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

In the matter of the application of:
COUNTY OF MONTEREY (PLN100502)
RESOLUTION NO. 12-040
Resolution by the Monterey County Planning Commission:

1) Approving a Use Permit and Design Approval for development of a "Wireless Telecommunications Collocation Facility" [as defined in Section 65850.6 (d) (3) of the California Government Code] including the following: 1) a public safety, noncommercial wireless telecommunication facility consisting of a 100-foot high lattice tower, a 900 square foot equipment shelter building, a 750-gallon propane gas tank and a propane generator to be owned and operated by the Monterey County Emergency Communications Department; 2) collocation of a commercial wireless telecommunication facility to be operated by Verizon Wireless, consisting of the installation of additional antennas and ancillary equipment on the 100-foot high lattice tower and inside the 900 square foot equipment shelter approved as part of the first facility; and 3) the future collocation of up to two additional commercial wireless telecommunications facilities to be operated by commercial wireless telecommunications providers, consisting of additional antennas and ancillary equipment also to be installed on the 100-foot high lattice tower and inside the 900 square foot equipment shelter approved as part of the first facility. The future development of the commercial wireless telecommunication facilities would not require additional discretionary approvals by the County. The site is pre-disturbed (paved) and development of the entire project would include minimal grading (less than 100 cubic yards of excavation); and
2) Adopting a Mitigation Monitoring and Reporting Plan.

[PLN100502, County of Monterey (Laguna Seca), 1021 Monterey-Salinas Highway, Greater Monterey Peninsula Area Plan (APN: 173-011-023-000)]

The Next Generation Emergency Network (NGEN) application (PLN100502) came on for public hearing before the Monterey County Planning Commission on September 26, 2012. 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;
- Greater Monterey Area Plan;
- Zoning Ordinance (Title 21).

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 1021 Monterey-Salinas Highway (Assessor's Parcel Number 173-011-023-000), Greater Monterey Peninsula Area Plan. The parcel is zoned "PQP-D-S" (Public Quasi-Public with Design Review and Site Plan Review Overlays), which allows wireless communications facilities subject to a Use Permit Therefore, the project is an allowed land use for this site.

c) The proposed project is consistent with the standards and provisions of Section 21.64.310 (Regulations for Sitting, Design and Construction of Wireless Communications Facilities) of the Zoning Ordinance (See Finding 6 below).

d) The proposed project is consistent with the standards and provisions of the "D" (Design Review) Zoning Overlay District. The project would not significantly affect the public viewshed, neighborhood character or visual integrity of the site.

d) The project is located in an area designated as "Visually Sensitive" in the "Scenic Highway Corridors and Visual Sensitivity Map" of the Greater Monterey Peninsula Area Plan. The proposed project is consistent with the provisions of Policy GMP-3.3 of the Greater Monterey Peninsula Area Plan. The site is visible at a distance (approximately 1.5 miles) from a short portion of Highway 68 for approximately three (3) seconds when traveling east. The site is also visible from a number of points (common public viewing areas) along Laureles Grade Road Based on the duration of visibility (approximately 30 seconds), the distance to the proposed tower from the different visibility points (approximately 1.8 miles) and the winding condition of the road (Laureles Grade Road) the visibility from this area would not create an adverse impact on the visual

character of the viewshed. The site is also visible from areas inside the Laguna Seca County Park, which are considered common public viewing areas. Within the race track/park the proposed tower would not detract from the character of the race track and associated park equipment and buildings and therefore would not result in a significant visual impact.

e) The project planner conducted a site inspection on May 23, 2012 to verify that the project on the subject parcel conforms to the plans listed above.

f) The project was not referred to a Land Use Advisory Committee (LUAC) for review as the project site is not located within the review area of any LUAC.

g) 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 PLN100502 (REF100041).

