MONTEREY COUNTY PLANNING COMMISSION

	Agenda Item No.: 2	
Project Description: Use Permit and Design Approval to allow the installation of a commercial		
wireless communication facility (Verizon Wireless) on an existing commercial building. The		
project includes installation of 12 antennas behind 8-foot tall screening structures on the roof of the		
existing commercial building and a 190-square foot equipment shelter with a 210 gallon diesel		
standby generator located on the ground, at the north-west corner of the property.		
Project Location: 11600 Merritt Street, Castroville	APN: 030-281-035-000	
Planning File Number: PLN120605	Owner: Hector Campos	
	Agent: Tricia Knight – Verizon Wireless	
Planning Area: Castroville Community Plan	Flagged and staked: Yes	
Zoning Designation: : MU-C [Mixed Use – Castroville]		
CEQA Action: Categorically Exempt per Section 15301		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (Exhibit B) to:

- 1) Find the project categorically exempt per Section 15301 of the CEQA Guidelines; and
- 2) Approve PLN120605, based on the findings and evidence and subject to the conditions of approval (Exhibit B).

PROJECT OVERVIEW:

The project entails the installation of a commercial wireless communications facility (Verizon Wireless) on an existing commercial building. The facility includes 12 antennas located on the rooftop of the existing building and a 190 square foot equipment shelter with emergency generator to be located near the existing trash enclosure/parking lot. Antennas will be placed behind a façade that matches the colors and materials of the existing building which will completely shield the antennas from view. According to Section 21.64.310.D of the Monterey County Zoning Ordinance, structure-mounted antennas, on a mast less than 10 feet, are exempt from a discretionary permit. A Use Permit is still required to establish a new wireless communications facility.

Pursuant to Section 21.64.310 (Regulations for the Siting, Design and Construction of Wireless Communication Facilities) of the Monterey County Zoning Ordinance, the project must demonstrate, through review of alternative sites and coverage maps, why the proposed location is necessary. The applicant initially reviewed an existing tower at 13985 Blackie Road (PG&E/PLN000046). The site was ideal for the coverage required, but the tower is overcrowded. No other site was analyzed due to the lack of existing facilities in the area. The proposed site provides the required coverage, and also allows the proposed antennas to be completely shielded from views. Staff finds the project consistent with the regulations for the siting, design and construction of wireless communication facilities, and recommends that the Planning Commission approve the project.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- $\sqrt{}$ RMA Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- $\sqrt{}$ North County Fire Protection District

Agencies that submitted comments are noted with a check mark (" $\sqrt{}$ "). All conditions recommended by above-listed agencies have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (Exhibit B).

Note: The decision on this project is appealable to the Board of Supervisors.

Dan Lister - Assistant Planner

(831) 759-6617, listerdm@co.monterey.ca.us

May 31, 2013

ce: Front Counter Copy; Planning Commission; North County Fire Protection District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; Wanda Hickman, Planning Services Manager; Dan Lister, Project Planner; Luis Osorio, Senior Planner; Hector Campos, Owner; Tricia Knight/Verizon Wireless, Agent; The Open Monterey Project; LandWatch; Planning File PLN120605.

Attachments: Exhibit A P

ibit A Project Data Sheet

Exhibit B Draft Resolution, including:

- · Conditions of Approval
- Site Plan & Elevations
- Visual Simulations
- Coverage Maps (before and after)

Exhibit C

Vicinity Map

This report was reviewed by Luis Osorio, Senior Planner.

EXHIBIT A PROJECT INFORMATION FOR PLN120605

Project Title:

Campos/Verizon

Primary APN:

030-281-035

Location:

11600 Merritt St. Castroville, CA

Coastal Zone:

N

Applicable Plan:

Castroville Comm. Plan

Zoning:

MU-C

Permit Type:

Use Permit

Plan Designation:

Mixed Use

Environmental Status:

Exempt

Final Action Deadline:

07/16/2013

Advisory Committee:

N/A

Project Site Data:

Lot Size: 26,136sf

Coverage Allowed:

Coverage Proposed:

50% 27.5%

7.000sf **Existing Structures (sf):**

Proposed Structures (sf): 882sf Height Allowed:

Height Proposed:

42'

Total Square Feet: 7,882sf

Resource Zones and Reports:

Environmentally Sensitive Habitat:

Erosion Hazard Zone:

Slight/Low

Botanical Report #: Forest Mgt. Report #:

N/A N/A

Soils/Geo. Report # Geologic Hazard Zone:

N/A VI N/A

Archaeological Sensitivity Zone: High Archaeological Report #:

Traffic Report #: N/A

Geologic Report #:

Fire Hazard Zone: Low

Other Information:

North County **Fire District:**

FPD

Grading (cubic yards): None

Tree Removal (Count/Type):

EXHIBIT B DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

CAMPOS (VERIZON) (PLN120605) RESOLUTION NO.

