

FINDINGS

Special Use Permit Revision S04-0008-R/Verizon Co-Location Planning Commission/August 13, 2015

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 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 Division, Planning Services, at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the Agricultural Lands land use designation and Agricultural District (-A) overlay designation of the subject site as defined by General Plan Policy 2.2.1.2, and as further verified by the determination made by the El Dorado County Department of Agriculture Weights and Measures.
- 2.2 As conditioned, and with adherence to County Code, 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 not create noise at significant levels. The project provides improved cellular service for phone, as well as internet and emergency communications to the Cold Springs 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;
 - 2.2.3 Policy 5.6.1.4 (special use permit required for community telecommunication facilities) because the General Plan permits telecommunication facilities in residential areas under a special use permit;
 - 2.2.4 Policy 6.2.3.2 (adequate access) because the project will utilize an existing paved driveway access from Cold Springs Road; and

- 2.2.5 Policy 6.5.1.7 (noise exposure) because the proposed equipment cabinets and back-up generator have been analyzed by the noise assessment prepared by Hammett & Edison, Inc., dated May 11, 2015, which 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.

3.0 ZONING FINDINGS

- 3.1 The project site is zoned Estate Residential (RE-10) which allows wireless communication facilities with an approved Special Use Permit, provided they follow standards and permitting requirements defined in Section 130.14.210 of the Zoning Ordinance. Section 130.14.210.F.2 allows exceptions to the applicable zoning district setbacks where locating the facility inside those setbacks is the most practical and unobtrusive location possible for the proposed site. The project proposes a ten-foot encroachment into the required 30-foot setback identified in the RE-10 zone. The proposed lease area expansion was designed in the most practical and unobtrusive location due to the location of existing access roads and site topography.

As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance because sufficient screening, setbacks, and maintenance have been provided.

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 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 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. The project's contribution is less 1.5 percent of the public safety standard established by the FCC. Therefore, 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 project parcel is located within the Estate Residential (RE-10) zone. The proposed co-location is permitted in the RE-10 zone pursuant to Subsection 130.14.210.D.4.