

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> October 25, 2007	<b>Time:</b> 1:30 pm	<b>Agenda Item No.:</b>
<b>Project Description:</b> Administrative Permit to allow the modification of an existing wireless communication facility. The existing facility consists of two 35-foot tall poles with omni (whip) antennas to be replaced with one 40-foot tall monopine.		
<b>Project Location:</b> 55 Dunbarton Road, Aromas	<b>APN:</b> 141-012-019-000	
<b>Planning File Number:</b> PLN070336	<b>Name:</b> Hill, William & Shirley, Property Owner On Air LC for Verizon Wireless, Agent	
<b>Plan Area:</b> North County Non-Coastal Area	<b>Flagged and staked:</b> Minimally. Site photos in packets.	
<b>Zoning Designation:</b> RDR/5.1 Rural Density Residential		
<b>CEQA Action:</b> Categorically Exempt per Section 15302 (Replacement or Reconstruction)		
<b>Department:</b> RMA - Planning Department		

### RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Administrative Permit to modify the existing wireless facility based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

### PROJECT OVERVIEW:

Please refer to the discussion in **Exhibit B**.

### OTHER AGENCY INVOLVEMENT:

- ✓ Aromas Tri-County Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Sheriff's Office

The above checked agencies and departments have reviewed this project. Conditions recommended by the Environmental Health Department, Sheriff's Office and Planning Department have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to the North County Non-Coastal Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions; the project does not involve new impacts to ridgeline/viewshed development; the project is exempt from CEQA per Section 15302; nor does the project involve a variance.

Note: The decision on this project is appealable to the Planning Commission.

---

Taven M. Kinison Brown, Project Planner  
 (831) 755-5173 [kinisonbrownm@co.monterey.ca.us](mailto:kinisonbrownm@co.monterey.ca.us)  
 October 4, 2007

cc: Zoning Administrator; Aromas Tri-County Fire Protection District; Public Works Department; Environmental Health Division; Monterey County Sheriff's Office, David Crozier; Water Resources Agency; Laura Lawrence, Acting Planning & Building Services Manager; Taven M. Kinison Brown, Planner; Carol Allen; On Air LLC for Verizon Wireless, Applicants; William and Shirlee Hill, Property Owners; Planning File PLN070336.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Overview
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval
	Exhibit E	Planning Commission Resolution No. 90-360 (from File PC07609)
	Exhibit F	Aerial Site Plan and Photo Simulations
	Exhibit G	Site Plan and Elevations

This report was reviewed by \_\_\_\_\_, Planning and Building Services Manager

# EXHIBIT A

(Exhibit A) <b>Project Information for PLN070336</b>
---

Project Title: <b>HILL WILLIAM LEON &amp; SHIRLEE H</b>	Primary APN: 141-012-019-000
Location: 55 DUNBARTON RD AROMAS	Coastal Zone: No
Applicable Plan: North County Area Plan	Zoning: RDR/5.1
Permit Type: Administrative Permit	Plan Designation: Rural Residential 5.1
Environmental Status: Categorically Exempt	Final Action Deadline (884): 11/23/2007
Advisory Committee: N/A	

---

Project Site Data:

Lot Size: 5+ac	Coverage Allowed: 25%
Existing Structures (sf): 600	Coverage Proposed: n/c
Proposed Structures (sf): n/c	Height Allowed: 30
Total Sq. Ft.:	Height Proposed: 40
	FAR Allowed: n/a
	FAR Proposed: na

---

Resource Zones and Reports:

Environmentally Sensitive Habitat: No	Erosion Hazard Zone: High
Biological Report #: N/A	Soils Report #: N/A
Forest Management Rpt. #: N/A	
Archaeological Sensitivity Zone: Low	Geologic Hazard Zone: V
Archaeological Report #: N/A	Geologic Report #: N/A
Fire Hazard Zone: High	Traffic Report #: N/A

---

Other Information:

