

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



**Agenda of:** May 21, 2014

**Item No.:** 4.a.

**Staff:** Joe Prutch

**SPECIAL USE PERMIT**

**FILE NUMBER:** S13-0015

**PROJECT NAME:** AT&T Tank Mounted Wireless, El Dorado Hills

**APPLICANT:** AT&T Mobility

**AGENT:** Allen Fink/DSI

**OWNER:** El Dorado Irrigation District (EID)

**REQUEST:** Special use permit to install twelve panel antennas on three poles attached to an existing water tank at an EID water treatment facility and associated ground mounted equipment.

**LOCATION:** 1835 Francisco Drive. On the east side of Francisco Drive, 125 feet north of the intersection with Templeton Drive, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A)

**APN:** 110-020-29 (Exhibit B)

**ACREAGE:** 4.64 acres

**GENERAL PLAN:** Adopted Plan (AP) (Exhibit C)

**ZONING:** Recreational Facilities Zone (RF) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to CEQA Guidelines Section 15303

**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 (New Construction or Conversion of Small Structures); and
2. Approve Special Use Permit S13-0015 based on the findings in Attachment 2 and subject to the conditions in Attachment 1.

**PROJECT INFORMATION**

**Project Description:** The proposed project is a wireless facility including the installation of 12 panel antennas and three poles attached to an existing water tank at an EID water treatment facility and associated ground mounted equipment located on a concrete pad within a CMU block wall enclosure. Each pole would measure 45 feet in height and contain 4 panel antennas. The poles would be stabilized by a connection to an existing 30 foot tall water tank. The poles would be painted to match the existing water tank. The project provides improved cellular service for phone, as well as internet and emergency communications to the northern El Dorado Hills area (Exhibit G).

Access to the project would be provided by an existing 10-foot wide access route from Francisco Drive through the existing El Dorado Hills water treatment facility to the back side of the southeastern most water tank. The entirety of the access route is paved.

**Site Description:** The site is located on a 4.64-acre parcel, approximately 785-feet above sea level. There are four water tanks and various accessory buildings on the site making up the El Dorado Hills Water Treatment Facility. The rear of the parcel where the lease area is proposed sits at a higher elevation than Francisco Drive (approximately 60 feet) and is predominantly screened from long distance views by mature vegetation and other treatment facility structures. The closest existing residence not owned by the parcel owner is located approximately 150 feet east of the proposed cell tower locations. There is heavy vegetation between the project site and the residences.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	RF	AP	El Dorado Hills Water Treatment Plant
North	RF	AP	Lake Forest Park
South	RF	AP	Marina Village Middle School
East	R1	AP	Residential/single-family residences
West	R1	AP	Residential/single-family residences & Francisco Drive

## STAFF ANALYSIS

**General Plan:** The El Dorado County General Plan designates this site as Adopted Plan (AP). Under Policy 2.2.1.2, AP designates areas where specific plans have been adopted. The project is in the Northwest El Dorado Hills Specific Plan and is located on a parcel designated “Public Facility.” As such, the proposed cell tower is compatible with uses allowed in the specific plan.

Policies 2.2.5.2 (review for General Plan consistency) and 2.2.5.21 direct development projects to be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the project is proposed.

**Project Issues:** The primary issues with this project are land use compatibility, noise, emergency access and utilities.

**Land Use Compatibility:** Policy 2.2.5.21 directs that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses. The site is surrounded by residential uses on the west and east sides and public uses (park and school) on the north and south sides. The closest homes to the east are approximately 145 feet from the water tank, while the homes to the west are more than 500 feet from the water tank. The nearest public amenity at the existing park is approximately 230 feet from the proposed cell tower locations. The closest school building at the existing middle school is approximately 110 feet from the proposed cell tower locations (see Exhibit D-1). A cellular telecommunications facility is considered to be a public utility facility, though owned privately. The project would be compatible and consistent with the neighboring land use designations because it has been designed to minimize the visual and noise impacts on adjacent properties, as directed by Section 17.14.210 of the Zoning Ordinance. All facility components would be painted a bayberry color that would blend with the existing water tank. As proposed and conditioned the communication poles would be consistent with this policy.

**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 project does not include any air conditioning units or stand-by generators, which would be the primary noise sources. There would be minimal noise impacts during construction of the wireless facility, but construction hours would be limited to midweek daytime hours and be subject to noise standards in Table 6-2. As such, no noise impacts to neighboring properties are anticipated to occur.

