

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: February 14, 2013
Item No.: 8
Staff: Aaron Mount

SPECIAL USE PERMIT

FILE NUMBER: S12-0010/Verizon Wireless Telecommunications Tower-Pilot Hill

APPLICANT: Verizon Wireless

AGENT: Aaron DeLaO, On Air, LLC.

ENGINEER: HMH Design Group

REQUEST: Special Use Permit to allow the construction of a wireless telecommunications facility consisting of a 65-foot tall monopine telecommunications tower and related ground mounted equipment.

LOCATION: South side of Nance Drive, approximately 450 feet southeast of the intersection with Pedro Hill Road, in the Pilot Hill area, Supervisorial District 4. (Exhibit A)

APN: 104-450-03 (Exhibit B)

ACREAGE: 5.03 acres

GENERAL PLAN: Medium Density Residential (MDR) (Exhibit D)

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

ENVIRONMENTAL DOCUMENT: Negative Declaration

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2. Approve Special Use Permit S12-0010 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

PROJECT INFORMATION

Project Description: The project is a Special Use Permit request to allow the construction of a 65-foot tall monopine telecommunications tower for up to four total carriers. The current proposal includes one carrier with nine antennas at a centerline of 57 feet above ground level, one 11.5 foot by 16 foot by ten-foot tall equipment shelter, two wall-mounted air conditioners, within a 30 foot by 40-foot lease area. The lease area would be fenced with redwood fencing.

Site Description: The site is within a 5.03-acre parcel located at approximately 1,200-feet above sea level. The majority of the undeveloped parcel is covered with tree canopy with the exception of the proposed lease area and access driveway. The proposed lease area is relatively flat. Nance Drive is an existing non-county maintained paved road that wraps around the project parcel. The right-of-way for State Highway 49 is adjacent to the parcel to the east but is approximately 200 feet below the proposed tower site.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-5	MDR	Residential/Undeveloped
North	RE-5/R1A	MDR	Residential/Single-family residence
South	RE-5	MDR	Residential/ Single-family residence, Undeveloped
East	RE-5	MDR/LDR	Residential/Single-family residence, State Highway 49
West	MP	PF	Public Facility/CalFire Pilot Hill Fire Station

Discussion: The surrounding parcels are designated for residential and public facilities uses by the General Plan. The closest residential structure on a surrounding parcel is located approximately 300 feet from the lease area.

STAFF ANALYSIS

The parcel is zoned Estate Residential Five-Acre (RE-5). County Code permits wireless communication facilities in all residential districts with an approved Special Use Permit (17.14.210.d.5.b), provided they follow standards and permitting requirements defined in Section 17.14.210.F of the County Code. These standards include screening, compliance with setbacks, and proper maintenance and they are discussed below in the Design and Development Standards section.

Project Issues: The primary discussion items for this project include access, aesthetics, land use compatibility, noise, and utilities.

Access: The project site is accessed from Nance Road, a private paved roadway. A driveway would be constructed on the project parcel from Nance Drive to the tower site.

General Plan Policy 6.2.3.2 (adequate access) directs that the applicant demonstrate that adequate access exists, or can be provided, to ensure that emergency vehicles can access the site and private vehicles can evacuate the area. DOT has reviewed the project and determined that the access roads are adequate for the proposal. The El Dorado County Fire Protection District has recommended conditions assuring that an adequate turnaround and emergency ingress/egress capabilities will be provided to and at the site to accommodate their equipment. Because the project will meet the minimum Fire Safe standards for the on-site access driveway width and surfacing as well as the turnaround capacity for emergency vehicles at the lease area site, as conditioned, the Fire District has no outstanding concerns with the project.

Aesthetics: As shown in the Visual Simulations provided in Exhibits G-1 to G-4, the top of the proposed monopine would be visible from various roads within the area. State Highway 49 is adjacent to the parcel west of the project parcel; however the roadway is approximately 200 feet below the proposed tower site and due to the slope and vegetation it is not anticipated to be visible. The existing vegetation would block the ground equipment fully from view from the surrounding residences. Conditions are recommended that would assure all antennas would be covered with antenna socks that match the color and texture of the branch needles. The “branches” would be conditioned to be installed with random lengths that create an asymmetrical appearance conforming to the shape of a natural pine tree as best as possible with the current available technology.

