

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



**Agenda of:** July 1, 2009  
**Item No.:** 4.b.  
**Staff:** Tom Dougherty

**SPECIAL USE PERMIT REVISION**

**FILE NUMBER:** S99-0011-R-2/Communication Tower – Cameron Park

**APPLICANT:** T-Mobile

**AGENT:** Applied Wireless Consulting, Rama Gulati

**PROPERTY OWNER:** John and Marion Harris

**REQUEST:** Revision to a Special Use Permit to allow collocation of one new wireless antenna, replace three existing antennas, and install one radio equipment cabinet within the existing lease area.

**LOCATION:** On the north side of Lariat Drive approximately 750 feet west of the intersection with Flying C Drive in the Cameron Park area, Supervisorial District II. (Exhibit A)

**APN:** 109-250-45 (Exhibit B)

**ACREAGE:** 4.67 acres

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

**ZONING:** Estate Residential Five-Acre (RE-5) (Exhibit D)

**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 S99-0011-R-2 based on the findings in Attachment 2 and subject to the conditions in Attachment 1.

**BACKGROUND:** In 1996 the Planning Commission approved Special Use Permit S96-0011 to allow a Sprint cellular communication facility. That permit expired without being activated.

Special Use Permit S99-0011 was approved by the Planning Commission on September 9, 1999 for Sprint PCS to construct a wireless communication facility, as well as the equipment necessary to support the Sheriff communication network. The permit included approval of an 80-foot tall galvanized steel monopole, a 6-foot tall chain link fence with two gates, six panel antennas at the 80-foot height, five BTS cabinets, one GPS antenna, and one 20-foot tall whip antenna at the top of the monopole. Future opportunities for co-location were to be accommodated. The facility was to be located within a 30-foot by 40-foot lease area.

Special Use Permit S02-0034 was submitted by Cingular Wireless in 2002 requesting the co-location of three antennas at the 51-foot level. That application was withdrawn because it was determined by Planning Services staff that Condition no. 8 of S99-0011 permitted the co-location without discretionary review. A building permit was issued on August 30, 2002.

Special Use Permit S03-0028 was approved by the Zoning Administrator on December 17, 2003 to allow Metro PCS to co-locate six antennas at the 70-foot height on the existing monopole, removal of the 20-foot Sheriff's whip antenna from atop the tower and reduce the overall height of the tower to 80 feet.

Special Use Permit S05-0028 was approved by the Planning Commission on February 23, 2006 which permitted a new wireless communications facility adjacent to the subject monopole on the same parcel. The permit approved an 85-foot tall monopole, 12 panel antennas, and associated ground support equipment. Two microwave dishes were to be located at 84 feet and 77 feet.

In January of 2005, T-Mobile acquired Cingular Wireless. Special Use Permit S99-0011-R-1 was approved by the Zoning Administrator on September 20, 2006 and permitted the co-location of three (3) RF antennas, one (1) Rubix BTS equipment cabinet, one (1) GPS antenna, one (1) electric Telco cabinet, one (1) waveguard bridge, and related appurtenances and equipment.

Sprint, Metro PCS, and Cingular each installed three (3) RF antennas on the pole for a total of nine (9) RF antennas. Other minor antennas and equipment including two whip and one GPS system antennas are all currently located on an existing 80-foot tall self-standing monopole. All support equipment is located within the 1,200 square foot ground lease area. The facility is currently served by a gravel access drive connecting to Flying C Road.

## STAFF ANALYSIS

**Project Description:** T-Mobile is requesting a minor revision to the Special Use Permit to replace three (3) antennas with three new antennas and install one additional antenna (for a total of four) at the 51-foot level on the existing 80-foot tall galvanized steel monopole. A new BTS radio cabinet would be placed within the existing lease area. The cabinet and antennas would be painted with non-reflective paint to match the existing facilities. The facility would remain unmanned, and all facilities would be visited approximately once to twice per month for maintenance purposes.