Resolution by the Monterey County Planning Commission:

- 1) Finding the project categorically exempt per Section 15301 of the CEQA Guidelines; and
- 2) Approving a Use Permit and Design Approval to allow the installation of a commercial wireless communication facility (Verizon Wireless) on an existing commercial building. The project includes installation of 12 antennas behind 8-foot tall screening structures on the roof of the existing commercial building and a 190-square foot equipment shelter with a 210 gallon diesel standby generator located on the ground, at the north-west corner of the property.

[PLN120605, Campos, 11600 Merritt Street, Castroville, Castroville Community Plan (APN: 030-81-035-000)]

The Campos/Verizon application (PLN120605) came on for public hearing before the Monterey County Planning Commission on June 26, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:**

CONSISTENCY – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE:

- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - 2010 Monterey County General Plan;
 - Monterey County Zoning Ordinance (Title 21);
 - Castroville Community Plan

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

b) The property is located at 11600 Merritt Street, Castroville (Assessor's Parcel Number 030-081-035-000), Castroville Community Plan. The parcel is zoned MU-C [Mixed Use – Castroville], which allows the installation of a wireless communications facility with a Use Permit

- (Table B-2, Castroville Community Plan). Therefore, the project is an allowed land use for this site.
- c) The subject project proposes 12 antennas to be placed on the roof of an existing commercial building. The project proposes to expand portions of the existing building façade with the same materials and colors to visually shield the antennas from public views. The existing commercial building was approved in 2006 before the Castroville Community Plan (CP) Design Guidelines were adopted (PLN050563; Resolution No. 06030). The proposed wireless facility is consistent with the wireless communications facilities design regulations (Section 21.64310.H.2, Zoning Ordinance), as required in the Castroville Community Plan.
- d) The site is designated as a high archaeological zone. An archaeological waiver was approved for the existing commercial building (PLN050563). The subject project does not require ground disturbance; and therefore, does not require an archaeological report (21.66.050, Zoning Ordinance).
- e) The project planner conducted a site inspection on October 8, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN120605.
- 2. **FINDING: SITE SUITABILITY** The site is physically suitable for the use proposed.
 - EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA Planning Department, North County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff conducted a site inspection on October 8, 2012 to verify that the site is suitable for this use.
 - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN120605.
- 3. **FINDING: HEALTH AND SAFETY -** The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
 - EVIDENCE: a) The project was reviewed by the RMA Planning Department, North County Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project

- will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Necessary public facilities currently are available. Though the proposed wireless communications facility will not require any water or sewage services, the existing commercial building is accommodated by the community water and sewage services.
- c) Staff conducted a site inspection on October 8, 2012 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN120605.

4. **FINDING:**

NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

EVIDENCE:

- a) Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on October 8, 2012 and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120605.

5. **FINDING:**

CEQA (Exempt): - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE:

- a) California Environmental Quality Act (CEQA) Guidelines Section 15301 categorically exempts minor alteration to existing establishments and facilities.
- b) The project proposes minor alterations to the existing establishment to accommodate 12 new antennas and equipment shelter. Alterations include expansion of existing façade to shield antennas on the rooftop from public views and an equipment shelter to be located near the existing trash enclosure.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on October 8, 2012.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
- e) Staff conducted a site inspection on October 8, 2012 to verify that the site is suitable for this use.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN120605.

6. **FINDING:**

WIRELESS COMMUNICATION FACILITIES – The development of the proposed wireless communications facility will not significantly

affect any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resources. The site is adequate for the proposed development of the wireless communication facility and the applicant has demonstrated that it is the most adequate for the provision of services as required by the Federal Communications Commission. The proposed wireless communication facility complies with all the applicable requirements of Monterey County Code, Section 21.64.310. The subject property on which the wireless communication facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other provisions of Title 21. The proposed telecommunication facility will not create a hazard for aircraft in flight.

EVIDENCE:

- The project consists of a new wireless communications facility which includes 12 antennas to be located on the roof of an existing establishment and an equipment shelter and emergency generator to be located near an existing trash enclosure near the existing parking lot. The project is consistent with Section 21.64.310 of that Monterey County Code in that the project is located in a suitable location, and that the antennas will be shielded from public view through the expansion of the building façade (Section 21.64.310.H, Zoning Ordinance).
- b) Conditions have been incorporated that would reduce the visual impact and include further review of colors and exterior lighting, modifications in the event of technological advances, and maintenance and restoration of the site.
- c) The project is consistent with Section 21.86 of the Zoning Ordinance (Airport Approaches Zoning) and does not require review by the Monterey County Airport Land Use Commission. This project does not affect any aircraft zones identified in Section 21.86.050 and the proposed height is within limitations outlined in Section 21.86.060.
- d) The project does not penetrate a FAR Part 77 Imaginary Surface since it is not located within five (5) miles of an airport (Monterey Peninsula, Salinas Municipal, Mesa Del Rey/King City, Carmel Valley, or Fritzsche Army/Fort Ord). If deemed necessary by the FCC, proper warning lights would be located on top of the structure to prevent conflict with any aircraft (e.g. crop dusters) when visibility is limited.
- e) Staff site visit and project photos in project file PLN120605.
- 7. **FINDING:** APPEALABILITY The decision on this project may be appealed to the Board of Supervisors.
 - **EVIDENCE:** a) Section 21.80.040.D of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- 1. Find the project categorically exempt per Section 15301 of the CEQA Guidelines; and
- 2. Approve a Use Permit and Design Approval to allow the installation of a commercial wireless communication facility (Verizon Wireless) on an existing commercial building. The project includes installation of 12 antennas behind 8-foot tall screening structures on the roof of the existing commercial building and a 190-square foot equipment shelter with a 210 gallon diesel standby generator located on the ground, at the north-west corner of the property, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference; and

PASSED AND ADOPTED this 26th day of June, 2013 u, by the following vote:	pon motion of, seconded by
AYES: NOES: ABSENT: ABSTAIN:	
Mike	Novo, Planning Commission Secretary
COPY OF THIS DECISION MAILED TO APPLICANT ON	
THIS APPLICATION IS APPEALABLE TO THE BOARD OF	SUPERVISORS.
IF ANYONE WISHES TO APPEAL THIS DECISION, AN API AND SUBMITTED TO THE CLERK TO THE BOARD ALON FEE ON OR BEFORE	
This decision, if this is the final administrative decision, is subjective	ect to judicial review pursuant to California

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with

the Court no later than the 90th day following the date on which this decision becomes final.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County Planning Department

DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN120605

1. PD001 - SPECIFIC USES ONLY

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit (PLN120605) allows the installation of a commercial wireless communication facility (Verizon Wireless) on an existing commercial building. The project includes installation of 12 antennas behind 8-foot tall screening structures on the roof of the existing commercial building and a 190-square foot equipment shelter with a 210 gallon diesel standby generator located on the ground, at the north-west corner of the property. The property is located at 11600 Merritt Street, Castroville (Assessor's Parcel Number 030-81-035-000), Castroville Community Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A permit (Resolution ______) was approved by the Planning Commission for Assessor's Parcel Number 030-81-035-000 on June 26, 2013. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

PLN120605

Print Date: 5/31/2013 3:04:27PM

3. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on June 26, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

4. PD039(A) - WIRELESS INDEMNIFICATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant agrees as a condition and in consideration of the approval of the permit to enter into an indemnification agreement with the County whereby the applicant agrees to defend, indemnify, and hold harmless the County, its officers, agents and employees from actions or claims of any description brought on account of any injury or damages sustained by any person or property resulting from the issuance of the permit and conduct of the activities authorized under said permit. Applicant shall obtain the permission of the owner on which the wireless communication facility is located to allow the recordation of said indemnification agreement, and the applicant shall cause said indemnification agreement to be recorded by the County Recorder as a prerequisite to the issuance of the building and/or grading permit. The County shall promptly notify the applicant of any such claim, action, or proceeding and the County shall cooperate fully in the defense thereof. The County may, at its sole discretion, participate in the defense of such action, but such participation shall not relieve applicant of its obligations under this condition.

(RMA - Planning Department)

Compliance or Monitorina Action to be Performed:

Prior to the issuance of grading or building permits, the Owner/Applicant shall submit signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Prior to the issuance of grading or building permits, the Owner/Applicant shall submit proof of recordation of the Indemnification Agreement, as outlined, to the RMA-Planning Department.

5. PD039(B) - WIRELESS REDUCE VISUAL IMPACTS

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The applicant shall agree in writing that if future technological advances allow for reducing the visual impacts of the telecommunication facility, the applicant shall make modifications to the facility accordingly to reduce the visual impact as part of the facility's normal replacement schedule.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading or building permits, the Owner/Applicant shall submit, in writing, a declaration agreeing to comply with the terms of this condition the RMA - Planning Department for review and approval.

Print Date: 5/31/2013 3:04:27PM

6. PD039(D) - WIRELESS REMOVAL

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

If the applicant abandons the facility or terminates the use, the applicant shall remove the monopole, panel antennas, and equipment shelter. Upon such termination or abandonment, the applicant shall enter into a site restoration agreement subject to the approval of the Director of RMA - Planning Department and County Counsel. The site shall be restored to its natural state within six (6) months of the termination of use or abandonment of the site.

