	R1A	MDR	Single-Family Residence
East	R1A	MDR	Single-Family Residence
West	C	C	Warehouse/Office

General Plan: The General Plan designates the subject site as Multi-family Residential (MFR). This land use designation identifies those areas suitable for high-density, multifamily structures such as apartments, single-family attached dwelling units (i.e., air-space condominiums, townhouses) and multiplexes. 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 sector antennas are designed in such a way as to mimic the existing PG&E pole. Further, the antennas are so similar to those being replaced that the additional visual impact of the antennas would be negligible. Finally, the proposed ground equipment will, for the most part, be screened from adjacent land uses with new redwood fencing, as was the case with the original special use permit for the site. (Exhibits E-1 and E-2).

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. All project-related environmental issues have been evaluated during the research leading up to this staff report.

General Plan **Table 6-2** identifies noise level protection standards for noise sensitive land uses affected by non-transportation sources. In the Verizon Backup generator “Cheat Sheet” provided by the applicant, the proposed diesel generator has been shown to produce 59.5 dB at a distance of 30 feet (Exhibit J). As shown on the attached site plan, the parcel to the south of the subject parcel is approximately 30 feet from the proposed lease area, and has been developed residentially. Table 6-2 mandates a daytime maximum level of 70dB in a Community Region. As such, the facility would be consistent with this noise standard of the General Plan.

Conclusion: Staff finds that the project, as proposed and conditioned, conforms to the General Plan, specifically Policies 2.2.5.21, 5.6.1.4, and Table 6-2.

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 replacement of the three existing pole mounted antennas with the three new antennas, as well as the replacement of the old fenced enclosure with the new one. The proposed ground equipment will be mostly shielded from view by the proposed brown colored redwood fencing.

- 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 (trees, barns, etc.). The facility shall be painted to blend with the prevalent architecture, natural features or vegetation of the site.* The proposed sector antennas are designed in such a way as to mimic the existing PG&E pole. Further, the antennas are so similar to those being replaced that the additional visual impact of the antennas would be negligible. Finally, the proposed ground equipment will, for the most part, be screened from adjacent land uses with new redwood fencing, as was the case with the original special use permit for the site.

- 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 a 13-foot by 50-foot lease area, or 650 square feet in total area (Exhibit F). Pursuant to Section 17.28.080, the R1A zone district requires

30-foot front and rear setbacks and 15-foot side yard setbacks. The proposed lease area, and associated equipment located within, are located more than 200 feet from the front of the parcel, more than 300 feet from the rear of the parcel, and more than 25 feet from each of the sides, thus meeting the setback requirements.

- 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 Verizon facilities shall 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, measured at 1,000 feet from the base of the tower at a combined total level of 587 microwatts per square centimeter. The calculated maximum combined emission level of this site is 1.237 microwatts per square centimeter, or 0.21 percent of the ANSI maximum exposure limit. These numbers were calculated taking the site's specific antenna patterns into account. The power density 1,000 feet away from the tower is greater than the power density at the base of the tower because the antenna's power is directed outward rather than downward. Thus, the report concludes that RF emissions from the 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 project has been conditioned to allow future collocation, should the site be structurally and technologically feasible as a collocation site. Since the construction of the PG&E tower, and the structures within the utility easement have been determined to be outside the jurisdiction of the County Building Department, this structural feasibility would be

determined by PG&E, and subject to any and all codes, policies, and regulations placed upon it by applicable agencies. (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, including the fenced enclosure, existing antennas, and equipment cabinets and approved by the Planning Commission June 14, 2001, will be replaced by this facility. The project has been conditioned such that the site shall be reviewed by the Planning Commission every five years, at the applicant's expense.

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

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

The American National Standards Institute and the Institute of Electrical and Electronics Engineers (IEEE) have published a standard called ANSI/IRRR C95.1-1992, which until recently set recommended maximum power density levels for radio frequency (RF) energy originating from communications sites and other sources. The Federal Communications Commission (FCC) has also produced its own guidelines, which are more stringent and supersede the ANSI standard. The FCC rules categorically exclude certain transmitting facilities from routine evaluations for compliance with the RF emission guidelines if it can be determined that it is unlikely to cause workers or the general public to become exposed to emission that exceed the guidelines. The following table represents the FCC limits for both occupational and general population exposures to different radio frequencies:

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

A report provided by the applicant and dated October 24, 2008, demonstrates the maximum public RF exposure from the site with all channels on antennas operating at full capacity is 0.21 percent of the general public safety standard established by the ANSI and the FCC (Exhibit H). Therefore, the risk of release of hazardous materials or emissions to the public is remote.