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, Monterey County Regional Fire Protection District, Parks, 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 identified potential impacts to Aesthetics, Archaeological Resources and Soil/Slope Stability. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:

1. "Preliminary Archaeological Assessment of the Laguna Seca NGEN Site, Monterey; County, California," prepared by Archaeological Consulting. March 28, 2012;
2. "Geotechnical Engineering Evaluation, Laguna Seca, Off of South Perimeter Road, Monterey, California, 93940," prepared by Adapt Engineering, Inc. October 17, 2011;
3. Visual Simulations submitted by the applicant and reviewed by staff and the Planning Commission.

c) Staff conducted a site inspection on May 23, 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

PLN100502 (REF100041).

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 RMA - Planning Department, Monterey County Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/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 are available for development of the project.

c) Preceding findings and supporting evidence for PLN100502 (REF100041).

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 May 23, 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) Zoning violation abatement costs, if any, have been paid.

e) 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 PLN100502 (REF100041).

5. **FINDING:** **CEQA (Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project under File No. PLN100502 as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County. A Mitigated Negative Declaration was adopted by the Planning Commission (Resolution No. 12-039) on September 26, 2012.

EVIDENCE: a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require

environmental review if there is substantial evidence that the project may have a significant effect on the environment.

b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA for the projects under File Nos. PLN100501, PLN100502, PLN100515 and PLN100516. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference. The Initial Study provides substantial evidence based upon the record as a whole, that the project under File No. PLN100502 would not have a significant effect on the environment.

c) A Draft Mitigated Negative Declaration (MND) for the projects under File Nos. PLN100501, PLN100502, PLN100515 and PLN100516 was prepared in accordance with CEQA and circulated for public review from August 21, 2012 through September 21, 2012 (SCH#: 2012081052). The MND reflects the independent judgment and analysis of the County.

d) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, and utility/service systems.

e) A Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval.

f) Biological Resources: According to the Department of Fish and Game Natural Communities database and California Natural Diversity Database (CNDDB), the project site is located approximately 2,000 feet away from known Maritime Chaparral habitat and 1,500 feet from identified areas north of the project site, within Laguna Seca, that have documented occurrences of California tiger salamanders. Maritime Chaparral and the California tiger salamander are both federally listed as threatened and the California Tiger Salamander is listed as threatened by the California Department of Fish and Game. Based on the location and lack of suitable habitat on the existing, already developed site, the project would not adversely affect environmentally sensitive Maritime Chaparral habitat. No riparian corridors or conservation areas are located on or near the project site. Mitigation Measure No. 1 in the MND has been identified requiring preconstruction surveys for California Tiger Salamanders in accordance with USFW and CDFG protocols prior to the start of construction. These surveys shall be done by a qualified biologist and would assure protection of the species and reduce potential impacts to less than significant impacts.

g) Evidence that has been received and considered includes: the

application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department and are hereby incorporated herein by reference.

h) Staff analysis contained in the Initial Study and the record as a whole indicate the project would not result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

i) The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration

j) The Monterey County Planning Department, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

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 and that all zoning violation abatement costs, if any, have been paid. The proposed telecommunication facility will not create a hazard for aircraft in flight.

EVIDENCE: a) The project consists of the collocation of four wireless telecommunications facilities on a 100-foot high lattice tower. The project site is located at the Laguna Seca Race Track which is developed with car racing facilities and recreational areas. The location of the project site would not affect the visual character of the already-developed area.

b) The site is located in a designated "Visually Sensitive Area" but the project minimizes its visual impacts on common viewing areas on Highway 68 and Laureles Grade Road due to its distance from them and the duration of its visibility (See Evidence d under Finding No. 1 above).

c) The project includes collocation of four wireless telecommunication

facilities which would avoid the potential development of additional sites and potential visual impacts.

d) 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.

e) The project is consistent with Section 21.86 (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 MCC for the Monterey Peninsula Airport and the proposed height is within limitations outlined in Section 21.86 MCC.

f) 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.

g) Staff site visit and project photos in project file PLN100502 (REF100041)

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: Section 21.80.040 D of the Monterey County Zoning Ordinance.