(RMA - Planning Department)

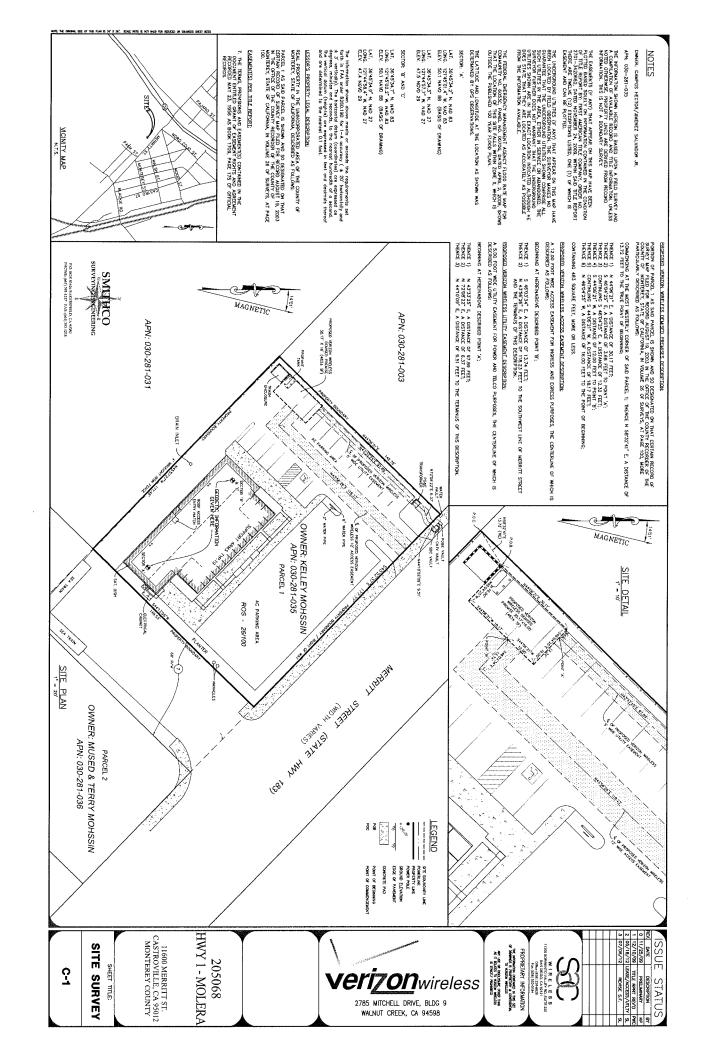
Compliance or Monitoring Action to be Performed:

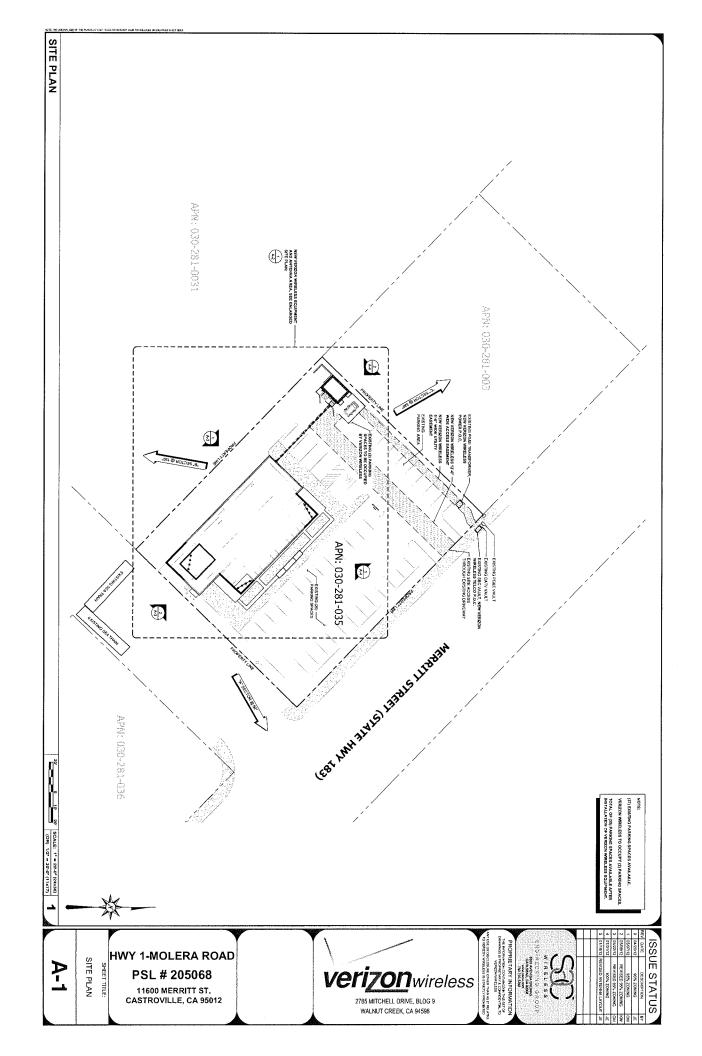
If the applicant abandons the facility or terminates the use, prior to the issuance of grading or building permits or on an on-going basis, the Owner/Applicant shall submit a site restoration agreement to the RMA - Planning Department subject to the approval of the RMA - Director of Planning and County Counsel.