**Adequate Access for Emergencies:** Policy 6.2.3.2 directs the applicant to demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The site is located at the end of a 725 foot long driveway and approximately 380 feet from Francisco Drive. The entire length of the driveway is asphalt paved and approximately 10 feet in width. The plans were reviewed by the El Dorado Hills Fire Department, who made no comments relative to emergency ingress/egress capabilities. Therefore, the project would be in compliance with this General Plan Policy.

**Utilities:** Policy 5.6.1.4 states that special use permits shall be required for the installation of community telecommunication facilities in residential areas to ensure that siting, aesthetics, environmental issues, surrounding land uses and health and safety are considered. The project will utilize an existing EID utility easement for undergrounding the electrical and telecommunications utilities to accommodate the cell tower facility on-site and to an off-site telco pedestal located to the north on the Lake Forest Park property (Exhibit E-1).

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

Zoning Ordinance:

**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 chosen a site that would allow the poles and antennas to be attached to the side of an existing water tank. The three poles are proposed in order to allow wireless communication to provide in-building coverage in the local area and to fill the cellular communications gap in coverage. The supplied analysis, included as Exhibit G, found the subject project site to be the most optimum to achieve their needed coverage area. Another goal is to create one structure that could potentially accommodate other wireless service provider serving the area. Because of the low height of these poles and the small gap between the proposed antennas and the top of the water tank (approximately 10 feet), there may only be room for one additional carrier.

**Development Standards:** The parcel is zoned RF (Recreational Facilities). County Code Section 17.14.210 (D) (3) permits wireless communication facilities co-located on water tanks in all zoning districts, subject to approval of a Minor Use Permit, provided they follow standards and permitting requirements defined in Section 17.14.210 E-J of the County Code. These standards include screening, compliance with setbacks, and proper maintenance. Below is an analysis of these standards.

- E. **Visual:** The proposed retaining wall, fencing and ground equipment may only be visible from the tennis courts at the neighboring park, the back corner of the adjacent school site and possibly from a few of the neighboring single family residences to the rear. The top fifteen feet of the three poles and antennas would be visible from various points in the surrounding area. The poles and antennas are proposed to be painted bayberry (green) to match the existing water tanks. The proposed poles are located at the rear of an existing water treatment plant, so the addition of three poles with antennas will not negatively impact the aesthetics of the surrounding neighborhood. Photo simulations are provided in Exhibits F-1 to F-3.

Photo-simulations show 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

conforms to the exhibits approved with the application. As can be seen in these photo simulations, the poles and antennas above the water tank are barely visible from public areas and blend with other improvements at the site.

**F. Development Standards:**

1. **Screening:** The applicant is proposing to place equipment cabinets and support equipment within a 5 foot by 30 foot lease area located behind, and northeast of, the existing water tank. The cabinet equipment will be placed on a concrete pad and surrounded on three sides by a seven-foot tall CMU retaining wall at the bottom of a sloped hill. The front of the cabinet equipment area will be enclosed by access gates. The top of the hill behind the enclosure will be higher than the top of the CMU wall. A proposed utility rack will be located outside the CMU wall but within the lease area. As illustrated in the photo simulations, site plan and elevations, the poles and ground equipment are designed to blend with the existing surrounding buildings and landscaping.
2. **Setbacks:** The RF Zone District requires a 50-foot front, side, and rear setback from property lines for a structure such as a monopole, components and enclosure wall. The Site Plan Setbacks, Exhibit E-6, shows the rear property line is 48 feet 9 inches east of the proposed enclosure, while the closest side property line is 37 feet 2 inches south of the center of the southernmost proposed pole. The face of the southernmost antenna is 30 feet 8 inches from the side property line. According to Section 17.14.210.F.2, setback waivers can be approved through the minor use permit process where locating the facility inside the setbacks is the most practical and unobtrusive location possible on the proposed site.

In this case, the site contains an existing water treatment facility and the water tanks and access roadways are built within the 50 foot setbacks. The Applicant proposes to attach the poles and antennas to the water tank to limit the aesthetic impacts to the surrounding neighborhood. The proposed enclosure is being built on the ground as a detached stand-alone structure at the edge of the existing access roadway and is only 1 foot 3 inches into the setback. Because there is an existing public facility and the site contains vegetation to screen the proposed cell tower facility; Staff believes this reduction in setback is warranted.

