

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



Agenda of: July 21, 2010
Item No.: 4.a.
Staff: Tom Dougherty

SPECIAL USE PERMIT REVISION

FILE NUMBER: S04-0030-R-1/Verizon Wireless Communication Tower–Latrobe

APPLICANT: Verizon Wireless

AGENT: Epic Wireless Group, Inc./Doug Dieter

REQUEST: Request to revise a Special Use Permit to allow the collocation of 12 panel antennas and two microwave dishes on an existing 92-foot tall metal lattice tower, add a 20-foot tall extension to the top of the tower, and add a prefabricated concrete communications equipment shelter within a fenced lease area.

LOCATION: Approximately five miles south of U.S. Highway 50 on Latrobe Road then west approximately one mile in the Latrobe area, Supervisorial District 2. (Exhibit A)

APN: 087-260-02 (Exhibit B)

ACREAGE: 2.066 acres

GENERAL PLAN: Rural Residential (RR) (Exhibit C)

ZONING: Residential Agricultural 80-Acre (RA-80) (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; and

2. Approve conditional Special Use Permit Revision S04-0030-R-1 based on the Findings in Attachment 2 and subject to the Conditions in Attachment 1.

BACKGROUND: The 2.06-acre parcel is completely surrounded on all four sides by a 365-acre parcel. It is owned by American Tower and was created in December of 1963. The existing communications facility known as “Ben Bolte Microwave Repeater Site” was constructed in 1963 and at that time the current Wireless Communications Facilities Ordinance was not in affect and a Special Use Permit was not required. That portion of the facility was determined to be a legal non-conforming use during the review and subsequent approval of Special Use Permit S04-0030 in January of 2005. That application was approved by the Zoning Administrator for AT&T to co-locate four antennas on the metal lattice tower and to install equipment cabinets within a 12-foot by 20-foot lease area enclosed by a six-foot tall redwood board fence.

The project is being presented to the Zoning Administrator for review because Condition of Approval 4 for S04-0030 states *no additional antennas of any type shall be mounted on the communications tower other than those described in Condition 1 and on the attached exhibits without filing for and receiving approval of an amendment to this special use permit.*

STAFF ANALYSIS

Project Description: Verizon Wireless is requesting a minor revision to the Special Use Permit to add the collocation of 12 panel antennas and two, eight-foot microwave dishes on an existing 92-foot tall metal lattice tower. The proposal also includes adding a 20-foot tall extension to the top of the tower for the new antennas, relocate the existing Cal Fire antenna to the top of the extension, and to allow the addition of an 11-foot 6-inch by 16-foot prefabricated concrete communications equipment shelter. A diesel powered back-up generator is also proposed to be located within a five-foot by ten-foot lease area located five feet from the equipment shelter. The lease areas for both the equipment shelter as well as the generator would be enclosed by a six-foot tall chain link fence with brown vinyl slats. The facility would remain unmanned, and the site would be visited up to two times per month for maintenance purposes. With the 20-foot extension, the 12 new antennas would be located at the 102-foot level and the two microwave antennas would be located at the 93.5-foot level. With the relocation of the Cal Fire antenna at the top of the proposed extension, the tallest point of the tower facility antennas above the lattice tower to the tip would be 136.5 feet above ground level.

Site Description: The project area lies at an elevation of approximately 1,800 feet above mean sea level. The project site is a relatively flat portion of a hilltop containing scattered native oak trees and annual non-native grasses.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RA-80	RR	Residential agricultural/Wireless communication facility
North	RA-80	RR	Residential agricultural/Vacant
South	RA-80	RR	Residential agricultural/Vacant
East	RA-80	RR	Residential agricultural/Vacant
West	RA-80	RR	Residential agricultural/Vacant

Discussion: The closest residence to the communications facility is approximately 4,400 feet to the northeast. All parcels surrounding the site are vacant and the approximately 1-mile long, 15-foot wide access road travels through four vacant parcels to the site. The project is a compatible use with the surrounding land uses.

General Plan: The General Plan designation of the subject site is Rural Residential (RR). 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 Residential Agricultural 80-Acre (RA-80) 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 and in compliance with Condition 4 of Special Use Permit S04-0030.