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 \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments:

- Attachment 1 Conditions of Approval
- Attachment 2 Findings

- Exhibit A Vicinity Map
- Exhibit B General Plan Land Use Map
- Exhibit C Zoning Map
- Exhibit D Assessor’s Map
- Exhibit E-1 and E-2..... Visual Simulations
- Exhibit F Site Plan
- Exhibit G Elevations
- Exhibit H Radio Frequency (RF) Report
- Exhibit I Site Visit Photos
- Exhibit J Backup Generator “Cheat Sheet”

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number S01-0005-R1/Verizon PG&E collocation
January 21, 2009 Zoning Administrator Hearing

Approved Development

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 A-I dated January 21, 2009, 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, consisted of the following:

4. This approval authorizes the installation and operation of a cellular communications facility including the following improvements:
 - a. Installation of three panel antennas flush mounted to the existing PG&E pole
 - b. An equipment cabinet located within a 247 square foot lease area
 - c. A GPS antenna mounted atop a 10'8" pole inside the lease area

Revision S 01-0005-R1 consists of the following:

A revision to a special use permit to allow replacement of three panel antennas atop an existing 14-foot pole extension on an 84.2-foot Pacific Gas and Electric Transmission pole. Additionally, the revision will allow the installation of a seven-foot by 22-foot pre-fabricated equipment shelter, a standby diesel generator with a 210 gallon fuel storage tank, two GPS antennas, two air conditioning units, and necessary electrical and telecommunications service connections within a fenced 13-foot by 50-foot lease area. The back-up emergency generator will be utilized in response to power outages or disaster. The generator will be operated for approximately one hour per week between the hours of 7am and 7pm for testing and during any outage or disaster. No lighting is proposed. 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 placement of any new equipment on the property.
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 applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

Site Development

- ~~2. All site development shall be consistent with the approved site plan and elevations in Attachments D and E.~~
- ~~3. The maximum height of the panel antennas mounted on poles shall not exceed 90 feet above finished grade. The communications equipment cabinet shall not exceed 6 feet in height.~~
4. All improvements associated with the communication facility, including equipment shelters, towers, antenna, and fencing shall be properly maintained at all times. Improvements shall be maintained to ensure the appearance remains consistent with approved conditions relating to appearance. Should the colors change as the result of time or conditions currently unforeseen, appropriate modifications to the facility colors must be changed as well.
5. 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 Planning Services at the time of abandonment, and all disturbance related to the communication facility shall be restored to pre-project condition.

Miscellaneous

6. Due to the ever-changing technology of wireless communications systems, this special use permit shall be reviewed by the Planning commission every five years. At each five-year review, the permit holder shall provide the Planning Commission with a status report on the then current use of the subject site and related equipment. The Planning commission shall

review the status report and, based on an assessment of the information provided, current wireless 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.

- ~~4. The applicant shall obtain a building permit from the El Dorado County Building Department.~~
- ~~7. Prior to 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 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.~~
- ~~5. The project shall comply with applicable requirements of the El Dorado County Department of Transportation~~
- ~~6. Prior to final inspection, the applicant shall construct a 12 foot minimum width access road from the paved encroachment to the leased site with 4 inch thick aggregate base surfacing, or as otherwise approved by the fire district.~~
- ~~7. At such time the applicant abandons the cellular communications site, disturbance related to the installation of this project shall be restored to pre-project condition.~~
8. The communication facility covered by this permit shall at all times be operated in conformance with all applicable Federal standards and guidelines.
9. The applicant agrees to allow cellular carriers to co-locate at this site, if technologically feasible, subject to land use permit approval.

10. Future collocations shall be considered by the Zoning Administrator in accordance with Section 17.14.200.(3) of the County Zoning Ordinance.
11. Pursuant to Resolution No. 240-93, a \$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 Services prior to the issuance of any development permit on the project parcel. Said fee must be presented to Planning Services within sixty (60) days of this approval.
12. 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 S01-005-R1/Verizon PG&E collocation
January 21, 2009 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;

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 applicable General Plan Policies including 2.2.5.21 (compatibility with surrounding land uses) and 5.6.1.4 (Special Use Permit required), as well as Table 6-2 (noise standards) because the proposed sector antennas are designed in such a way as to mimic the existing PG&E pole. Further, the antennas are so similar to those being replaced that the additional visual impact of the antennas would be negligible. Finally, the proposed ground equipment will, for the most part, be screened from adjacent land uses with new redwood fencing, as was the case with the original special use permit for the site. Additionally, the proposed diesel generator has been shown to produce 59.5 dB at a distance of 30 feet. The parcel to the south of the subject parcel is approximately 30 feet from the proposed lease area, and has been developed residentially. Table 6-2 mandates a daytime maximum level of 70dB (7am-7pm) in a Community Region the only time during which the generator will be tested. Extended use of the generator would only be permitted in an emergency situation.

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. The public will be both screened and protected from the equipment housed in the lease area by fencing. Further, at 0.21 percent of the public safety standard established by the FCC, RF emissions from the proposed antennas would not exceed the FCC exposure limits for the general population.

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

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.