

## **FINDINGS**

### **Special Use Permit S15-0001/Swansboro Verizon Cellular Tower (Mono-Pine) 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 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 In Compliance with Policy 2.2.5.21, the wireless facility has been designed and conditioned in compliance with County regulations addressing incompatible siting and surrounding land uses, aesthetics, environmental issues, and health and safety concerns.
- 2.2 In compliance with Policy 5.1.2.1, the project will connect to existing electrical facilities, adequate utilities, and public services currently within the parcel.
- 2.3 In compliance with Policy 6.2.3.2, the project will develop a gravel driveway for access.
- 2.4 In compliance with Policy 6.5.1.7, 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 non-transportation noise emission levels.

#### **3.0 TITLE 120 SUBDIVISIONS ORDINANCE**

- 3.1 The project parcel was a result of a division of land after March 4, 1972. Section 120.76.090.G authorizes issuance of a conditional certificate of compliance if the parcel was created without the benefit of a Parcel or Final Map that has not been specifically cited in Chapter 120.76 of the El Dorado County Subdivision Ordinance. COC04-0048 was approved by the Zoning Administrator on March 16, 2005 and imposes conditions which must be satisfied before the property can be considered legally established.

Implementation of the conditions to this project will ensure compliance with the Subdivision Ordinance requirement.

#### **4.0 ZONING FINDINGS**

- 4.1 The project site is zoned Unclassified (U) which allows wireless communication facilities with an approved special use permit, subject to the standards and permitting requirements defined in Section 130.14.210 of the Zoning Ordinance. These standards, which include screening, compliance with setbacks, and proper maintenance, have been met adequately.
- 4.2 As proposed and conditioned, the project meets all applicable El Dorado County Zoning Ordinance development standards including screening, setbacks, and maintenance provisions.

#### **5.0 SPECIAL USE PERMIT FINDINGS**

##### **5.1 The issuance of the permit is consistent with the General Plan.**

As discussed above in Section 2.0 General Plan Findings, the special use permit is consistent with the applicable policies and requirements in the El Dorado County General Plan.

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

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 one percent of the public safety standard established by the FCC, the risk of Radio Frequency (“RF”) emissions to the surrounding public is remote. The use will not significantly conflict with surrounding uses. Though the facility will be visible, the ground-support equipment will be buffered from view by existing vegetation and a six foot tall fence constructed from non-combustible materials and the tower antennas will be concealed by monopine branches. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding residents.

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

The proposed use complies with the requirements of Zoning Ordinance Section 130.14.210.E through J (cellular facility requirements/analysis) and 130.26.050 (development standards for Unclassified (U) Zone District).