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 Planning Commission and as part of the exhibits approved with the application. Photo-simulations of the wireless facility are included as Exhibits F-1 to F-3.
- F. **Development Standards:**
1. **Screening:** The new antennas and equipment shelter would not create a significant negative visual impact to the surrounding area as there are no residential uses closer than 4,400 feet from the site and the existing oak trees shield the ground equipment from view from surrounding facilities. The color schemes of antenna and equipment have been conditioned to match the approved and existing colors of the existing silver/gray facility.
 2. **Setbacks:** The request for co-location would add a new lease area, structures and equipment enclosed within a six-foot tall chain link fence with brown slats. The 30-foot setbacks required in the RA-80 zone district would be maintained. Refer to Site and Plot Plans in Exhibit E-1 and 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). Based on the submitted Radio Frequency (RF) study dated April 6, 2010 by Hammett & Edison, the total maximum power density at ground level operations produced by the proposed Verizon Wireless equipment and would be 0.0028 (mW/cm²), which is 0.49 percent of the ANSI maximum exposure limit. The report validates the figures based on the FCC Regulations for measurements identifying quantitative standards for human exposure limits based on radio frequency emissions.
- 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.

Agency and Public Comments: At the time of the preparation of this report, staff had not received any comments from the public. 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/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

Based on the submitted Radio Frequency (RF) study dated April 6, 2010 by Hammett & Edison, the total maximum power density at ground level operations produced by the proposed Verizon Wireless equipment and would be 0.0028 (mW/cm²), which is 0.49 percent of the ANSI maximum exposure limit. The report validates the figures based on the FCC Regulations for measurements identifying quantitative standards for human exposure limits based on radio frequency emissions. Therefore, the risk of release of hazardous materials or emissions to the public 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 Location Map
- Exhibit B Assessor’s Parcel Map
- Exhibit C General Plan Land Use Map
- Exhibit D Zoning Map
- Exhibit E-1 Cover Sheet, T-1, revised June 1, 2010
- Exhibit E-2 Plot Plan and Site Topography, C-1, revised October 27, 2009
- Exhibit E-3 Site Plan, A-1, revised June 1, 2010
- Exhibit E-4 Enlarged Site Plan, A-1.1, revised June 1, 2010
- Exhibit E-5 Elevation, A-2, revised June 1, 2010
- Exhibits F-1 to F-3 Visual Simulations
- Exhibit G Applicant Narrative and Justification Statement
- Exhibits H-1, H-2 Site Photos
- Exhibits I-1, I-2 Aerial Photos

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit Revision

File Number S04-0030-R-1/Verizon Wireless Communications Tower--Latrobe
Zoning Administrator/July 21, 2010

PROJECT DESCRIPTION

1. The S04-0030 project as originally approved, consisted of the following: The project description is as follows:—A sSpecial uUse pPermit to allow the expansion of a legal non-conforming use and the co-location of four wireless communications panel antennas on an existing 116.4 foot communications tower. The antennas are to be mounted at the 90-foot elevation centerline on the tower. One BTS equipment cabinet is also proposed to be located within a 20-foot by 12-foot lease area. The applicant shall enclose this area with a 6-foot tall solid redwood fence.

Revision S04-0030-R-1 consists of the following:

This Special Use Permit revision is based upon and limited to compliance with the project description, the hearing exhibits marked A through I-2 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 collocation of 12 panel antennas and two, 8-foot microwave dishes on an existing 92-foot tall metal lattice tower, on the parcel identified by Assessor's Parcel Number 087-260-02, and referred to by the site name New Hillsdale. A 20-foot tall extension shall be added to the top of the tower for the new antennas as well as to allow the relocation of the existing Cal Fire antenna to the top of the extension. An 11-foot 6-inch by 16-foot prefabricated concrete communications equipment shelter and diesel-powered backup generator shall be surrounded by a 6-foot tall chain link fence with brown slats within the Verizon Wireless lease area.

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 site plans(s) and elevations attached as ~~Exhibit D~~ Exhibits E-1 to F-3.