**Site Description:** The project area lies at an elevation of approximately 1,353 feet above mean sea level. The 4.67-acre parcel contains an existing 2,076 square-foot single-family residence that was built in 1982, along with a barn, corral, orchard, and pool. The proposed site is approximately 250 feet north of the barn on a strip of land north of a line of eucalyptus trees that was previously graded and excavated to construct a PG&E transmission and local distribution line. The distribution line is approximately 50-feet above ground level and the transmission line approximately 100 feet. The house is separated from views of the existing pole by native oaks and a row of eucalyptus trees adjacent to the pole lease area. There is an 85-foot tall monopine currently occupying the same parcel constructed by Verizon.

### Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	LDR	Residential/Single-family residence and a wireless communication facility
North	RE-5	LDR	Residential/Public utilities
South	RE-5	LDR	Residential/ Single-family residence
East	RE-5	LDR	Residential/ Single-family residence
West	RE-5	LDR	Open space/Vacant

**General Plan:** The General Plan designation of the subject site is Low Density Residential (LDR). This designation permits wireless communication facility in a residential land use with a Special Use Permit. *Policy 5.6.1.4* of the General Plan 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. Therefore, staff finds that the project, as conditioned, conforms to the General Plan.

**Zoning** The proposed use is permitted in the Estate Residential Five-Acre (RE-5) Zone District, pursuant to Section 17.14.210 (D) of the County Code.

*Use Permitted.* *Wireless communication facilities, as defined in Section 17.06.050 of the County Code, shall be permitted in all Zone Districts, subject to the following standards and permitting requirements.*

Co-location of wireless telecommunication providers on existing facilities is permitted if reviewed and approved under the discretionary review process. Section 17.14.210(D) (4) states the placement of antennas on an existing approved monopole or tower may be permitted subject to approval of a minor use permit by the Zoning administrator. In this case, a revision to an approved Special Use Permit is requested in order to consider the co-location candidate site on a residentially zoned parcel and prior to installation and/or operation of added equipment.

**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-simulation to adequately reflect the changes that are being requested under this action. The photo-simulation would be used during the plan check permit process to ensure that the project adequately reflects approval of the Zoning Administrator and as part of the exhibits approved with the application. Photo-simulations of the wireless facility are included as Exhibit G.
  
- F. **Development Standards:**
  - 1. **Screening:** The existing trees and tree canopy screens a large portion of the existing 80-foot tall monopole. The new antenna and replacement of antennas would not create significant negative visual impact to the surrounding area. The color scheme of antenna and equipment has been conditioned to match the approved and existing colors of the existing facility.
  - 2. **Setbacks:** The facility was previously approved at its current location, and the request for co-location would not create any further encroachments beyond the existing and disturbed project footprint of the at-grade lease and access areas. Refer to Site Plan in Exhibit E2.
  - 3. **Maintenance:** The site is required to be maintained at all times. A Condition of Approval has been included requiring the 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). T-Mobile has submitted a report indicating that the maximum power density at ground level operations would be 0.000086 milliwatts per square centimeter ( $\text{mW}/\text{cm}^2$ ), or 0.015-percent of the applicable public limit. The maximum calculated cumulative effect of the entire on-site system, however, accounts for a higher effect of 0.44-percent of the maximum allowable public exposure limits, and well below the 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.

- 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 project has been conditioned to allow for continued opportunities for co-location on this facility, with approval of a Special Use Permit reviewed by either the Zoning Administrator or the Planning Commission, depending on future requests and project conformance with the applicable regulations.
- 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 (Condition no. 10).
- 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. There are no schools within 1,000 feet of the site and this site is not governed by CC&Rs.

After review of the submitted project plans, including site plan, elevations, and visual simulations, it has been determined that the proposed project meets the standards contained in Section 17.14.210 E through J of the County Code.

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

**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.

**Agency and Public Comments:** At the time of the preparation of this report, staff had not received any comments from the public. The minor nature of the co-location project does not warrant a review by the Cameron Park Design Review Committee. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

## **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:

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

Based on the submitted RF study, the maximum public RF exposure from the site with all channels on antennas operating at full capacity is 0.54 percent of the general public safety standard established by the ANSI and the FCC. Therefore, the risk of release of hazardous materials or emissions to the public is remote.

This project has been found to be Categorically 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... which 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.