DECISION

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

1. Approve a Use Permit and Design Approval for development of a "Wireless Telecommunications Collocation Facility" [as defined in Section 65850.6 (d) (3) of the California Government Code] including the following: 1) a public safety, noncommercial wireless telecommunication facility consisting of a 100-foot high lattice tower, a 900 square foot equipment shelter building, a 750-gallon propane gas tank and a propane generator to be owned and operated by the Monterey County Emergency Communications Department; 2) collocation of a commercial wireless telecommunication facility to be operated by Verizon Wireless, consisting of the installation of additional antennas and ancillary equipment on the 100-foot high lattice tower and inside the 900 square foot equipment shelter approved as part of the first facility; and 3) the future collocation of two additional commercial wireless telecommunications facilities to be operated by commercial wireless telecommunications providers, consisting of additional antennas and ancillary equipment also to be installed on the 100-foot high lattice tower and inside the 900 square foot equipment shelter approved as part of the first facility; including grading (less than 100 cubic yards of excavation). The project is in general conformance with the attached sketch and is subject to the attached conditions all being attached hereto and incorporated herein by reference.
2. Adopt the attached Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED this 26th day of September, 2012 upon motion of Commissioner Vandevere, seconded by Commissioner Mendez, by the following vote:

AYES: Brown, Vandevere, Getzelman, Roberts, Mendez, Diehl, Padilla, Hert
NOES: None
ABSENT: Rochester, Salazar
ABSTAIN: None

Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **SEP 2 8 2012**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **OCT 0 8 2012**

This decision, if it is the final administrative decision, is subject to judicial review pursuant to California 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.

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 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

Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN100502

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit and Design Approval(PLN100502) allows for development of a "Wireless Telecommunications Collocation Facility" [as defined in Section 65850.6 (d) (3) of the California Government Code] including the following: 1) a public safety, noncommercial wireless telecommunication facility consisting of a 100-foot high lattice tower, a 900 square foot equipment shelter building, a 750-gallon propane gas tank and a propane generator to be owned and operated by the Monterey County Emergency Communications Department; 2) collocation of a commercial wireless telecommunication facility to be operated by Verizon Wireless, consisting of the installation of additional antennas and ancillary equipment on the 100-foot high lattice tower and inside the 900 square foot equipment shelter approved as part of the first facility; and 3) the future collocation of two additional commercial wireless telecommunications facilities to be operated by commercial wireless telecommunications providers, consisting of additional antennas and ancillary equipment also to be installed on the 100-foot high lattice tower and inside the 900 square foot equipment shelter approved as part of the first facility. The future development of the commercial wireless telecommunication facilities would not require additional discretionary approvals by the County. The site is pre-disturbed (paved) and development of the entire project would minimal grading (less than 100 cubic yards of excavation). The project is one of the 18 sites proposed for upgrade to the Next Generation Emergency Network (NGEN) radio system for emergency communications throughout the County and to support critical communications of first responders to emergency calls. The property is located at 1021 Monterey-Salinas Highway, adjacent to the Laguna Seca Raceway, (Assessor's Parcel Number 173-011-023-000), Highway 68 area within the Greater Monterey Peninsula Area Plan. The site is located in the Laguna Seca Recreational Area and is owned by the Monterey County Parks Department. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 action. 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 12-040) was approved by the Planning Commission for Assessor's Parcel Number 173-011-023-000 on September 26, 2012. The permit was granted subject to 19 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.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis. Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. 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 September 26, 2015 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.

5. PD010 - EROSION CONTROL PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. 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 RMA - Planning and RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services.
(RMA - Planning Department and RMA - Building Services Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit an Erosion Control Plan to the RMA - Planning Department and the RMA - Building Services Department for review and approval.

The Owner/Applicant, on an on-going basis, shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.

6. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to the RMA - Planning Department for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to the RMA-Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

7. 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.

8. PD039(C) - WIRELESS CO-LOCATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant and/or successors 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 the specified height.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall 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 100 feet.

9. 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.

10. PD039(E) - WIRELESS EMISSION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to commencement of use and on an on-going basis, the Owner/Applicant shall submit documentation demonstrating compliance with the FCC emission standards.

On an on-going basis, if the facility is in violation of FCC emission standards, the Director of Planning shall set a public hearing before the Appropriate Authority to consider revocation or modification of the permit.

11. PD006 - MITIGATION MONITORING

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14 Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

1) Enter into agreement with the County to implement a Mitigation Monitoring Program.

2) No fees shall be required for monitoring of the project.

12. MMRP001 - BIOLOGICAL RESOURCES

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 1 – Biological Resources (Laguna Seca Site)
Preconstruction surveys for California Tiger Salamanders shall be conducted in accordance with USFW and CDFG protocols prior to the start of construction. These surveys shall be done by a qualified biologist. Under direction of the biologist, measures such as a worker awareness program, exclusionary fencing, and daily monitoring of construction areas shall be employed in order to prevent "take" of these species during construction. If any species are encountered during the surveys, species relocation shall occur per USFW and CDFG protocols. Prior to issuance of any building permits, a copy of a contract with a qualified biologist (to conduct surveys) which includes a scope of work showing how the above measures shall be employed during construction shall be submitted for approval. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of any building permits, a copy of a contract with a qualified biologist (to conduct surveys) which includes a scope of work showing how the above measures shall be employed during construction shall be submitted for approval to the RMA - Planning Department

13. EHSP01 HAZARDOUS MATERIALS INVENTORY FORM AND SITE MAP

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The applicant shall maintain an up-to-date Business Response Plan that meets the standards found in the California Code of Regulations, Title 19, Division 2, Chapter 4 (Hazardous Material Release Reporting, Inventory, and Response Plans) and the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Material Release Response Plans and Inventory).

Compliance or Monitoring Action to be Performed: Prior to issuance of any building permit, the applicant shall provide to Environmemtal Health an updated Inventory form and site map showing the location of the new propane tank.

14. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the entry gate into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the entry gate and obtain fire department approval the final fire inspection.

15. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.

16. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

17. FIRESP01 - GENERATOR SIGNAGE & FUEL TANK LOCATION

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: The emergency power generator and associated liquefied petroleum gas (LPG) tank for this project shall comply with the National Electrical Code requirements for emergency responder signage and with requriements of the California Fire Code and NFPA 58 for LPG storage. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, the Applicant shall print the text of this condition as Fire Department Notes on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of generator and fuel tank signage and shall obtain fire department approval of the final fire inspection.

18. NON-STANDARD CONDITION - EMERGENCY ACCESS KEYBOX

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRESP02 - EMERGENCY ACCESS KEYBOX (NON-STANDARD CONDITION)
Emergency access key box ("Knox Box") shall be installed and maintained. The type and location shall be approved by the fire department. The fire department shall be notified when locks are changed so that the emergency access key box can be maintained with current keys. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of the building permit, the Applicant shall print the text of this condition as "Fire Department Notes" on the construction plans.

Prior to requesting a final building inspection, Applicant shall install the applicable emergency access device and shall obtain fire department approval of the final fire inspection.

