

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



Agenda of: July 15, 2009
Item No.: 4.a.
Staff: Tom Dougherty

SPECIAL USE PERMIT REVISION

FILE NUMBER: S02-0008-R-2/Communication Tower – East Placerville

APPLICANT: Metro PCS/Robyn Richardson

PROPERTY OWNER: Tommy and Denise Halsey

REQUEST: Revision to a Special Use Permit to allow collocation of six new wireless antennas on an existing monopine and the expansion of the lease area to accommodate radio equipment cabinets and support equipment.

LOCATION: On the south side of Broadway approximately 1,800 feet southeast of the intersection with Texerna Court in the Placerville area, Supervisorial District III. (Exhibit A)

APN: 048-330-35 (Exhibit B)

ACREAGE: 5.0 acres

GENERAL PLAN: Medium Density Residential (MDR) (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 S02-0008-R-2 based on the findings in Attachment 2 and subject to the conditions in Attachment 1.

BACKGROUND: Special Use Permit S02-0008 was approved by the Planning Commission on September 1, 2002 allowing Cingular Wireless to construct a wireless communication facility within a 40-foot by 55-foot lease area. The permit included approval of an 83-foot tall monopine, twelve panel antennas at the 80-foot height, a 6-foot tall chain link fence enclosure with green slats, one gate opening and one equipment shelter. The facility is located within a 40-foot by 55-foot lease area. The chain link fencing is screened by evergreen landscape shrubs.

Special Use Permit S02-0008-R-1 was approved by the Zoning Administrator on September 7, 2005 and permitted the co-location of nine panel antennas at a height of 68 feet. The support facilities are located within an equipment shelter building within a 12 foot by 20 foot fenced lease area added to northeast side of the existing Cingular lease area.

STAFF ANALYSIS

Project Description: Metro PCS is requesting a minor revision to the Special Use Permit to add six panel antennas at the 60-foot height on the existing monopine. A new 12 foot by 16 foot concrete pad would be added to the south side of the existing fenced area. The total lease area would be 2,632 square feet. The fencing would be extended to match the existing dark green vinyl slats. New radio cabinets and other supporting equipment would be placed within the lease area. The cabinet and antennas would be painted with non-reflective paint to match the existing facilities. The facility would remain unmanned, and the site would be visited up to two times per month for maintenance purposes.

Site Description: The project area lies at an elevation of approximately 2,500 feet above mean sea level. The 5.0-acre parcel sits on top of a hill and adjoins the Placerville Airport on the south side. The parcel contains an existing single-family residence and a Christmas tree farm with the residence located approximately 130 feet east of the monopine. The dwelling is separated from views of the existing pole by trees adjacent to the pole lease area.

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/ Single-family residence |
| South | I | I | Industrial/Placerville Airport |
| East | RE-5 | LDR | Residential/Single-family residence Industrial/Placerville Airport |
| West | RE-5 AP | LDR City of Placerville | Residential/Single-family residence Vacant |

General Plan: The General Plan designation of the subject site is Medium Density Residential (LDR). This designation permits wireless communication facilities in a residential area 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, would conform 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 the approved Special Use Permit is requested to consider the co-location 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 Exhibits F1 and F2.

- F. **Development Standards:**
 - 1. **Screening:** The existing trees and tree canopy screens a large portion of the existing 83-foot tall monopine. The new antenna and replacement of antennas would not create a significant negative visual impact to the surrounding area. The color scheme of antenna and equipment have been conditioned to match the approved and existing colors of the existing facility. The new fenced area would be screened by additional shrubs to continue the existing landscaping.
 - 2. **Setbacks:** The request for co-location would expand the lease area by 192 square feet. The 30-foot setbacks required in the RE-5 zone district would be maintained. 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). Metro PCS has submitted a *Power Density Study* dated May 19, 2009 indicating that the maximum power density at ground level operations would be 3.36 ($\mu\text{W}/\text{cm}^2$), or 3.36 percent which is less than 4 percent of the uncontrolled standard as set by the FCC. At the base of the tower, the Metro PCCS antennas would be 3.36 percent of the ANSI standard for an uncontrolled environment and 0.67 percent of the ANSI standard for a controlled environment. 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 continued co-location at 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 6).
- 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.