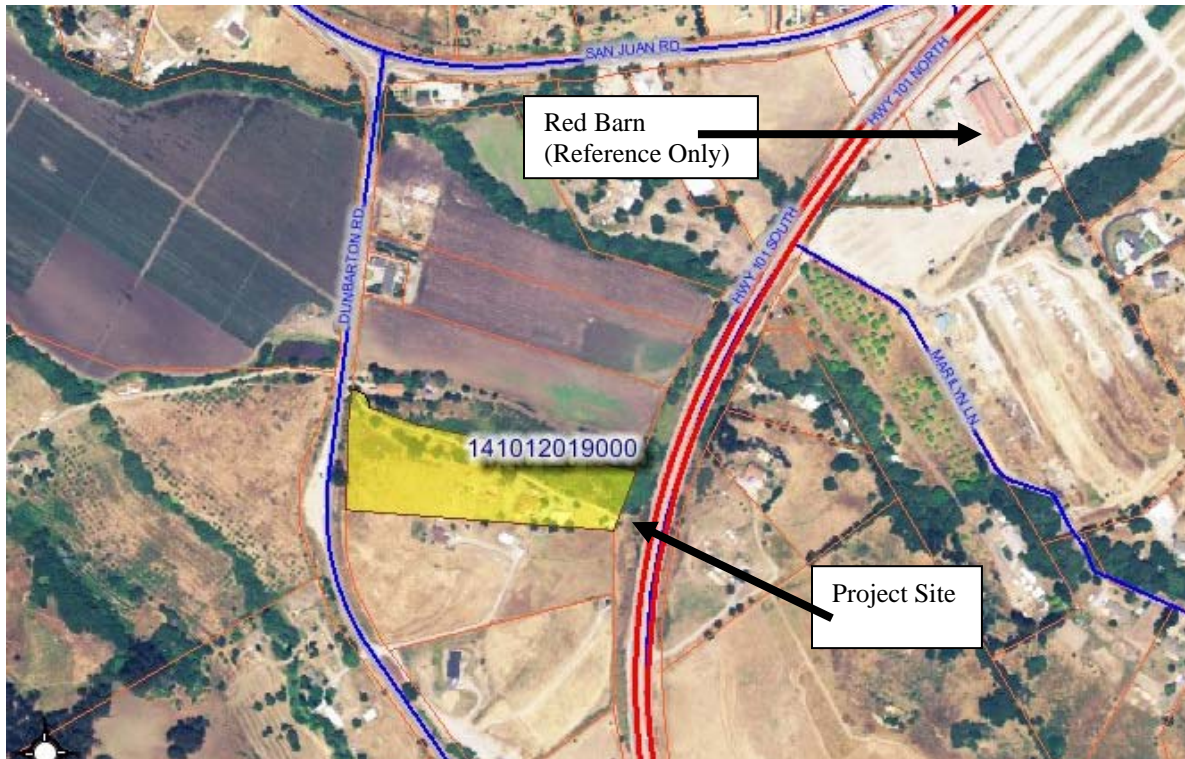
Water Source: N/A	Sewage Disposal (method): N/A
Water Dist/Co: N/A	Sewer District Name: N/A
Fire District: Aromas Tri-County FPD	Grading (cubic yds.): 0.0
Tree Removal: N/A	

## EXHIBIT B

### DISCUSSION

#### SETTING AND PROJECT DESCRIPTION

The project setting is a cluster of cellular facilities west of the Red Barn in Northern Monterey County located on a modest knoll on the west side of Highway 101. The subject property is 5.7 acres in area and is owned by Leon and Shirlee Hill (APN: 141-012-019-000). The owners and several cellular companies have configured smaller lease parcels within the 5.7 acre parcel. See **Exhibit G**.



The applicant has proposed to modify the existing facility permitted under Planning Commission Use Permit PC07609 in November of 1990 (**Exhibit E**). Since this time, Monterey County has updated its Zoning Ordinance and has included *Regulations for the Siting, Design, and Construction of Wireless Facilities* (Section 21.64.310). The applicant’s request to modify the existing facility with two 35 foot tall Omni whip antenna poles with one 40 foot tall “monopine” is now subject to review and approval of the Zoning Administrator and subject to compliance with the General Development Standards of that Section.

Visual simulations of the existing and proposed scenarios are included as **Exhibit F**. The applicant intends to replace the existing back-up generator with an updated and modern generator.