The applicant is proposing to place equipment cabinets and support equipment within a building to be surrounded by a redwood fence located within a 30-foot by 40-foot lease area. As illustrated in the photo simulations, site plan, and elevations, the tower and ground equipment are designed to standards set by Zoning Code Section 17.14.210 to blend with the existing vegetation as best as possible with the technology currently available.

Land Use Compatibility: Policy 2.2.5.9 allows support services in residential areas by use permit, provided that they do not have an adverse effect on surrounding properties. **Policy 2.2.5.21** directs that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. A cellular telecommunications facility is considered to be a public utility facility, though owned privately. The project would be compatible and consistent with the medium density residential land use designation for residential uses because it has been designed to minimize the visual and noise effects on adjacent properties, as directed by Section 17.14.210 of the Zoning Ordinance. All facility components would be painted colors that blend with surrounding vegetation. The supplied noise data for the proposed air conditioners and backup generator have been analyzed for consistency with General Plan noise standards. As proposed and conditioned the communications tower would be consistent with these policies.

Noise Impacts: Policy 6.5.1.7 states that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise-sensitive uses. The applicant has supplied specification sheets for the two proposed air conditioners as well as a backup generator. The submitted specification sheet for a typical generator demonstrates that the noise levels at 23 feet would be anticipated to be 65 dBA and due to terrain and vegetation factors, would be anticipated to be 43.7 dBA at the western

property line. The air conditioners are proposed to be mounted in the walls of the equipment shelter facing the fire station. The submitted noise data shows the noise from the air conditioners for the proposed shelter would be anticipated to fall below the 45 dBA threshold from Table 6.2 for rural parcels at 100 feet from the source.

It is assumed for this analysis that all future carrier's air conditioners and generators will have the same noise specifications as the current proposal. Because air conditioner technology and specific model types may change in the future, conditions are recommended that require each future carrier to submit a cumulative noise analysis for the entire project at that point that demonstrates compliance with the General Plan noise standards prior to issuance of a building permit.

Utilities: Trenching would be required to underground the electric and telephone (Telco) wires from the existing electrical transformer and telephone/data service boxes and would follow the access driveway. The existing junction points are located to the west of the proposed lease area within the project parcel. The trench would be located within a proposed five-foot wide utility easement to be located as shown in the attached Sheet C-1 and A-1. The service would connect with the existing transformer and telephone communication wires and is not proposed to require any oak tree removal.

Conclusion: The project has been reviewed in accordance with the General Plan policies, and it is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Design and Development Standards:

Section 17.14.210.B of the County Code requires that all wireless providers collocate their equipment on existing sites where possible. The applicant has provided a discussion about the site selection in the project description (Exhibit I), in which they demonstrate how the subject parcel location was chosen. The tower is proposed in order to allow wireless communication to provide outdoor and in-building coverage in the local area and to close gaps in area cellular communications coverage. Another goal is to create one structure that could potentially accommodate other wireless service provider serving the area. The supplied analysis found the subject project site to be the most optimum to achieve their needed coverage area.

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-simulations to show the changes that are being requested under this action. The photo simulation would be used during the plan check permit process to insure that the project conforms to the exhibits approved with the application. Photo simulations of the proposed wireless facility are included as Exhibits G-1 to G-4.