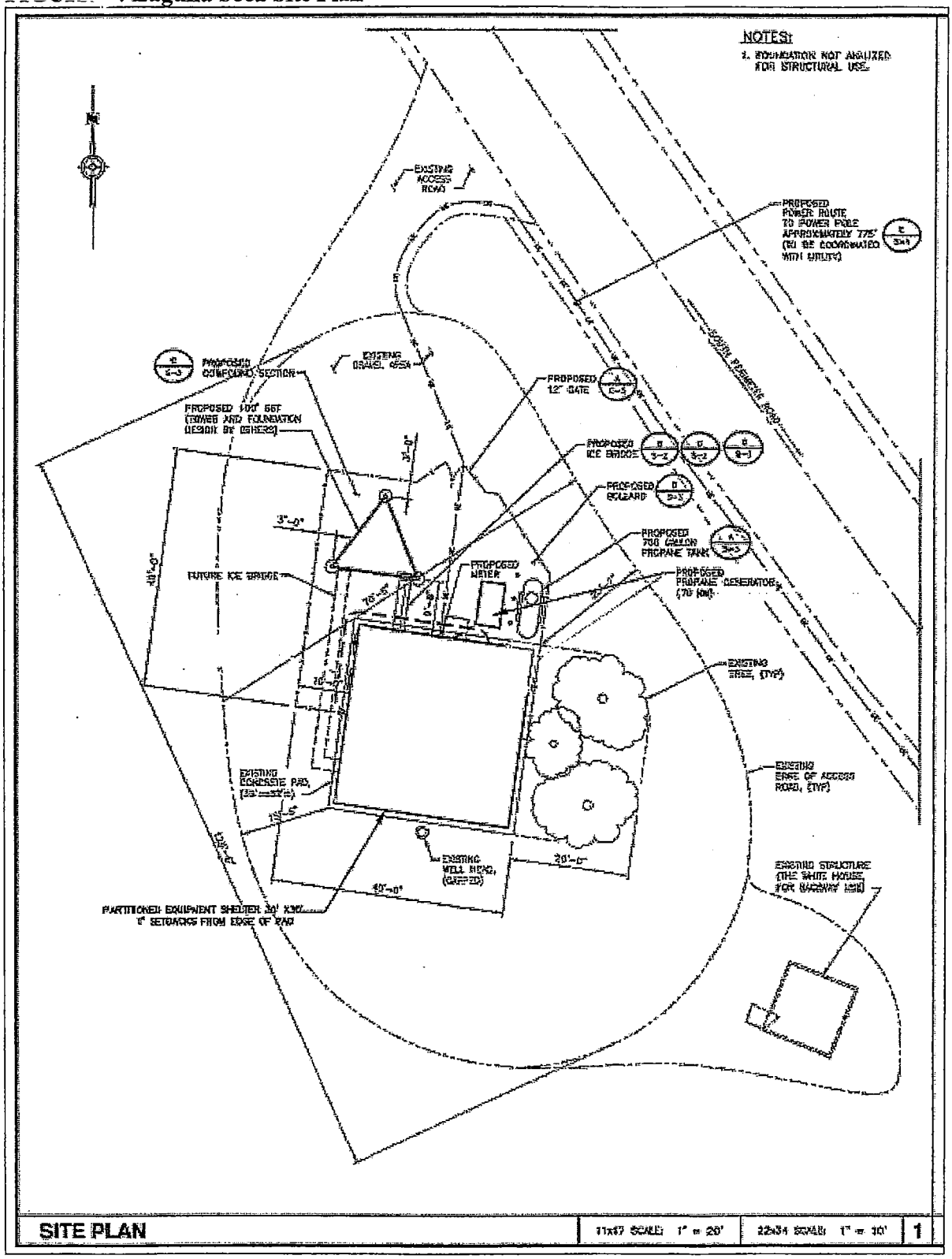
19. PDSP001 - LEASE AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Development of the proposed facility shall not commence until the Lease Agreement has been fully executed and approved by the Board of Supervisors.

Compliance or Monitoring Action to be Performed: Development of the proposed facility shall not commence until the Lease Agreement has been fully executed and approved by the Board of Supervisors.