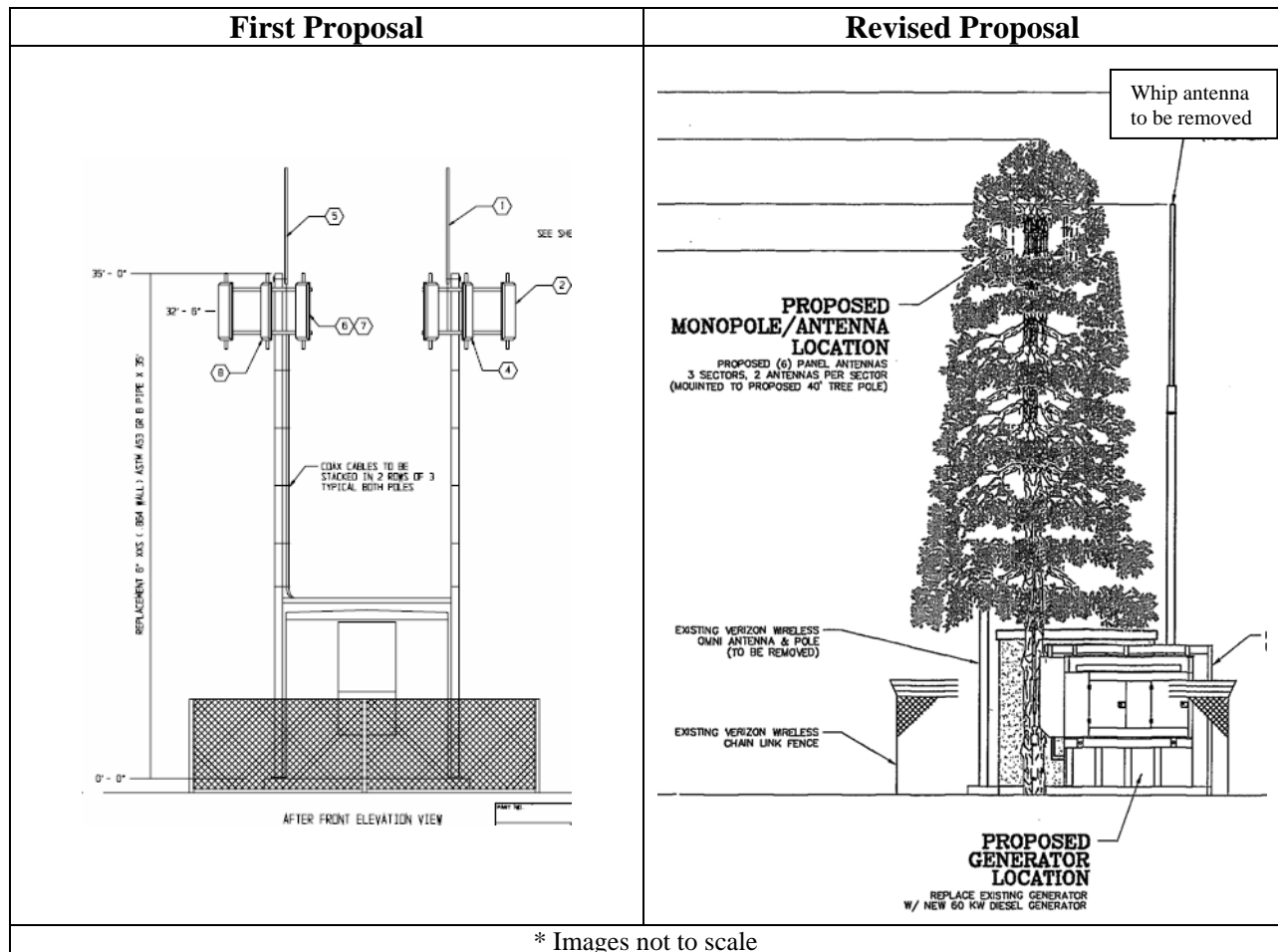
#### ENVIRONMENTAL REVIEW

The project is Categorically Exempt under the California Environmental Quality Act per Section 15302 (Replacement or Reconstruction). Class 2 consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the

structure replaced and will have substantially the same purpose and capacity as the structure replaced.

**ANALYSIS**

When the applicant first approached the County to update this cellular site, they had intended to attach panel antennas to replacement poles in the place of the existing omni whip antennas. This would have given a look of increasing the mass and size of the existing whip antennas and by attaching multiple 6 foot tall panels at a 35 foot height on both antenna poles. Because the proposal was not consistent with the *Regulations for the Siting, Design, and Construction of Wireless Facilities* (Section 21.64.310), staff strongly encouraged the applicant to revise the proposal.



In keeping with the General Development Standards of Section 21.64.310 the applicant’s revised proposal now includes a “monopine” antenna that will serve to minimize the visual impact of the existing whip antennas and appears much less “industrial” than the first proposal. While still visible along this major Highway 101 “gateway” to Monterey County, the change-out of the industrial looking whip antennas serves to reduce the visual impacts of the facility. Unlike a neighboring facility, the applicant’s monopine proposal will not have panels extend beyond the “branches” of the monopine. In keeping with County Ordinance, the intent is to not see the panels, but to have the false foliage disguise the presence of the antenna.

Landscape / Screening The existing cellular lease facility is surrounded by chain link fence and includes an equipment box/shelter, diesel tank, back-up generator and the whip antennas. Once the antennas are changed out for the proposed monopine, the equipment box will still be very

visible. Staff has included a new landscaping condition to better disguise and minimize the presence of the existing above ground equipment. Prior to issuance of electrical or building permits, staff is requiring that a landscape / screening plan be submitted for Planning Department review and approval to install appropriate landscape or alternate materials to minimize the presence of the fence. Staff anticipates that the applicant will not be able to plant materials outside of the lease space, nor be able to provide irrigation service to the lease space. A vine that could be trained on to the chain link that is drought resistant may be ideal. Alternatively, a fabric screen or slatted material woven into the chain link may serve to minimize the presence of the equipment shelter.

Opportunity for Collocation with this monopole structure. Converting the existing whip antenna site to a 40-foot tall monopine will allow additional carriers to collocate in the future. While collocation is not preferred by cellular companies, Monterey County regulations require (future) applicants to pursue collocation to the maximum extent feasible.

Previous Conditions of Approval from PC07609 Staff has included the old Planning Commission resolution as **Exhibit E**. These conditions are either outdated (relating to construction of a new facility) or no longer relevant due to the required conformance of the facility to the *Regulations for the Siting, Design, and Construction of Wireless Facilities* (Section 21.64.310). Staff recommends that the attached **Exhibit D** replace all conditions of approval for the project.