F. Development Standards:

1. **Screening:** The applicant is proposing to place equipment cabinets and support equipment within a pre-fabricated concrete building to be surrounded by a redwood fence enclosure located within a 30-foot by 40-foot lease area. As illustrated in the photo simulations, site plan and elevations, the tower and ground equipment are designed to standards set by Zoning Code Section 17.14.210 to blend with the existing surrounding vegetation. The ground equipment will further be screened from views by the existing vegetation.
2. **Setbacks:** The RE-5 Zone District requires 30-foot side setback from the property lines for a structure such as a telecommunications facility components. The site plans, Sheets C-1 and A-1, show the closest property line is approximately 180 feet to the west of the proposed lease area.
3. **Maintenance:** Maintenance personnel would visit the site approximately once or twice a month, at which time the facilities would be inspected to ensure proper operation. The conditions are recommended to require that the colors and materials of the equipment building, ground support equipment be maintained at all times and to be consistent with the features depicted in the visual simulations and elevations. A condition of approval has been included requiring the perpetual 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). The RF analysis dated June 8, 2012 found that for a person anywhere at ground level, the maximum RF exposure level due to the installation of the carrier's antennas at the 57-foot height above ground level was calculated to be 0.0098 mW/cm² which is 1.7 percent of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby residence would be 2.7 percent of the public 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 was determined to be remote. A copy of the study is included as an attachment to the Negative Declaration and Initial Study in Exhibit J.

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 tower has been designed to permit the collocation of additional carriers, depending on their needs and requirements. The project has been conditioned to allow the continued co-location at this facility, with approval of a building permit, as determined by the Development Services Director.

- 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.
- 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. This project parcel is not governed by CC&Rs, nor is it within 1,000 feet of a school site.

After review of the submitted site plan and visual simulations, it has been determined that the proposed project meets the standards contained in Section 17.14.200.F through J of the County Code. The aesthetic impacts associated with the project have been fully considered. As designed and conditioned, there are no unresolved issues with the project.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study, (Environmental Checklist Form and Discussion of Impacts, included in the attached as Exhibit J), to determine if the Special Use project may have a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,156.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,156.25 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Page 04:45
Exhibit C	Subdivision Map G-142-A
Exhibit D	General Plan Land Use Designations Map
Exhibit E	Zone District Map
Exhibit F-1	Title Sheet
Exhibit F-2	Site Plan, Sheet C-1
Exhibit F-3	Site Plan, Equipment Plan, and Antenna Details, Sheet A-1
Exhibit F-4	Northern Elevations, Sheet A-2
Exhibit F-5	Southern Elevation, Sheet A-3
Exhibit F-6	Eastern Elevation, Sheet A-4
Exhibit F-7	Western Elevation, Sheet A-5
Exhibits G-1 to G-4	Visual Simulations
Exhibit H	Applicant-submitted Project Description
Exhibits I	Applicant-submitted Alternative Analysis
Exhibit J	Proposed Negative Declaration and Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

Special Use Permit S12-0010/Verizon Wireless Telecommunications Tower-Pilot Hill Planning Commission/February 14, 2013

Planning Services

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit F-1	Title Sheet
Exhibit F-2	Site Plan, Sheet C-1
Exhibit F-3	Site Plan, Equipment Plan, and Antenna Details, Sheet A-1
Exhibit F-4	Northern Elevations, Sheet A-2
Exhibit F-5	Southern Elevation, Sheet A-3
Exhibit F-6	Eastern Elevation, Sheet A-4
Exhibit F-7	Western Elevation, Sheet A-5
Exhibits G-1 to G-4.....	Visual Simulations

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.

Approval of the Special Use Permit allows the construction and operation of a new multi-user wireless communications facility to support cellular transmission, within the existing 5.03-acre parcel identified by Assessor's Parcel Number 104-450-03, and consisting of the following:

- a. A 65-foot tall monopine telecommunications tower;
- b. Nine antennas at a centerline of 57 feet above ground level;
- c. One 16-foot by 11.5-foot prefabricated ground equipment shelter to house equipment cabinets and associated equipment, consistent with that shown on Sheets C-1 and A-1;
- d. One 8-foot tall redwood fence constructed around the perimeter of the 30 by 40-foot lease area with two 6-foot wide gates for access;
- e. Two air conditioning units shall be mounted on the outside of the equipment enclosure as shown on Sheet A-1;
- f. One, 15-foot wide access and utility easement for driveway construction and undergrounding the electrical and telecommunications utilities from Nance Drive to the tower lease area, to be located as shown on Sheet C-1.