The Placerville Airport Comprehensive Land Use Plan: The project site is located adjacent to the Placerville Airport. Pursuant to Objective (1) of the Placerville Airport Comprehensive Land Use Plan, the objective is to assure the safe passage of aircraft in, out and around the Placerville Airport by safeguarding and preserving navigable airspace. In addition, Finding (2)(a) states in *Findings (2)(a): Federal Aviation Regulations Part 77 (FAR Part 77.13) requires each person*

proposing any kind of construction or alteration to give notice to the Federal Aviation Administration (FAA) on form 7460-1 (Notice of Proposed Construction or Alteration) if such construction or alteration: (1) Is more than 200 feet in height above the ground level at its site.

Discussion: The cell tower is 83 feet in height, and therefore does not violate Finding (2)(a) of the Placerville Airport Comprehensive Land Use Plan. The proposed project conforms to the objectives and policies of the Placerville Airport Comprehensive Land Use Plan as it is for co-location on an existing tower. The tower is not to be increased in height.

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 Foothill Land Use Commission. New issues may arise as a result of the public notice of the hearing which would 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:

| Frequency Range (F) (MHz) | Occupational Exposure (mW/cm²) | General Public Exposure (mW/cm²) |
|--------------------------------------|--|--|
| 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 |

Based on the submitted *Power Density Study* dated May 19, 2009, the maximum power density at ground level operations would be 3.36 ($\mu\text{W}/\text{cm}^2$), or 3.36 percent which is less than 4 percent of the uncontrolled standard as set by the FCC. At the base of the tower, the Metro PCCS antennas would be 3.36 percent of the ANSI standard for an uncontrolled environment and 0.67 percent of the ANSI standard for a controlled environment. 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, revised June 11, 2009 |
| Exhibit E2..... | Site Plan and Landscape Plan, A-1, revised June 11, 2009 |
| Exhibit E3..... | Elevations, A-2, revised June 11, 2009 |
| Exhibit E4..... | Plot Plan and Site Topography, C-1, revised, February 20, 2009 |
| Exhibits F1, F2 | Visual Simulations |
| Exhibit G1 to G6 | Site Photos |
| Exhibits H1, H2..... | Aerial Photos |

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit Revision
File Number S02-0008-R-2/Communications Tower – East Placerville
Zoning Administrator/July 15, 2009

PROJECT DESCRIPTION

1. The project as approved, ~~consists~~ consisted of the following: A ~~s~~Special ~~u~~Use ~~p~~Permit for Cingular Wireless to construct a new 83-foot-tall pine-tree cell tower with 12 panel antennas and 2 microwave dishes attached. An equipment shelter ~~will~~ shall be located ~~on the ground next adjacent~~ to the tower. Chain-link fencing ~~is proposed around~~ surrounds the lease site area. All site improvements for S02-0008 shall conform to the approved site plan (Exhibit D) of the S02-0008 Staff Report.

Revision S02-0008-R-1 consisted of the following:

The revision ~~amends~~ amended 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 S02-0008-R-1 Staff Report).

Revision S02-0008-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 H2 dated July 15, 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 shall constitute a violation of permit approval.

The revision amends the original permit to allow the replacement of six antennas at the 60-foot height on the existing 83-foot tall tower. The lease area shall be expanded by 12 feet by 16 feet and fenced to match the existing structure with dark green vinyl slats. New radio cabinets and other supporting equipment shall be placed within the lease area. The facility shall continue to be served via the existing access driveway traveling from the lease area to Broadway.

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 site improvements shall conform to the approved site plans and elevations shown in Exhibits E1 to E4. (~~Exhibit D~~).
 3. The applicant shall assume full responsibility for resolving television reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.
 4. Additional antennas may be mounted on the monopole in addition to those described in Special Use Permits as referenced in Condition 1 of this permit as illustrated on the attached and referenced exhibits, and subject to review and approval by the 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.
 5. The applicant shall consent to the co-location of other wireless telecommunication communication users on their monopine 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.
 6. 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.
 7. Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Department every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and present that report to the approving authority with a recommendation whether to:
 - (A) Allow the facility to continue to operate under all applicable conditions; or
 - (B) Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.
- By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.
8. 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 monopine 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 Exhibits G1 and G2. All facility RF antennas shall be painted with non-reflective paint and maintained to blend with the color of the branches. Colors of the monopine, antennas, and other appurtenances shall be maintained to ensure the appearance remains consistent.