No conditions of approval have been recommended by the Public Works Department or the Aromas Tri-County Fire Department.

## **CONCLUSION**

Staff recommends that the Zoning Administrator Approve the applicant's proposal to take down the existing 35-foot tall omni whip antennas and install a 40-foot tall monopine cellular structure in keeping with the exhibits and plans presented in **Exhibits F** and **G** as the proposal is consistent with the *Regulations for the Siting, Design, and Construction of Wireless Facilities* (Section 21.64.310). Subject to the implementation of the suggested conditions, approval of the project should result in an improved visual experience for Highway 101 commuters.

**EXHIBIT C**  
**RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, North County Area Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development. Specifically, this permit complies with Section 21.64.310 of the Zoning Ordinance (Title 21) *Regulations for the Siting, Design, and Construction of Wireless Facilities*.

- EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. 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 55 Dunbarton Road, Aromas (Assessor's Parcel Number 141-012-019-000), North County Area Plan. The parcel is zoned RDR 5.1 (Rural Density Residential 5.1 acre minimum parcel size). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
- (c) Wireless facilities consistent with the Development Standards of Section 21.64.310 of the Zoning Ordinance (Title 21) *Regulations for the Siting, Design, and Construction of Wireless Facilities* are allowed in all zoning districts of unincorporated Monterey County.
- (d) The project planner conducted a site inspection on September 11, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
- (e) The project was not referred to the North County Non-Coast Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions; the project does not involve new impacts to ridgeline/viewshed development; the project is exempt from CEQA per Section 15302; nor does the project involve a variance.
- (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 PLN070336.

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, Aromas Tri-County Fire Protection District, Public Works, Environmental Health Division, Sheriff's Office 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 September 11, 2007 to verify that the site is suitable for this use.

- (c) The County of Monterey Planning Commission has previously issued a Use Permit (File #PC07609) in November 1990 for cellular antennas on the subject property and the facility has been in service since.
- (d) Materials in Project Files PC07609 and PLN070336.

3. **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 15302 categorically exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
  - (b) No adverse environmental effects were identified during staff review of the development application during a site visit on September 11, 2007.
  - (c) See preceding and following findings and supporting evidence.

4. **FINDINGS: WIRELESS COMMUNICATION FACILITIES** - That 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 resource as defined in the Monterey County General Plan, Area Plan or Local Coastal Plan.

- EVIDENCE:**
- (a) The site has been developed for seventeen years as a cellular facility.
  - (b) The modification to the existing cellular by removing the two 35-foot tall omni whip antennas and replacing with a 40-foot tall “monopine” is consistent with the *Regulations for the Siting Design and Construction of Wireless Communication Facilities* Section 21.64.310 of Title 21).
  - (c) The “monopine,” installation, subject to the recommended conditions of approval that include ongoing maintenance of landscaping / screening for the equipment box and lease space will serve to lessen the existing negative visual impact of the present facilities.
  - (d) Materials in Project Files PLN070336.

5. **FINDINGS: WIRELESS COMMUNICATION FACILITIES** – That the site is adequate for the development of the proposed wireless communications facility and that the applicant has demonstrated that it is the most adequate for the provision of services as required by the FCC.

- EVIDENCE:**
- (a) The site has been developed for seventeen years as a cellular facility.
  - (b) The modification to the existing cellular by removing the two 35-foot tall omni whip antennas and replacing with a 40-foot tall “monopine” is consistent with the *Regulations for the Siting Design and Construction of Wireless Communication Facilities* Section 21.64.310 of Title 21).
  - (c) The County of Monterey Planning Commission has previously issued a Use Permit (File #PC07609) in November 1990 for cellular antennas on the subject property and the facility has been in service since.
  - (d) Materials in Project Files PC07609 and PLN070336.

6. **FINDINGS: WIRELESS COMMUNICATION FACILITIES** – That the proposed wireless communication facility complies with all of the applicable requirements of Section 21.64.310 of this Title.

- EVIDENCE:**
- (a) Staff has reviewed the present proposal, and the allowances of the previous approval in 1990 to allow cellular facilities at this site.



- (b) The “monopine” proposal is consistent with the General Development Standards of Section 21.640.301 H. of the *Regulations for the Siting Design and Construction of Wireless Communication Facilities* and the allowance of the previous Use Permit (Planning Commission Resolution No. 90-360) (**Exhibit E** of the October 25, 2007 staff report).
- (c) Materials in Project Files PC07609 and PLN070336.

7. **FINDINGS: WIRELESS COMMUNICATION FACILITIES** – That the proposed wireless communications facility will not create a hazard for aircraft in flight.

**EVIDENCE:** (a) The site has been a cellular facility for 17 years.

(b) The applicant / operator is required to comply with all Federal, State and local Codes, including the notification of and compliance with all applicable FAA regulations.