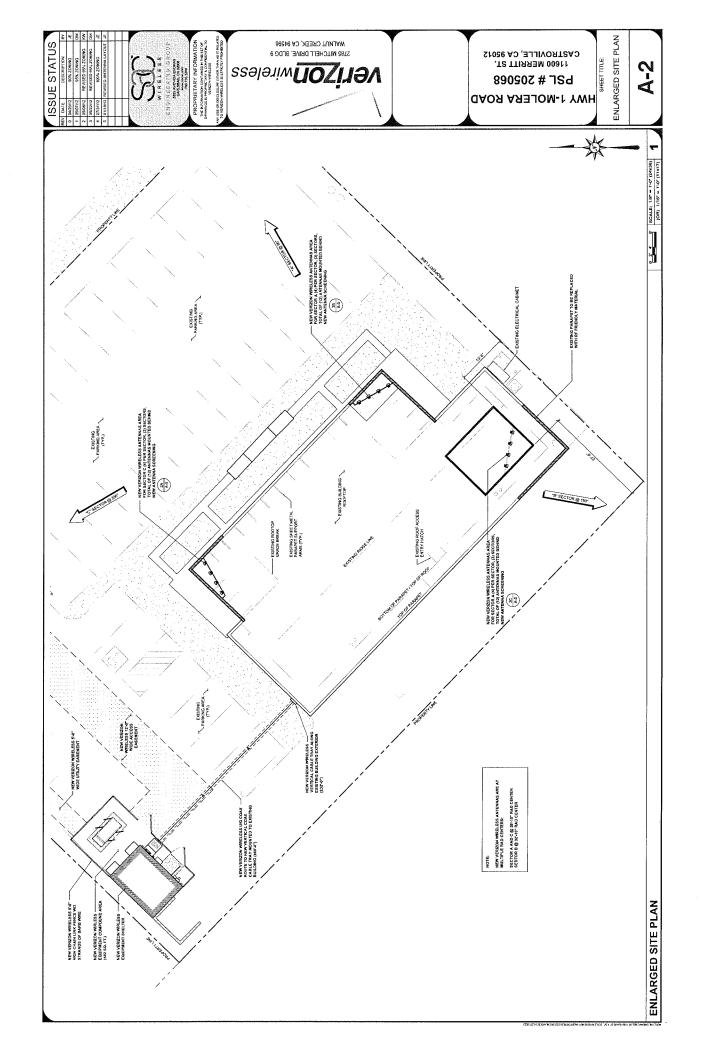
Within 6 months of termination of use or abandonment of the site, the Owner Applicant shall restore the site to its natural state.