3. **Maintenance:** Maintenance personnel might visit the site approximately once or twice a month, at which time the facilities would be inspected to ensure proper operation. Conditions are recommended to require that the colors and materials of the equipment enclosure and 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 (reference Hammett & Edison, Inc.; November 7, 2013) found that for a person anywhere at ground level, the maximum RF exposure level due to the installation of antennas was calculated to be  $0.069 \text{ mW/cm}^2$ , which is 7.0 percent of the applicable public exposure limit. For a worker on either tank, the maximum calculated level is 6.9% of the public exposure limit. The maximum calculated level at the Marina Village Middle School is 5.7% of the public exposure limit. The maximum calculated level at the second floor elevation of any nearby residence is 4.4% of the public exposure limit. The highest calculated level in publicly accessible areas is much less than the prevailing standards allowed for exposures of unlimited duration. Therefore, the project will not exceed FCC exposure levels for RF 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. Because the distance between the bottom portion of the proposed antennas and the top of the water tank is less than 10 feet, it is unknown if another carrier could co-locate on these three poles.
- 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. The Marina Village Middle School is located adjacent to the proposed project site and well within 1,000 feet of the project site. The County's Initial Consultation letter was routed to the Rescue Union School District on January 21, 2014, and no comments were received.

After review of the site plan 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, other than some minor reductions in side and rear yard setbacks. The setback reductions are warranted per the setbacks discussion in F.2 above. The visual impacts associated with the project have been fully considered. As designed and conditioned, there are no unresolved issues with the project.

**Public Comments:** To date, no public comments have been received concerning this project.

## **ENVIRONMENTAL REVIEW**

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15303 of the CEQA Guidelines stating 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 . . . (that) include, but are not limited to: (d) water main, sewage, electrical, gas, and other utility extensions”. As new poles are being attached to an existing water tank, the installation of three new poles, twelve antennas and ancillary equipment is consistent with this exemption classification under CEQA.

Pursuant to Resolution No. 240-93, a \$50.<sup>00</sup> processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional; however, not filing the Notice extends the statute of limitations for legal challenges to the project from 30 days to 180 days.

## **SUPPORT INFORMATION**

### **Attachments to Staff Report:**

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Location Map
Exhibit B .....	Assessor’s Parcel Number Map
Exhibit C .....	General Plan Land Use Designations Map
Exhibit D .....	Zoning Designations Map
Exhibit D-1 .....	Aerial View Map
Exhibit E-1 .....	Site Plan, Sheet A-0; November 20, 2013
Exhibit E-2 .....	Enlarged Site Detail, Sheet A-0.1; November 20, 2013
Exhibit E-3 .....	Topographic Survey, Sheet C-1; May 28, 2013
Exhibit E-4 .....	North and South Elevation, Sheet A-2; November 20, 2013
Exhibit E-5 .....	West and East Elevation, Sheet A-3; November 20, 2013
Exhibit E-6 .....	Site Plan Setbacks
Exhibits F-1 to F-3 .....	Photo Simulations
Exhibit G .....	AT&T Coverage Maps

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

### Special Use Permit S13-0015/ EID - AT&T Tank Mounted Wireless Zoning Administrator/May 21, 2014

#### 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 E-1 .....	Site Plan, Sheet A-0
Exhibit E-2 .....	Enlarged Site Detail, Sheet A-0.1
Exhibit E-3 .....	Topographic Survey, Sheet C-1
Exhibit E-4 .....	North and South Elevation, Sheet A-2
Exhibit E-5 .....	West and East Elevation, Sheet A-3
Exhibit E-6 .....	Site Plan Setbacks
Exhibits F-1 to F-3 .....	Photo 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 4.64-acre parcel identified by Assessor's Parcel Number 110-020-29, and consisting of the following:

- a. Three 45 foot monopoles with up to 12 panel antennas mounted at centerline at the approximate 42 foot level; each monopole to have up to 4 antennas each;
- b. One 21-foot by 5-foot CMU block ground equipment enclosure, measuring 7.5 feet tall, to house equipment cabinets and associated equipment;
- c. Two 7-foot tall gates constructed at the front of the 21-foot by 5-foot equipment enclosure for access;
- d. Various equipment panels mounted to a utility H-frame located within the 5-foot by 30-foot lease area but outside the equipment enclosure;
- e. One, 5-foot wide utility easement for undergrounding the electrical and telecommunications utilities for a distance of approximately 190 feet between the equipment enclosure and the existing telco pedestal to the north on the Lake Forest Park property, to be located as shown on Exhibit E-1.