The approval also allows additional carriers to collocate on the tower through the building permit process for antennas and related ground support equipment. Each future

carrier shall submit a cumulative noise analysis with their building permit application that demonstrates the entire project is in compliance with General Plan noise standards as set forth in Condition 8.

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. **Expiration:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
3. **Project Conformance:** Project improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits F-1 to G-4. Minor variations are allowed, however, any major changes in any element of the approved project including but not limited to expansions to the lease area, increases in pole height, or additional antennas mounted on the monopine shall require review and approval by the Development Services Director. Should the Director find that additional lease area, height or antennas or other changes to the approved project may create a significant visual impact, the Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit. This review shall always occur prior to any approved project modifications.
4. **Responsibility for Interference:** 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.
5. **Lighting:** One exterior emergency light is approved and shall be located on the equipment shelter. The light shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. The final lighting fixture specification sheet and location shall be submitted for review and approval by Planning Services prior to issuance of a building permit. The light shall be activated with motion-sensor or timer. All future carriers shall demonstrate the same compliance prior to issuance of any future building permit for that carrier.

Should the installed light be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

6. **Collocations:** The applicant shall consent to the co-location of other wireless telecommunication communication users on this tower when feasible and without an increase in the height of the tower, and/or antennas. All new collocations, and/or addition of any new piece of equipment that creates noise, shall be subject to the submittal of equipment noise specification report, and/or a full site acoustical analysis, as determined by Planning Services, for review and approval by the Development Services Director if generators, air conditioners or any other noise making piece of equipment are included in the project proposal. Should the Director find that additional noise creates a significant impact; the Director shall decide if the changes can be approved administratively through the building permit process or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit.
7. **Facility Appearance and Maintenance:** All equipment shelters, cabinets or other auxiliary structures for all carriers shall be painted with substantially consistent colors to meet the screening requirements of Section 17.14.210.F. All facility RF antennas shall be painted with non-reflective paint and maintained to match the color of the branch needles. All antennas shall be covered with antenna socks that shall match the color and texture of the branch needles. The “branches” shall be installed with random lengths that create an asymmetrical appearance conforming to the shape of a natural pine tree. The branches shall have a dark green color that resembles the surrounding conifer trees. The fenced enclosure shall contain redwood fencing. No antenna shall project out past the “branch” tips. Colors of the tower, facade, antennas, and other appurtenances shall be maintained to ensure the appearance remains consistent and so that nothing on the tower causes a reflection of light. 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 applicants shall provide proof to Planning Services that the painting of the structures and antennas, are painted as conditioned prior to final approval for the Building Permit.
8. **Conditions Compliance:** Prior to issuance of a building permit or 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 prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.
9. **Obsolete Equipment:** 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.

10. **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 Development Services Director to cover the cost of processing a five-year review on a time and materials basis.

11. **Compliance Responsibility:** 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.
12. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.
13. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a "unique archaeological resource", contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

14. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit

15. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree 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 developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

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

Environmental Management-Solid Waste and Hazardous Materials Division

16. Under the CUPA programs, because 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 shall be submitted to the Environmental Management Department and applicable fees paid.

Air Quality Management District

17. The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. AQMD Rules 223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.1. In addition, a Fugitive Dust Mitigation Plan (FDMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction.
18. Project construction may involve road development and should adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials.
19. Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
20. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501.3.A)
21. All portable combustion engine equipment with a rating of 50 horsepower or greater shall be permitted by the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment.