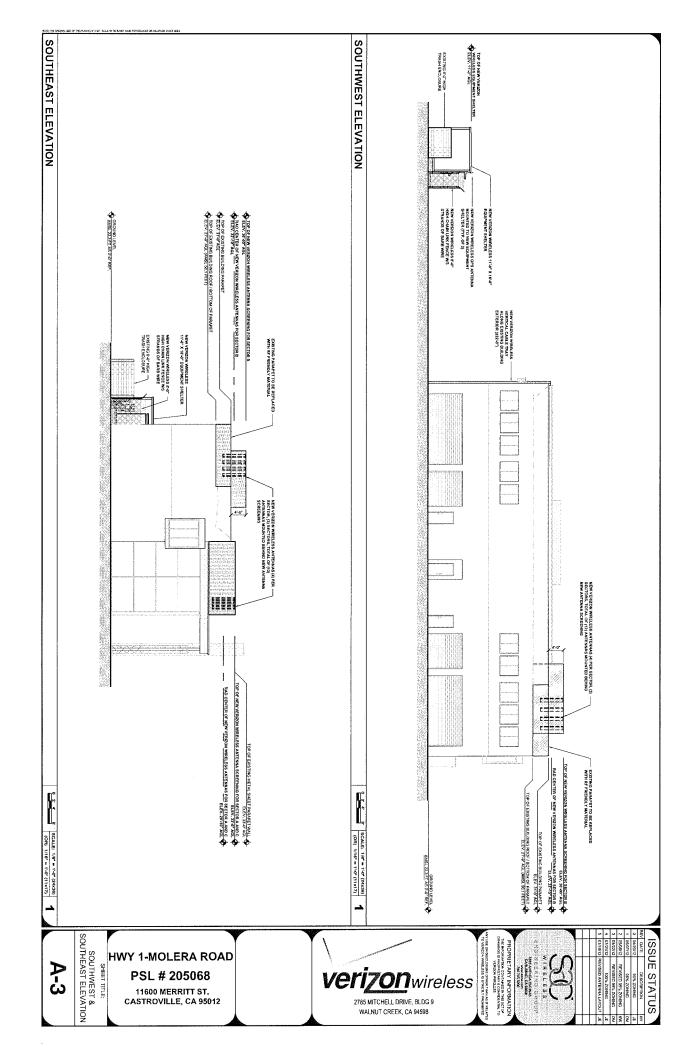
PLN120605

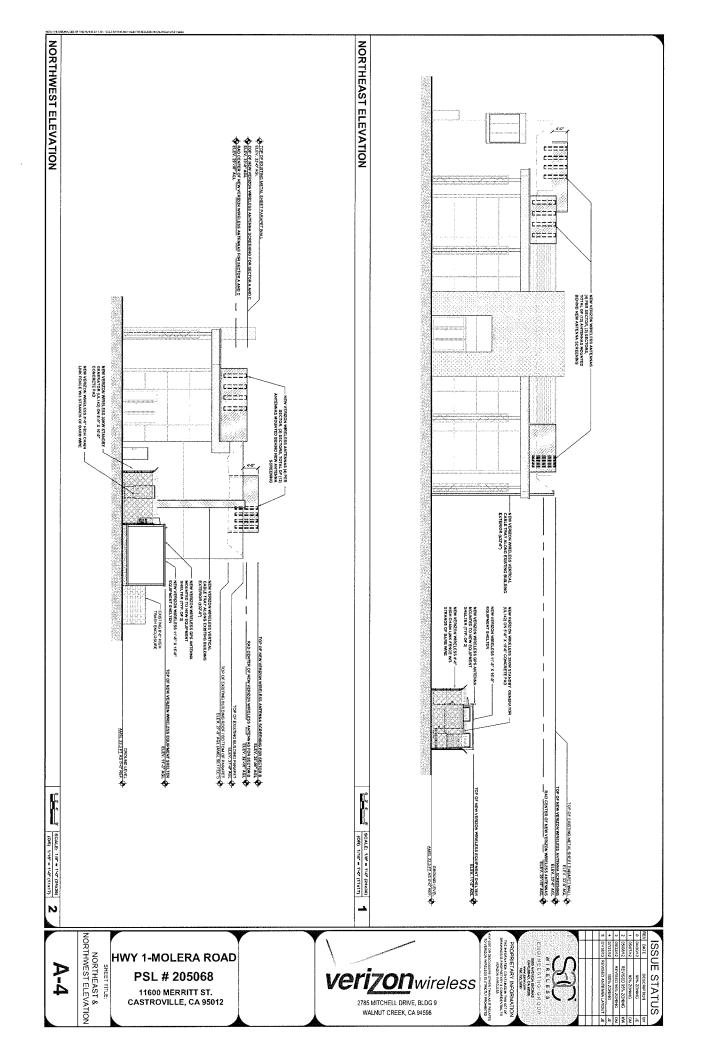
Print Date: 5/31/2013 3:04:27PM Page 3 of 3