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

## SUPPORT INFORMATION

### Attachments to Staff Report:

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 E1 .....	Title Sheet, T-1 dated March 8, 2009
Exhibit E2.....	Site Plan, A-1 dated March 8, 2009
Exhibit E3.....	Elevations, A-2 dated March 8, 2009
Exhibit F1, F2, F3 .....	Site Photos
Exhibit G .....	Aerial Photo
Exhibits H1, H2.....	Visual Simulations

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

Special Use Permit Revision  
File Number S99-0011-R-2/Communications Tower – Cameron Park  
Zoning Administrator/July 1, 2009

### PROJECT DESCRIPTION

1. ~~This sSpecial uUse pPermit S99-0011~~ authorizes~~d~~ the following uses on Assessor's Parcel Number 109-250-45:

Establishment of a 1,200 (30' x 40') square foot lease area surrounded by a 6-foot-tall chain-link fence, an 80-foot-tall monopole structure with three initial (3 future: 6 total) non-projecting sectorized antenna panels, each five feet high by eight inches thick (5' by 8"), placement of a Global Positioning System (GPS) antenna one foot in height placed on a 2 foot projecting steel arm, placement of two Yagi's antennas 36 inches in length and 12 inches apart, placement of a 20' tall Sheriff's Department Omni whip antenna, and a base transceiver station consisting of five equipment cabinets, each approximately 5 feet in height.

Revision S99-000011-R-1 consisted of the following:

The revision amends~~d~~ the original permit by allowing the co-location of the following antenna and equipment on the existing wireless telecommunication facility: three (3) RF antenna, one (1) Rubix BTS equipment cabinet, one (1) GPS antenna, one (1) electric Telco cabinet, one (1) waveguard bridge, and related appurtenances and equipment. All equipment and site improvements shall be made on the existing monopole, within the existing 1,200 square foot ground lease area, and/or as referenced by attached Exhibit F (of that previous staff report).

Revision S99-0011-R-2 consists of the following:

This Special Use Permit revision is based upon and limited to compliance with the project description, the Zoning Administrator hearing exhibits marked A through J dated July 1, 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 revision amends the original permit to allow the replacement of three antennas with three new antennas and install one additional antenna (for a total of four) at the 51-foot height on the existing 80-foot tall tower. One new 3106 UMTS BTS radio cabinet shall be placed within the existing lease area. The facility shall continue to be served via the existing access driveway traveling east from the lease area to the cul-de-sac on Flying "C" Road.

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.

## **EL DORADO COUNTY PLANNING SERVICES**

2. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual," the "Grading, Erosion, and sediment Control Ordinance," the "Drainage Manual," the "Off-Street Parking and Loading Ordinance," and the State of California Handicapped Accessibility Standards.
3. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to commencement of any work performed.
4. The applicant shall be subject to any and all requirements of the El Dorado County Fire Protection District prior to and during the building permit process. The fire department may review the building plans and forward recommendations and requirements to the builder/operator.
5. The access road shall be constructed to State Fire Safe Standards regarding width, structural section, and turnaround area
6. The applicant shall apply for and secure a building permit from ~~the El Dorado Building Department~~ Services prior to commencing construction.
7. The applicant (~~Sprint Nextel~~ T-Mobile) 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.
8. Additional antennas may be mounted on the monopole in addition to those described in permit S99-0011 or as referenced in Condition 1 of this permit as illustrated on the attached exhibits, and subject to review and approval by the Planning Development Services Director. Should the Director find that an antenna may create a visual impact, the Director shall decide if the changes will be reviewed by the Zoning Administrator or the Planning Commission.
9. The applicant shall consent to the co-location of other wireless telecommunication communication users either on their monopole or immediately adjacent to their site when the increase in pole height would be undesirable. Any increase in pole height or addition of additional cellular antennas will require an amendment to this special use permit under the permit process referenced by Condition 8.

10. 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.
  