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 and the hearing exhibits above 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.

### **Development Services Department (Planning)**

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. **Conditions Compliance:** The Project shall be subject to a building permit through El Dorado County Building Services. 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. All future development plans shall include this condition on the submitted plans.
4. **Co-location:** The applicant shall consent to the co-location of other wireless telecommunication communication users on these poles when feasible and without an increase in the height of the poles, and/or antennas. All new colocations, 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 Division Manager of the Development Services Division if generators, air conditioners or any other noise making piece of equipment are included in the project proposal. Should the Division Manager find that additional noise may create a significant impact; the Division Manager 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.
5. **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 poles.

Colors of the poles, facade, antennas, and other appurtenances shall be maintained to ensure the appearance remains consistent and so that nothing on the poles causes a reflection of light. All improvements associated with the facility, including equipment shelters, poles,

antennas, gates, and landscape shall be properly maintained in good visual repair at all times. The applicant shall provide proof to Planning Services that the painting of the structures and antennas are painted as conditioned prior to final approval of the Building Permit.

6. **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.
7. **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.
8. **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 Division every five years. At each five-year review, the permit holder shall provide the Development Services Division with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and determine 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.

9. **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.
10. **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

11. **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.

12. **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.

### **Air Quality Management District**

13. **Fugitive Dust:** 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 (PM<sub>10</sub>) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, if the project requires a grading permit from Development Services, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. (Rules 223 and 223.1)
14. **Paving:** Project construction may involve road development and shall adhere to AQMD Rule 224 Cutback and Emulsified Asphalt Paving Materials. (Rule 224).
15. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
16. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf). Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
17. **New Point Source:** Prior to construction/installation of any new point source emissions 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 and 523).

18. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

#### **El Dorado Hills Fire Department**

19. The fencing to the outdoor equipment area shall have a fire department approved KNOX padlock installed to provide access into the equipment area. KNOX box order forms are available at El Dorado Hills Fire Department, located at 1050 Wilson Blvd., El Dorado Hills, CA 95762.
21. The Applicant shall install a Knox Key shunt system to terminate power to generators, if installed.
22. The Applicant shall provide and maintain a minimum of one 2A 10B:C fire extinguisher. The extinguisher shall be mounted where readily available within the enclosure to the equipment.

#### **Environmental Management Division – Solid Waste**

23. Under the CUPA programs, if the operation will involve the storage of reportable quantities of hazardous materials (55 gallons, 500 pounds, 200 cubic feet) for backup power generation, a hazardous materials business plan for the site must be submitted to the Community Development Agency/Environmental Management Division and applicable fees paid.

## **ATTACHMENT 2**

### **FINDINGS**

#### **Special Use Permit S13-0015/ EID - AT&T Tank Mounted Wireless Zoning Administrator/May 21, 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 The proposed cell tower is Categorical 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 . . . (that) include, but are not limited to: (d) water main, sewage, electrical, gas, and other utility extensions.” As new poles are being attached to an existing water tank, the installation of three new poles, twelve antennas and ancillary equipment is consistent with this exemption classification under CEQA.
- 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 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. The site is located within the North West El Dorado Hills Specific Plan area in a land use area designated Public Facility.
- 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 northern El Dorado Hills 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 and within easements on an adjacent parcel;

- 2.2.3 Policy 6.2.3.2 (adequate access) because the project will utilize an existing paved access way for access; and
- 2.2.4 Policy 6.5.1.7 (noise exposure) because the project does not include air conditioners or generators and therefore will have minimal 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 Recreational Facilities (RF), which allows wireless communication facilities with an approved Special Use Permit, provided they follow standards and permitting requirements defined in Section 17.14.210 of the County Code. These standards include screening, compliance with setbacks, and proper maintenance. 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 use will not significantly conflict with the adjacent uses as the ground-support equipment will be buffered from view by a 7.5-foot tall CMU block enclosure, and the poles and antennas will be painted to match the existing water tank. The view of the poles and equipment enclosure will be buffered by existing trees. 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 less than 5.7 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 Section 17.14.210.E through J (facility requirements/analysis), and 17.48.070 (minimum yard setbacks for RF Zone District).