3. ~~All additional antennae shall be painted in a matching color prior to the issuance of a final occupancy certificate by the Building Department. All equipment shelters, cabinets or other auxiliary structures shall be painted in a matching color. All facility RF antennas shall be painted with non-reflective paint and maintained to blend with the silver/gray color of the tower. The applicant shall provide Planning Services with proof that of said painting of the structures and antennas prior to issuance of final occupancy of the facility through Building Services.~~
4. ~~No additional antennas of any type shall be mounted on the communications tower other than those described in Condition 1 and on the attached exhibits without filing for and receiving approval of an amendment to this special use permit. Expansions to the lease area or additional antennas mounted on the tower shall be subject to review and approval by the Development Services Director. Should the Director find that additional lease area or antennas may create a visual impact, the Director shall refer the project to the Zoning Administrator for review and approval.~~
5. The applicant shall assume full responsibility for resolving television reception interference or other electrical interference caused by the operation of this facility. The applicant shall take corrective action within 30 days of the receipt of any written complaint.
6. All improvements associated with the communication facility, including equipment shelters, towers, antenna, and fencing shall be properly maintained at all times. Planning Services requires that that all colors of the equipment enclosure and other improvements visible to the public shall be maintained to ensure the appearance remains consistent. Colors of the antennas, support structures, tower and other improvements shall be maintained ~~to ensure the appearance remains consistent in order to provide a quality and aesthetically pleasing exterior finish, including maintenance and upkeep, so as to remain consistent with the visual simulation provided as Exhibits F-1 to F-3.~~ All improvements must be consistent ~~with the visual simulation provided as Exhibit E~~ and all paint shall be non-reflective and match the existing silver/gray color of the tower.
7. The applicant shall maintain a minimum of 3 inches of aggregate base along the 15-foot wide access roadway from Latrobe Road to the leased area.
8. All obsolete or unused communication facilities shall 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.
9. ~~Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the Zoning Administrator every five years. At each five year review, the permit holder shall provide the Zoning Administrator with a status report on the then current use of the subject site and related equipment. The Zoning Administrator shall review the status report and, based on an assessment of the information provided, current wireless communications technology, and possible local or cumulative impacts, determine whether to: (1) Modify the conditions of approval in order to reduce identified adverse impacts; and (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 Zoning Administrator to reserve the right to modify existing or add new conditions, consistent with the language specified above. The failure of the Zoning Administrator to conduct or complete a 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 processing a five-year review. Due to the ever-changing technology of wireless communication systems, this special use permit shall be reviewed by the County Development Services Department every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and present that report to the approving authority with a recommendation whether to:~~

- ~~(A) Allow the facility to continue to operate under all applicable conditions; or~~
- ~~(B) Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.~~

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

- ~~10. 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.~~
- ~~11. 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.~~
- ~~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.~~
- ~~13. All Development Services fees for processing this application shall be paid in full prior to issuance of a Building Permit.~~
- ~~14. If human remains are discovered at any time during the improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The~~

procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

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

15. 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 Revision.

The County shall notify the applicant/owner of any claim, action, or proceeding and County will cooperate fully in the defense.

El Dorado County Building Department ~~Services~~

- ~~16.~~ Project facilities shall be subject to issuance of a building permit from the El Dorado County Building Department

El Dorado County Department of Transportation

- ~~17.~~ The applicant shall comply with all County requirements related to the Department of Transportation including, but not limited to, "*Design and Improvement Standards Manual*," the "*Grading, Erosion and Sediment Control Ordinance*," the "*Drainage Manual*," the "*Off-Street Parking and Loading Ordinance*", the *State of California Handicapped Accessibility Standards* and the *Storm Water Management Plan*. ~~A commercial grading permit issued by DOT will be required.~~

18. **Encroachment:** The applicant shall construct/verify the encroachment onto Latrobe Road per El Dorado County DISM 103B-1. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of final occupancy for the building permit.

Air Quality Management District

- ~~19.~~ The applicant shall comply with all El Dorado County Air Quality Management District Rules and Regulations available at: www.co.el-dorado.ca.us/emd prior to the issuance of a building

permit

Environmental Health- Hazardous Materials/Solid Waste Division

20. Under the CUPA programs, if the operation will involve the storage of reportable quantities of hazardous materials (55 gallons, 500 lbs, 200 cubic feet) for backup power generation, a hazardous materials business plan for the site must be submitted to the Department and applicable fees paid.

Latrobe Fire Protection District

21. The applicant shall submit a site plan review fee of \$85.00 to the Latrobe Fire Protection District prior to issuance of Final Occupancy for a County Building Permit.

22. The applicant shall provide a low security Knox lock for: a) the access road gate at Latrobe Road; and b) the gate to the fence surrounding facility, and proof of compliance shall be received by the fire district prior to issuance of Final Occupancy for a County Building Permit. Knox lock order forms are available at Latrobe Fire protection District main office at 7660 South Shingle Road, Shingle Springs, CA 95682

23. The applicant shall provide a High Security Knox box to be installed on the prefab equipment shelter. The box shall contain the keys to all locked cabinets and other areas of access, within the fenced area, and proof of compliance shall be received by the fire district prior to issuance of Final Occupancy for a County Building Permit.

24. The applicant shall provide one minimum rated 2A10 BC fire extinguisher in a weather proof box. It shall be mounted in a location that is readily visible and easily accessible. The top of the box shall be no higher than 5 feet from the ground and proof of compliance shall be received by the fire district prior to issuance of Final Occupancy for a County Building Permit.

ATTACHMENT 2 **FINDINGS**

Special Use Permit Revision

File Number S04-0030-R-1/Verizon Wireless Communications Tower–Latrobe
Zoning Administrator/July 21, 2010

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 chain-link fencing with brown-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 17.30.160 thru 17.30.200 for a legal non-conforming parcel within the RA-80 zone district. As proposed, the project is consistent with these requirements.