(c) The project site and facility does not include 1) any structure penetrating a FAR Part 77 Imaginary Surface; 2) The proposed monopine is not within 5 miles of an airport, 3) is not over 100 feet in height, and 4) does not present a hazard to aircraft in flight.

(d) Materials in Project Files PC07609 and PLN070336.

8. **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. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

9. **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) Preceding Findings 1 - 7 and supporting evidence.

10. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.

**EVIDENCE:** Section 21.80.040 B Monterey County Zoning Ordinance (Title 21).



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 070336) was approved by the Zoning Administrator for Assessor's Parcel Number 141-012-019-000 on October 25, 2007. The permit was granted subject to <u>15</u> 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. <b>(RMA - Planning Department)</b>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD039(A) – WIRELESS COMMUNICATION FACILITIES</b> 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 the conduct of the activities authorized under said permit. Applicant shall obtain the permission of the owner on which the wireless communications 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	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Prior to the issuance of grading or building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. <b>(RMA – Planning Department)</b>				
4.		<b>PD039(B) – WIRELESS COMMUNICATION FACILITIES</b> 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. <b>(RMA – Planning Department)</b>	Submit, in writing, a declaration agreeing to comply with the terms of this condition the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading or building permits.	
5.		<b>PD039(C) – WIRELESS COMMUNICATION FACILITIES</b> The applicant and/or successors and assigns shall encourage co-location by other wireless carriers on this tower assuming appropriate permits are approved for co-location. Any expansion or additions of microwave dishes, antennas and/or similar appurtenances located on the monopole, which are not approved pursuant to this permit, are not allowed unless the appropriate authority approves additional permits or waivers. In any case, the overall height of the pole shall not exceed 40 feet. <b>(RMA – Planning Department)</b>	Encourage co-location by other wireless carriers on this tower assuming appropriate permits are approved for co-location. The overall height of the pole shall not exceed 40 feet.	Owner/ Applicant	Ongoing	
6.		<b>PD039(D) – WIRELESS COMMUNICATION FACILITIES</b> 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	If the applicant abandons the facility or terminates the use, a site restoration agreement shall be submitted to the RMA - Planning Department subject to the approval of the RMA - Director of Planning and County Counsel.	Owner/ Applicant	Prior to the issuance of grading or building permits/ Ongoing	

<b>Permit Cond. Number</b>	<b>Mitig. Number</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
		Director of the RMA - Planning Department and County Counsel. The site shall be restored to its natural state within 6 months of the termination of use or abandonment of the site. <b>(RMA – Planning Department)</b>	Restore the site to its natural state.	Owner/ Applicant	Within 6 months of termination of use or abandonment of site.	
7.		<b>PD039(E) – WIRELESS COMMUNICATION FACILITIES</b> The facility must comply with Federal Communications Commission (FCC) emission standards. If the facility is in violation of FCC emission standards, the Director of the RMA – Planning Department shall set a public hearing before the Appropriate Authority whereupon the Appropriate Authority may, upon a finding based on substantial evidence that the facility is in violation of the then existing FCC emission standards, revoke the permit or modify the conditions of the permit. <b>(RMA – Planning Department)</b>	Submit documentation demonstrating compliance with the FCC emission standards.	Owner/ Applicant	Prior to the commencement of use/ Ongoing	
8.		<b>PD005a – NOTICE OF EXEMPTION</b> Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption. <b>(RMA – Planning Department)</b>	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	After project approval.	
9.		<b>PDSP01 – LIGHTING – EXTERIOR LIGHTING PLAN (NON-STANDARD)</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Planning Final and Operations	
10.		<b>PDSP02 – MATERIALS, COLORS AND TREATMENTS (NON-STANDARD)</b> No changes to materials, colors or treatments for all components of the Verizon Wireless lease space shall be allowed without prior approval by the Director of County Planning. <b>(RMA – Planning Department)</b>	Once operational under this permit, all changes or modifications to the exterior visible elements of the Verizon Wireless lease space and monopine shall be first reviewed and approved by the RMA - Planning Department or referred to the Appropriate Authority under County Ordinance.	Applicant / Operator	Ongoing	
11.		<b>PDSP03 - LANDSCAPING / SCREENING PLAN (NON-STANDARD)</b> Prior to issuance of electrical or building permits, three (3) copies of a Landscaping / Screening Plan shall be submitted to the Director of the RMA - Planning Department. The plan shall include appropriate landscape or alternate materials to minimize the presence of the fence and equipment at the Verizon Cellular lease site.	Submit a Landscaping / Screening plan and to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of electrical or building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<b>(RMA – Planning Department)</b>	Prior to Planning Final and operation of the new monopine, all landscaping / screening materials shall be installed at the subject site in conformance with an approved plan.	Applicant	Prior to Planning Final	
			Approved landscaping /screening shall be maintained by the operator in good living or functional order for the life of the project.	Operator	Ongoing	
<b>ENVIRONMENTAL HEALTH DIVISION</b>						
12.		<b>EH28 - HAZ MAT BUSINESS RESPONSE PLAN</b> Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	
13.		<b>EH30 - HAZARDOUS WASTE CONTROL</b> Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	
<b>MONTEREY COUNTY SHERIFF'S OFFICE</b>						
14.		<b>SOSP001 - SECURITY MEASURES (NON-STANDARD)</b> Install an alarm system for the Verizon Wireless facility that will notify Monterey County Sheriff's Office Dispatch when the site has been improperly breeched or	The applicant shall prepare appropriate plans to demonstrate that the cellular facilities are secured with an alarm system that will contact Monterey County Sheriff dispatch. Such details	Applicant / Operator	Prior to issuance of electrical or building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		compromised. <b>(Sheriff's Office)</b>	shall be included on electrical and or construction plans for review and approval by the Monterey County RMA Planning Department and Building Inspection Division.			
			The applicant shall submit a signed letter from the Monterey County Sheriff Department acknowledging the alarm system is in place and operational.	Applicant / Operator	Prior to Planning Final and the beginning of use	
15.		<b>SOSP002 - EMERGENCY CONTACT (NON-STANDARD)</b> Emergency notification shall be filed with the Sheriff's Office and kept current during the life of the facility. <b>(Sheriff's Office)</b>	The applicant shall prepare an Emergency Notification Letter with emergency contact information for the cellular site and facilities. The letter shall include a signature line for the Monterey County Sheriff to verify receipt of such information.	Applicant / Operator	Prior to Issuance of Building Permits	
			A photocopy of the Sheriff Office signed Emergency Notification Letter shall be returned to the Planning Department for filing prior to the County issuing building permits for the modifications to the facility.	Applicant / Operator	Prior to Issuance of Building Permits	
			The cellular provider is obligated to keep this information current with the Monterey County Sheriff Office and Planning Department	Applicant / Operator	Ongoing	