El Dorado County Fire Protection District

22. Site/Inspection Review Fee: The applicant shall submit a site review fee of \$150.00 prior to issuance of building permit.
23. Street Address Sign: The applicant shall post 12 inch minimum street address or identification sign at the main entrance prior to building permit final.
24. Turnouts: Driveways exceeding 150 feet in length shall provide a turnout near the midpoint of the driveway. Turnouts shall be a minimum of 10-feet wide and 30-feet long with a minimum of 25-foot taper at each end. Proof of compliance shall be received from the applicant prior to building permit final.
25. Fire Apparatus Access Roads: Fire Apparatus Access Roads shall be minimum 20 feet in width. Said fire access road width shall be waived and current proposed road width shall be accepted with Condition #25 being met.
26. Turnarounds: The applicant shall provide a turnaround approved by El Dorado County Fire Protection District.
27. Padlocks: All Gates shall have Knox padlocks. Application can be obtained at the District's office: 4040 Carson Rd., Camino, CA 95709. Proof of compliance shall be received from the applicant prior to building permit final.
28. Knox Box: The applicant shall provide a Knox Box for the shelter. Application can be obtained at the district office. Proof of compliance shall be received from the applicant prior to building permit final.
29. Keys: The applicant shall provide keys for the shelter, generator and any locked cabinet. Proof of compliance shall be received from the applicant prior to building permit final.
30. Vegetation Management: Vegetation control is required inside the fence perimeter in perpetuity.
31. Defensible Space: The applicant shall maintain defensible space of 100 feet from each side and from the front and rear of the structure. (For the purposes of clarification, defensible space shall conform to the Applied forest Management Report, PRC 4291 fire safe clearance).
32. Fire Extinguisher: The applicant shall provide a fire extinguisher with a minimum 20BC rating. The extinguisher must be within 75 feet of the generator and mounted in weatherproof cabinet. Proof of compliance shall be received from the applicant prior to building permit final.

ATTACHMENT 2

FINDINGS

Special Use Permit S12-0010/Verizon Telecommunications Tower-Pilot Hill Planning Commission/February 14, 2013

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 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, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 The Planning Commission finds the project is consistent with the following General Plan policies:
 - a. 2.2.5.9 (support in a residential area) and 2.2.5.21 (compatibility with surroundings) because a cellular telecommunications facility has historically been considered to be a public facility and the project would provide residential support uses. As conditioned, it would be compatible with surrounding uses, have minimal impacts on visual resources, existing utilities, existing emergency response access and times, and will create noises at insignificant levels. There are adequate services to facilitate the site, such as water, power and telephone communication facilities. The project provides improved cellular service for phone, as well as internet and emergency communications to the Pilot Hill and Highway 49 corridor area;
 - b. 6.2.3.2 (adequate access) because as conditioned, the project will meet the minimum Fire Safe standards for the on-site access driveway width and surfacing as well as the turnaround capacity for emergency vehicles at the lease area site to the satisfaction of the El Dorado County Fire Protection District; and

- c. 6.5.1.7 (noise exposure) because the acoustical analysis for the air conditioners and generator demonstrates that the project will have noise levels anticipated to comply with the County's standards listed in Table 6-2 in the General Plan that limit acoustical noise emission levels, and the project is conditioned for future carriers to do an additional noise analysis for their building permits to re-verify project compliance at each building permit.

3.0 ZONING FINDINGS

- 3.1 The project site is zoned RE-5, which allows wireless communication facilities subject to the standards and permitting requirements of Section 17.14.210 of the County Code. These standards include screening, compliance with setbacks, and proper maintenance. The project has demonstrated that as proposed and conditioned, it is compliant with Zoning Ordinance Section 17.14.210.

4.0 SPECIAL USE PERMIT FINDINGS

- 4.1 **The issuance of the permit is consistent with the General Plan.**

The proposed use is consistent with the policies and requirements in the El Dorado County General Plan, as discussed in the General Plan and Special Use Permit sections of this Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.1.

- 4.2 **The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.**

The use will not conflict with the adjacent uses as the ground-support equipment will be buffered from view by an eight-foot tall redwood fence and existing vegetation. The project is anticipated to result in insignificant environmental, visual, noise, and traffic impacts to surrounding residents. The proposed use is not anticipated to 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 three percent of the public safety standard established by the FCC, the risk of Radio Frequency ("RF") emissions to the public is remote.

- 4.3 **The proposed use is specifically permitted by Special Use Permit.**

The proposed use complies with the requirements of County Code Sections 17.14.210.5.b (telecommunications towers subject of a special use permit); 17.14.210.E through J (facility requirements/analysis), and 17.28.210 (minimum yard setbacks for RE-5 Zone District).