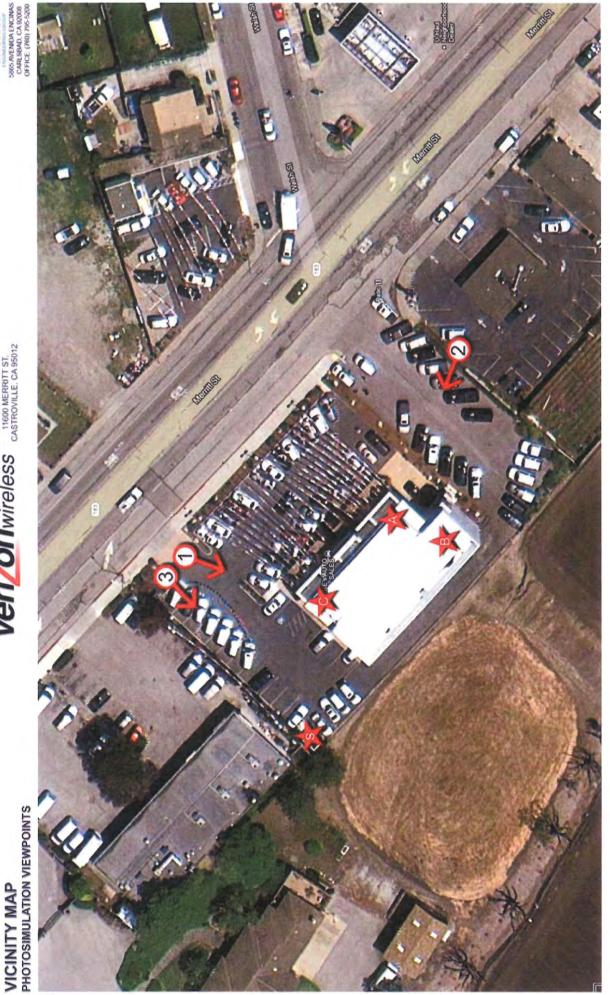








HWY 1 - MOLERA PSL # 205068 11600 MERRITT ST, CASTROVILLE, CA 95012







Verizonwireless 11600 MERRITT ST. CASTROVILLE, CA 95012

PROPOSED





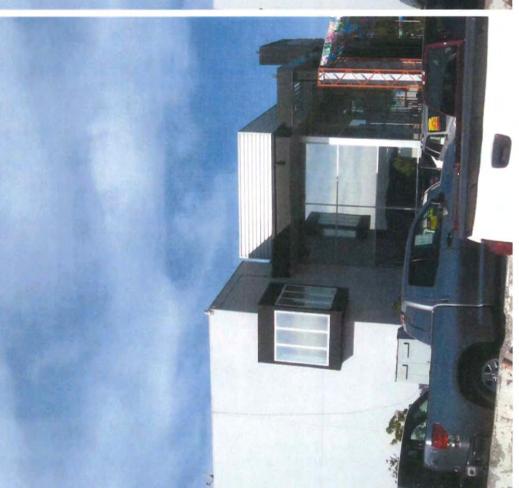
PHOTOSIMULATION VIEW 1

EXISTING





NEW VERZON WIRELESS ANTENNAS, (4)
ANTENNAS PER SECTOR, (3) SECTORS WITH A
TOTAL OF (12) ANTENNAS MOLITICAB BEHIND NEW
ANTENNAS SOREENINGS, ANTENNA SOREENINGS
TO MATCH EXISTING BUILDING MATERAL) PROPOSED