# EXHIBIT E

PC-7609

PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 90-360

A.P. # 141-012-19

## FINDINGS AND DECISION

In the matter of the application of GTE Mobilnet (PC-7609) for a Use Permit in accordance with Title 20 (Zoning) Chapter 20.96 (Use Permits) of the Monterey County Code, to allow cellular tower with two low power UHF antennas and equipment shelter, located on a portion of Lot 27, Carpenteria Rancho, Aromas area, fronting on Dunbarton and State Highway 101, came on regularly for hearing before the Planning Commission on November 28, 1990.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

### FINDINGS OF FACT

1. **FINDING:** That the proposed cellular telephone towers and equipment building are consistent with the North County Area Plan which designates the property as "Rural Residential, 5 Acre Unit" and is consistent with the policies of the Area Plan and County General Plan.  
**EVIDENCE:** Policy 56.1 of the Monterey County General Plan indicates as an objective that there will be provision for adequate public utilities to planned growth areas. The proposed project is a quasi/public utility which will serve numerous incorporated and unincorporated communities in the Salinas Valley.
2. **FINDING:** That the site of the proposed project is physically suitable for the type of development proposed.  
**EVIDENCE:** The site of the proposed project is essentially level with no known geologic constraints.
3. **FINDING:** That the proposed project is not likely to cause significant environmental damage or substantially or avoidably injure fish or wildlife or their habitat.  
**EVIDENCE:** The proposed project will be confined to 20 foot x 35 foot site and will require a minimal amount of disturbance to the site. A 12' wide road will be used for access to the site. An Initial Study was prepared for the project and no potential significant environmental impacts are expected to result from the proposed project. Accordingly, a Negative Declaration has been filed.
4. **FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.  
**EVIDENCE:** This is evidenced by the above findings and supporting evidence.

Decision

THEREFORE, it is the decision of said Planning Commission that said Negative Declaration be adopted and that said application be granted as shown on the attached sketch, subject to the following conditions:

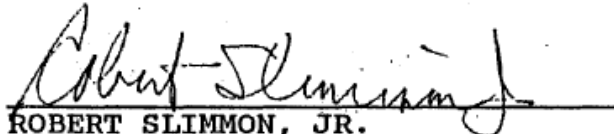
1. That the color of the exterior equipment shelter including the roof, be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)
2. That the cellular telephone towers shall not exceed 35 feet in height and the equipment building shall not exceed a height of 12 feet and that no additional antennas, dishes, or buildings be added to the facility without Planning Commission approval. (Planning and Building Inspection)
3. That all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. That the applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets therefore all of which must be approved by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)
4. That the applicant contact the Federal Aviation Administration (FAA) to publish a Notice to Airmen (NOTAM) in Monterey County about the location, etc. of the proposed structure.
5. That all cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)
6. Comply with Title 19 of the California Administrative Code Subchapter 3 and Health and Safety Code Chapter 6.95 (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. (Health Department)
7. In the event that the unmanned cellular facility ceases operations at the proposed project site. The facility shall be dismantled. (Planning and Building Inspection)
8. The applicant shall record a notice which states: 'A permit (Resolution # 90-360) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 141-012-19 on November 28, 1990. 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 Planning and Building Inspection Department.' Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)

PASSED AND ADOPTED this 28th day of November, 1990, by the following vote:

AYES: Evans, Glau, Jimenez, Moore, Orrett, Reaves, Riddle, Stallard

NOES: None

ABSENT: Calcagno



ROBERT SLIMMON, JR.  
SECRETARY OF THE PLANNING COMMISSION

Copy of this decision mailed to applicant on DEC 17 1990

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DEC 27 1990

NOTES

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

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 and Building Inspection Department office in Salinas.