9. The foothill pine (*pinus sabiniana*) immediately adjacent to the lease area on the east side shall have all branches pruned a minimum of ten feet back from the branches of the monopine tower. Proof that the pruning has occurred shall be received by Planning Services prior to issuance of a building permit.
10. Landscape shrubs to match the existing shrubs shall be planted around the entire fenced area and any missing shrubs shall be replaced as shown in Exhibit E2. All landscaping associated with the communications facility shall be properly maintained and shall be irrigated when necessary to promote and maintain growth. Applicant shall install and maintain landscaping in accordance with the approved landscaping plan in perpetuity or unless otherwise modified through any future permit. Proof that the landscaping has been installed as described shall be received by Planning Services prior to issuance of final occupancy.
11. For fire safety, there shall be no vegetation growing within the fenced lease areas of the subject communications facility at any time. Pine needle and leaves shall be removed from within the fenced area on a regular basis. Proof that the vegetation, and vegetative debris has been removed shall be received by Planning Services prior to issuance of final occupancy.
12. 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.
13. 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.
14. 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.
15. All Development Services fees for processing this application shall be paid in full prior to issuance of a Building Permit.
16. 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 Fire Department Protection District

- 3.17. Fire extinguishers rated 2A: 10BC shall be mounted at the equipment shelter, not higher than 5 feet to the top and within 75 feet travel distance of all areas. Proof of compliance with this condition shall be received by the District prior to issuance of final occupancy.
- 4.18. Submit Fire Department site review/inspection fee of \$50.00 prior to issuance of a building permit.
- 5.19. Provide a “Knox” padlock for emergency access at gate. The application form is available at the El Dorado County Fire Protection District, 4040 Carson Road, Camino. Proof of compliance with this condition shall be received by the District prior to issuance of final occupancy.
- 6.20. Post address visible from both directions of Broadway. Proof of compliance with this condition shall be received by the District prior to issuance of final occupancy.
- 7.21. Maintain 10-foot-wide, 15-foot-vertical clearance, all-weather vehicle access to within 150 feet of all portions of the exterior of all structures, maximum grade 15 percent. Proof of compliance with this condition shall be received by the District prior to issuance of final occupancy.

Department of Transportation

- 8.22. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the department 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.
- 9.23. 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.
- 10.24. The applicant shall place a minimum of 3-inch thickness of ¾-inch class 2 aggregate base along a 12-foot-wide access easement from the existing driveway to the leased area. Install culverts as required to maintain existing drainage ways.
- 11.25. Provide adequate area at the leased area site for a vehicle to exit the site in a forward direction.

~~12.26.~~ The El Dorado County Fire Protection District should review the site and access road for accessibility and turnaround area requirements.

Resource Conservation District

~~13.27.~~ The applicant shall meet the applicable requirements of the El Dorado County Resource Conservation District. See conditions in letter ~~(Exhibit F)~~. prior to issuance of any grading permit.

Air Pollution Control District

~~14.28.~~ The applicant shall meet the applicable requirements of the El Dorado County Air Pollution Control District. ~~See conditions in letter (Exhibit G)~~. prior to issuance of any grading permit.

Environmental Management – Solid Waste/Hazardous Material Division

~~15.29.~~ Prior to construction of the subject facility, the applicant shall provide plans of sufficient detail to clearly identify the alternative or back-up power source, should the same exist. This plan(s) shall identify all fuel sources together with a detail of any proposed fuel storage areas. Based on the information contained on the plan(s), the Environmental Management Department will determine whether a Hazardous Materials Business Plan is required. Should a plan be required, the applicant will be responsible for the preparation of such a plan together with the payment of all appropriate fees to the Environmental Management Department.

~~30.~~ 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.

The Placerville Airport

~~16.31.~~ The applicant shall meet the applicable requirements of the Placerville Airport; including completion of the required FAA forms, if applicable prior to issuance of any building permit.

ATTACHMENT 2 **FINDINGS**

Special Use Permit
File Number S02-0008-R-2/Communication Tower – East Placerville
Zoning Administrator/July 15, 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 branches. The proposed ground equipment will be screened from adjacent land uses by existing chain-link fencing with green colored slats which will blend with the existing enclosure.

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