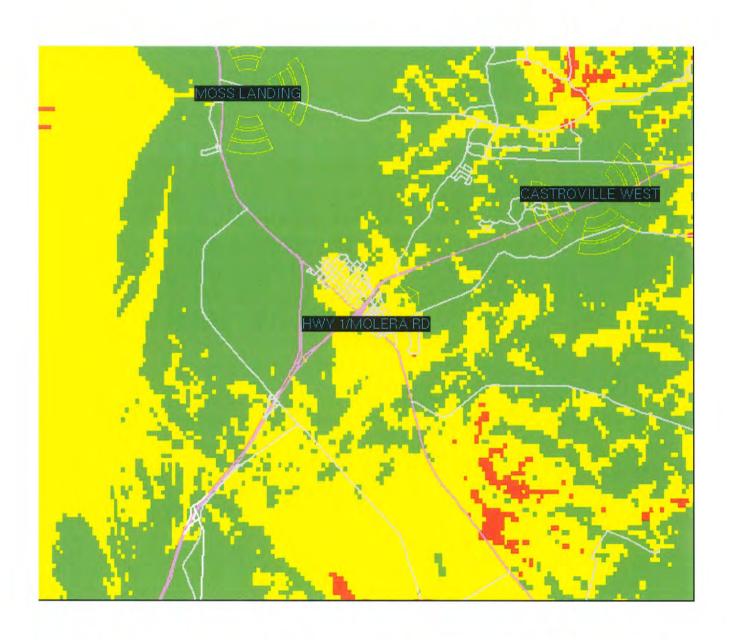
PHOTOSIMULATION VIEW 2

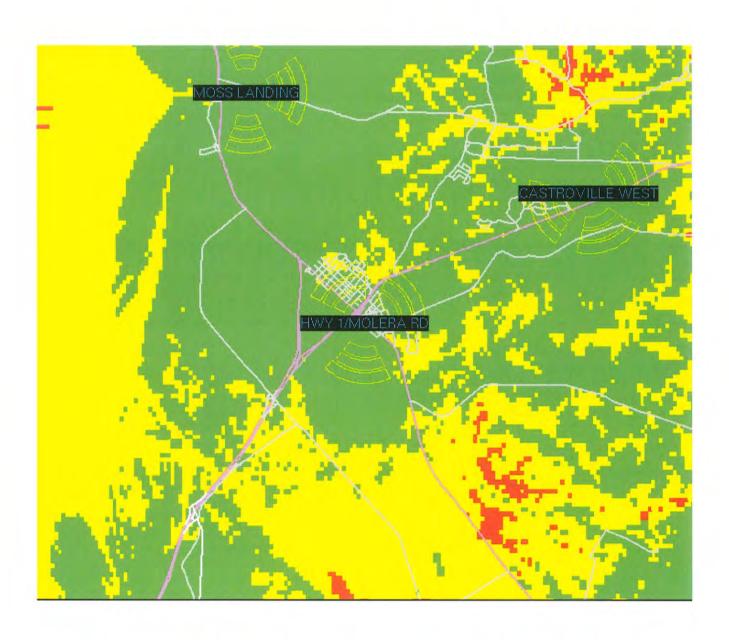
EXISTING

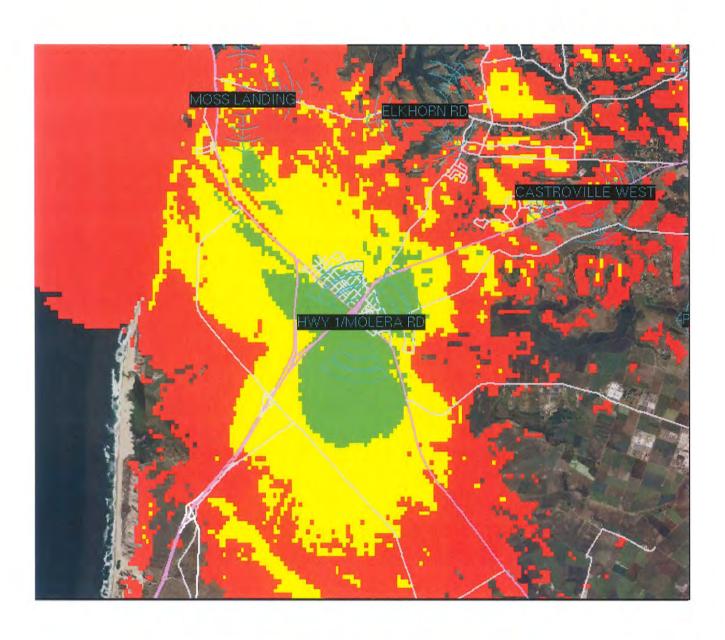


1. Hwy 1/Molera

This site is intended to offload the overloaded Castroville West cell site and improve coverage in Castroville. It will improve in-building coverage in most of Castroville. Below are the before and after maps showing the area in yellow (poor in-building) that are improved to green (good in-building) We have also provided single propagation maps that show the coverage footprint on this new cell.







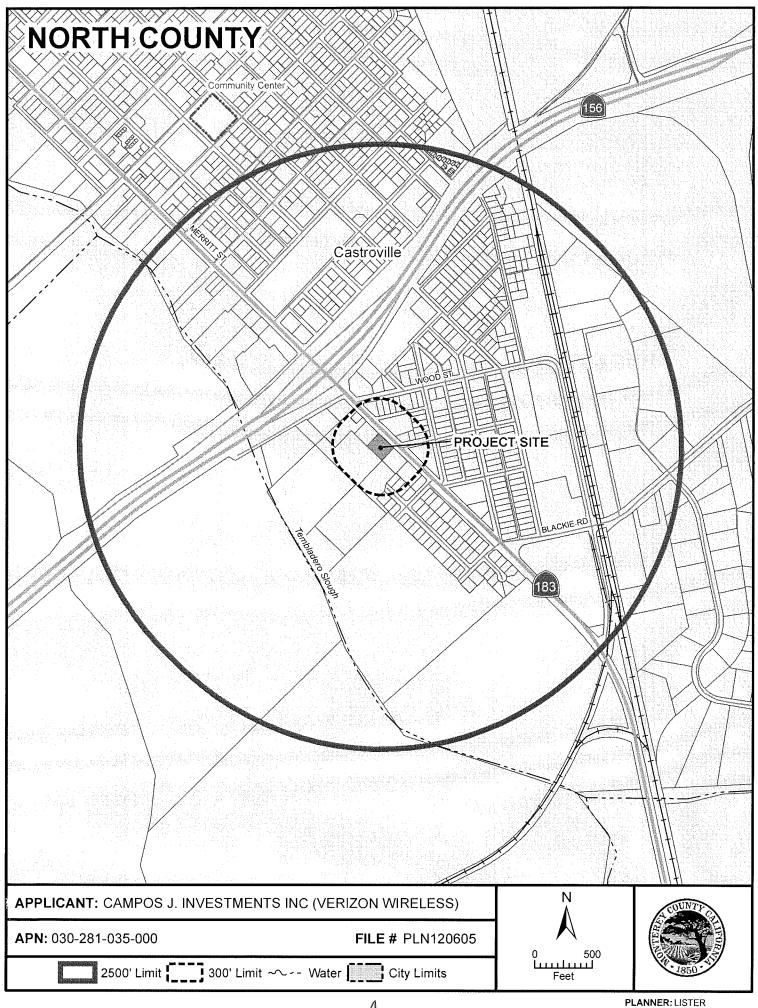


Exhibit <u>C</u>