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





EXISTING



PROPOSED



View southeast from Dunbarton Rd. at San Juan Rd. (close-up)

 **verizon**wireless  
We never stop working for you.®

**"RED BARN"**  
55 Dunbarton Rd  
APN: 141-012-019

EXISTING



PROPOSED



View south from San Juan Rd. at Hwy 101 (Close-up)

 **verizon**wireless  
*We never stop working for you.®*

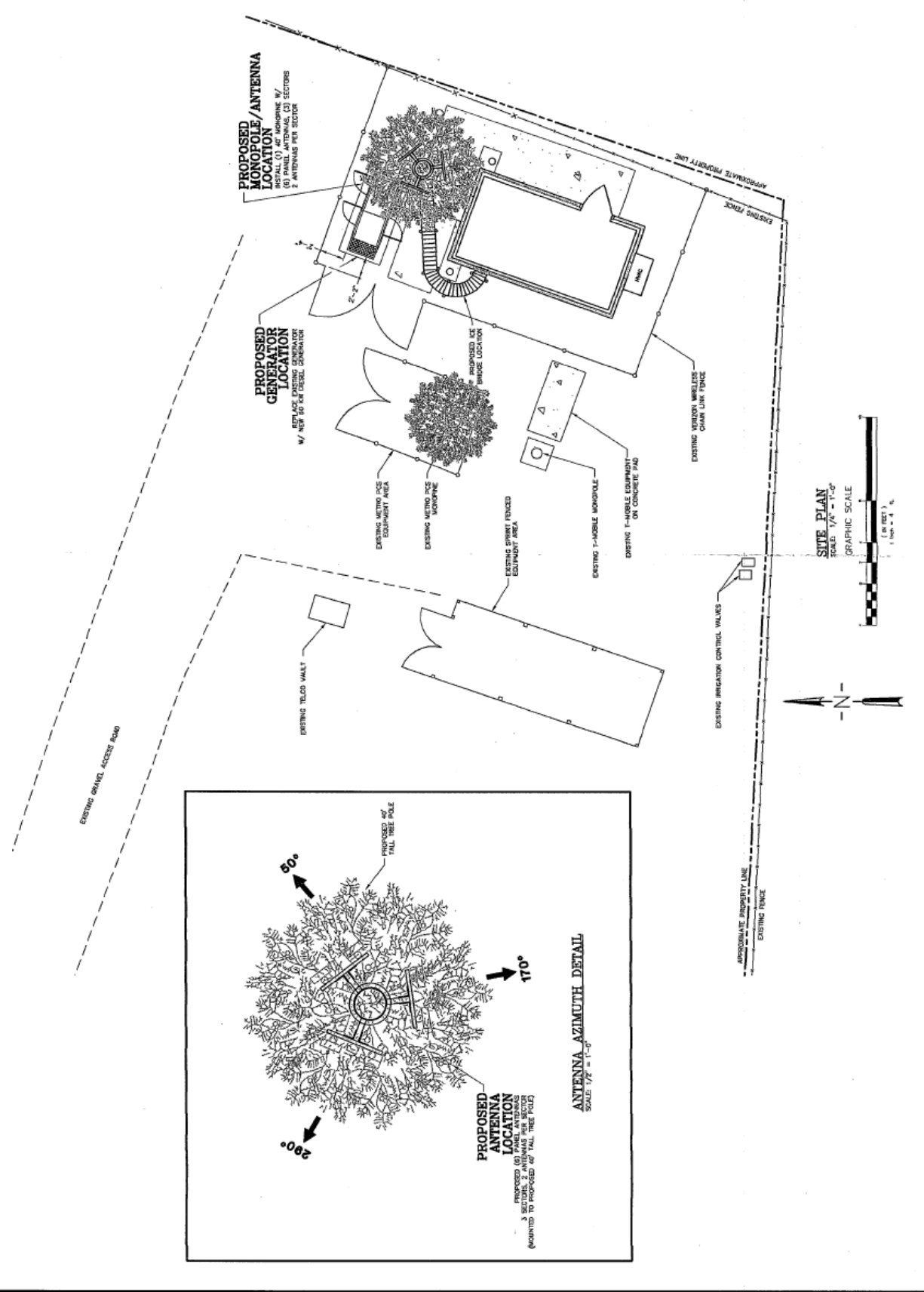
**"RED BARN"**  
55 Dunbarton Rd  
APN: 141-012-019