11. ~~Due to the ever changing technology of wireless communication technology and systems, this special use permit shall be reviewed by the El Dorado County 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 property and related equipment. The Planning Commission shall review the status report and, based upon an assessment of the information provided, current wireless technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and/or (2) Initiate proceedings to revoke the special use permit, requiring the facility's removal, if it is no longer an integral part of the wireless communication system. By operation of this condition, it is the intent of the Planning Commission to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Planning Commission to conduct or complete five year review in a timely fashion shall not invalidate this special use permit. The applicant shall pay a fee as determined by the Planning Director to cover the cost of the 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.

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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.
  
12. 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 monopole shall be maintained in order to provide a quality and aesthetically pleasing exterior finish, including maintenance and upkeep of the earth-tone color, as referenced by photo-simulation Exhibit H1 and H2. All facility RF antennas shall be painted with non-reflective paint and maintained to match the color of the monopole. Colors of the monopole, antenna, and other appurtenances shall be maintained to ensure the appearance remains consistent.
  
13. The facility serving access easement shall be improved and maintained in good repair with asphaltic concrete (AC) and/or materials approved by the ~~Air Pollution Control~~ Quality

Management District (APCD) and the Department of Transportation (DOT), at all times.

14. 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.
15. A \$50.00 administrative 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 being issued on the project parcel.
16. 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.
17. All Development Services fees for processing this application shall be paid in full \_\_\_\_\_ prior to issuance of a Building Permit.
18. 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/owner of any claim, action, or proceeding and County will cooperate fully in the defense.

#### **El Dorado County ~~Environmental Management~~, Air Quality Management District**

- ~~14. The project is within the Asbestos Review area. The Air Pollution Control District (APCD) will require the access road be paved and maintained, at all times.~~
- 15.19. Prior to the approval of grading, site improvement plans, and/or building permits, the applicant shall submit for and obtain approval of an Asbestos Dust Mitigation Plan (ADMP) by El Dorado County Environmental Management.
- ~~16.20. Burning of wastes that result from "Land Development Clearing" must be permitted through the APCD. Only vegetative waste material may be disposed of using a permitted open outdoor fire (Rule 300).~~

- ~~17.~~21. Project construction may involve road development and shall adhere to APCD Rule 224 addressing Cutback and Emulsified Asphalt Paving Material.
- ~~18.~~22. The following measures shall be implemented during construction activities to maintain the air quality standards established by the APCD. The standards include: use of low emission on-site mobile construction equipment, maintenance of on-site equipment to manufacturer's specifications, retardation of on-site diesel engine injection timing by two to four degrees, use of electricity from power poles rather than temporary gasoline or diesel generators, use of reformulated low-emission diesel fuel, use of catalytic converters on gasoline powered equipment, substitution of electric and gasoline powered equipment for diesel-powered equipment where feasible, inactive construction equipment shall not remain idling for periods in excess of two minutes, materials shall be scheduled for delivery during off-peak hours.
- ~~19.~~ 23. Prior to the installation or approval of any new point source emission units or non-permitted emissions units such as emergency generators, an authority to construct (and install) application shall be submitted for approval by the APCD. The applicant shall include facility diagrams, equipment specifications, and emission factors.

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

24. If this facility will store reportable quantities of hazardous materials (55 gallons, 500 lbs, 200 cubic feet) or generate hazardous waste, prior to commencing operations the owner/operator shall:
- a. Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
  - b. Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
  - c. Train all employees to properly handle hazardous materials and wastes.
  - d. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.

## **ATTACHMENT 2** **FINDINGS**

Special Use Permit  
File Number S99-0011-R-2/Communication Tower – Cameron Park  
Zoning Administrator/July 1, 2009

### **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 El Dorado County General Plan, as discussed in the General Plan section of this staff report. The proposed use is consistent with all applicable policies including Policy 5.6.1.4 (special use permit required) because the aesthetics of the proposed collocation and related ground equipment have been designed to minimize the effects on adjacent properties. The proposed antennas will be painted 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 will blend 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 less than one percent of the public safety standard established by the FCC, the risk of emissions to the public is remote.

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

Section 17.14.210 (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. The proposed use complies with the requirements of County Code Sections 17.14.200 (E) through (J) and 17.28.170 thru 17.28.210. As proposed, the project is consistent with these requirements.