

FINDINGS

Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive Planning Commission/December 11, 2014

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 project is consistent with the Adopted Plan (AP) land use designation of the subject site as defined by General Plan Policy 2.2.1.2 and the Plan Area Statement 120 designation as defined by the Tahoe Regional Plan. The project consists of a cell tower, which is consistent with the allowed uses for the One-Family Residential - Tahoe (TR-1) Zone District and with the permissible uses for the TRPA's Plan Area Statement 120, Tahoe Paradise Meadowvale with an approved Special Use Permit.
- 2.2 As conditioned, and with adherence to the Zoning Ordinance, the project is consistent with all applicable Policies of the General Plan, including:
 - 2.2.1 Policy 2.2.5.21 (compatibility with surroundings) because 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 South Lake Tahoe area;
 - 2.2.2 Policy 5.1.2.1 (adequate utilities and public services) because the project will connect to existing electrical and telecommunication facilities currently existing within the parcel's public utility easement or the County's right-of-way;

- 2.2.3 Policy 6.2.3.2 (adequate access) because the project will utilize an existing paved utility road within an existing public utility easement; and
- 2.2.4 Policy 6.5.1.7 (noise exposure) because the project will have noise levels anticipated to comply with the County's standards listed in Table 6-2 in the General Plan and the maximum Community Noise Equivalent Levels established in the Plan Area Statement 120 of the Tahoe Regional Plan, both that limit acoustical noise emission levels.

3.0 ZONING FINDINGS

- 3.1 The project site is zoned One-Family Residential - Tahoe (TR-1), which allows wireless communication facilities with an approved special use permit, provided the applicant follow standards and permitting requirements defined in Section 17.14.210 of the Zoning Ordinance. These standards include screening, compliance with setbacks, and proper maintenance.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the Zoning Ordinance because sufficient screening, setbacks, and maintenance have been provided and/or conditioned.

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 General Plan and the goals and polices of the Tahoe Regional Plan, as discussed in the General Plan section of the Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.0.

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 significantly conflict with the adjacent uses as the ground-support equipment will be buffered from view by a wood fence, and the tower pole and antennas will be buffered by the manufactured bark and pine branches, as well as the existing pine trees surrounding the tower. As conditioned, the project is anticipated to result in insignificant environmental, visual, and noise 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 2.9 percent of the public safety standard established by the FCC at the nearest residence, the risk of RF emissions to the surrounding public is remote.

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

Because the proposed use complies with the requirements of Zoning Ordinance Section 17.14.210.E through J (facility requirements/analysis) and 17.56.040 (minimum yard setbacks for TR-1 Zone District) and with the requirements of Plan Area Statement 120 of the Tahoe Regional Plan, the cell tower facility is a specifically permitted use.