EQUIP. ENGINEER:	SIGNATURE
LEASING:	SIGNATURE
ZONING:	SIGNATURE
CONSTRUCTION:	SIGNATURE
RF ENGINEER:	SIGNATURE
OWNER:	SIGNATURE
AGENT:	SIGNATURE
	SIGNATURE

DRAWN BY	CHECKED BY
PGM	ASH
NO.	DATE
A	8-9-07
0	8-10-07
	FOR REVIEW
	100% ZONING

SHEET TITLE	SITE PLAN
SHEET NUMBER	A-1
HMH JOB #07114	



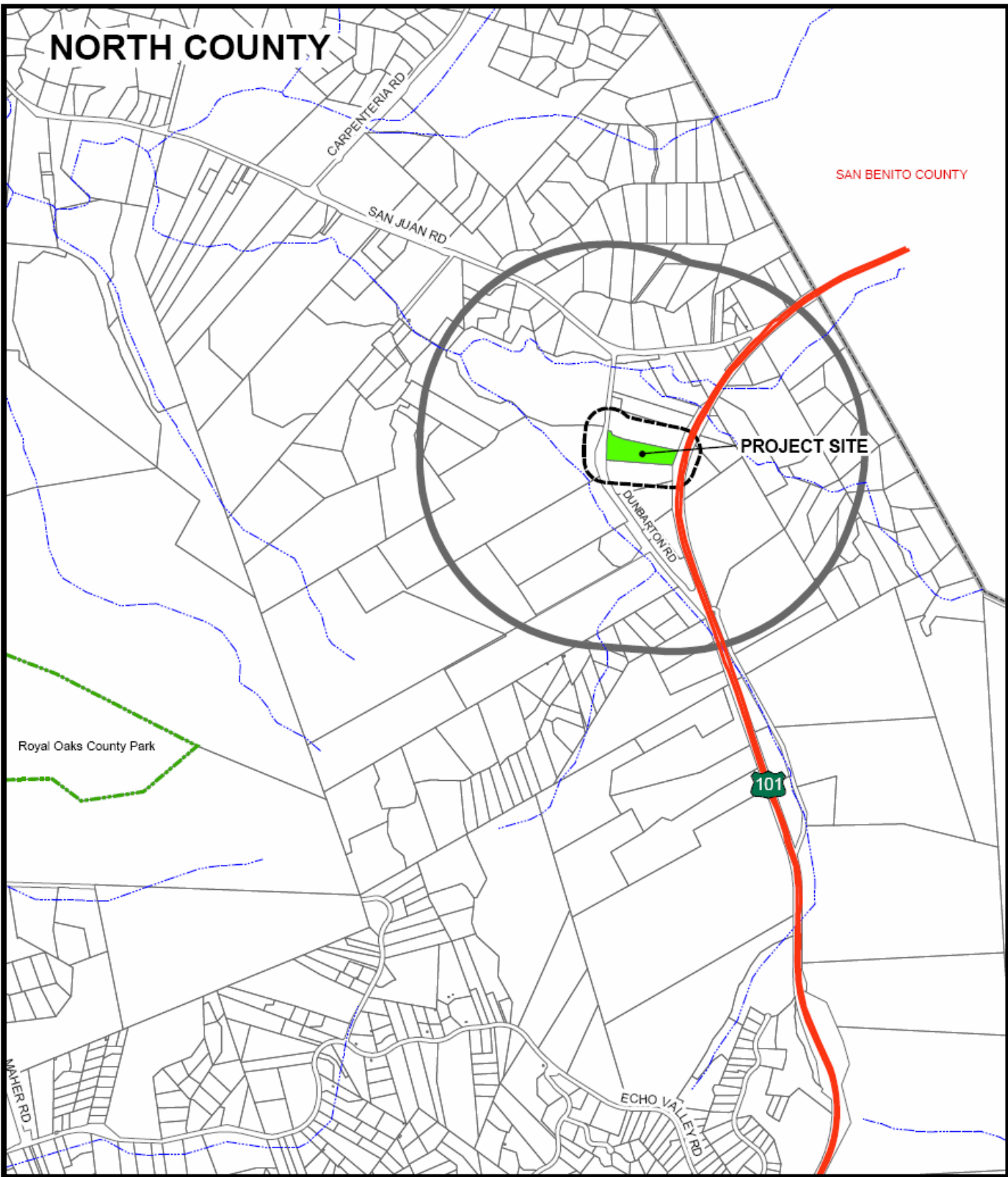
**SITE PLAN**  
 SCALE 1/4" = 1'-0"  
 GRAPHIC SCALE  
 (1 INCH = 4 FEET)

**ANTENNA AZIMUTH DETAIL**  
 SCALE 1/4" = 1'-0"









**APPLICANT: HILL**

**APN: 141-012-019-000** **FILE # PLN070336**

 300' Limit
 2500' Limit
 City Limits