. Laguna Seca Site Plan



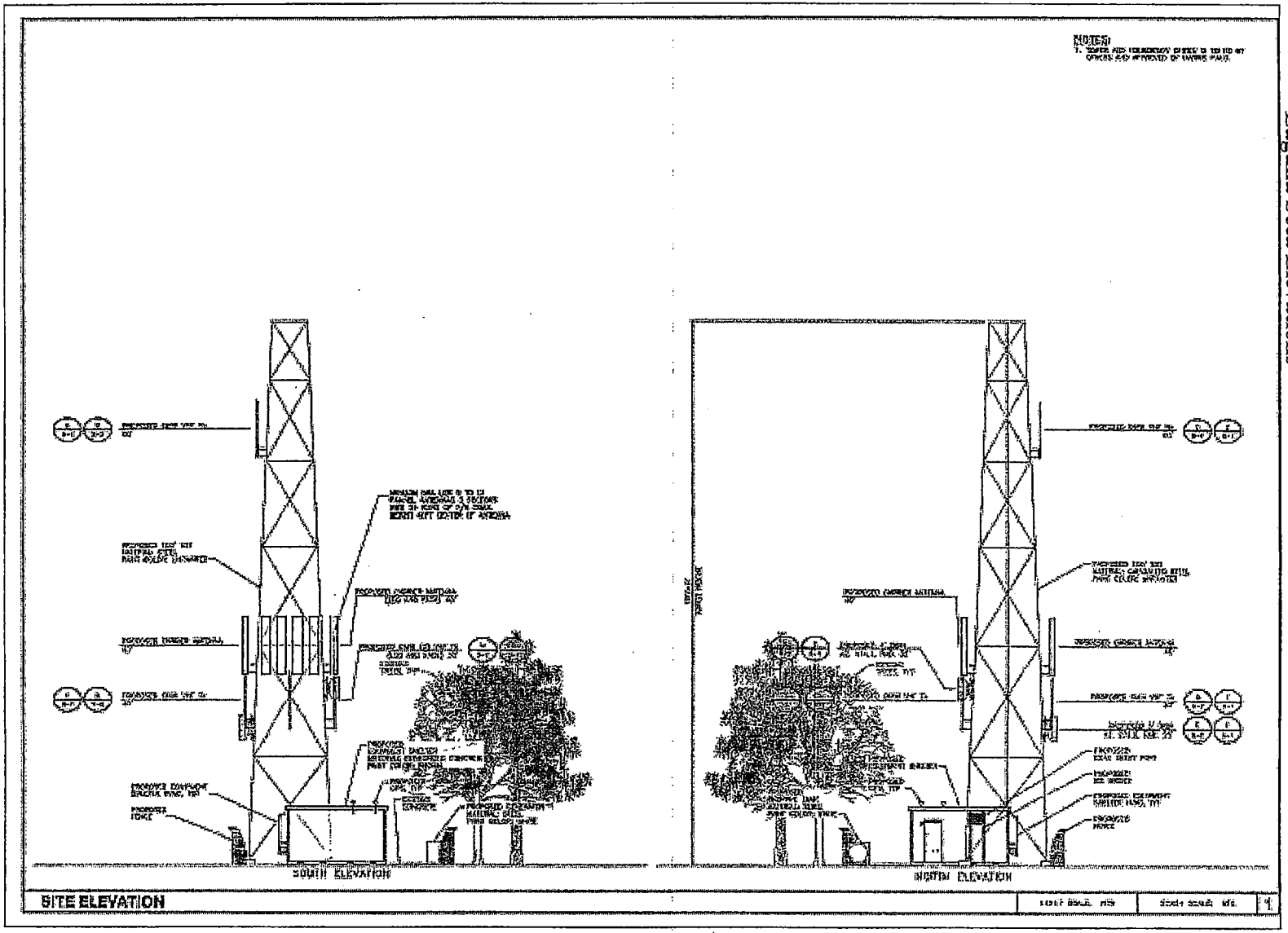

NOTES:
SOUTH ELEVATION
NORTH ELEVATION
SITE ELEVATION

FIGURE 1: Laguna Seca Site Plan

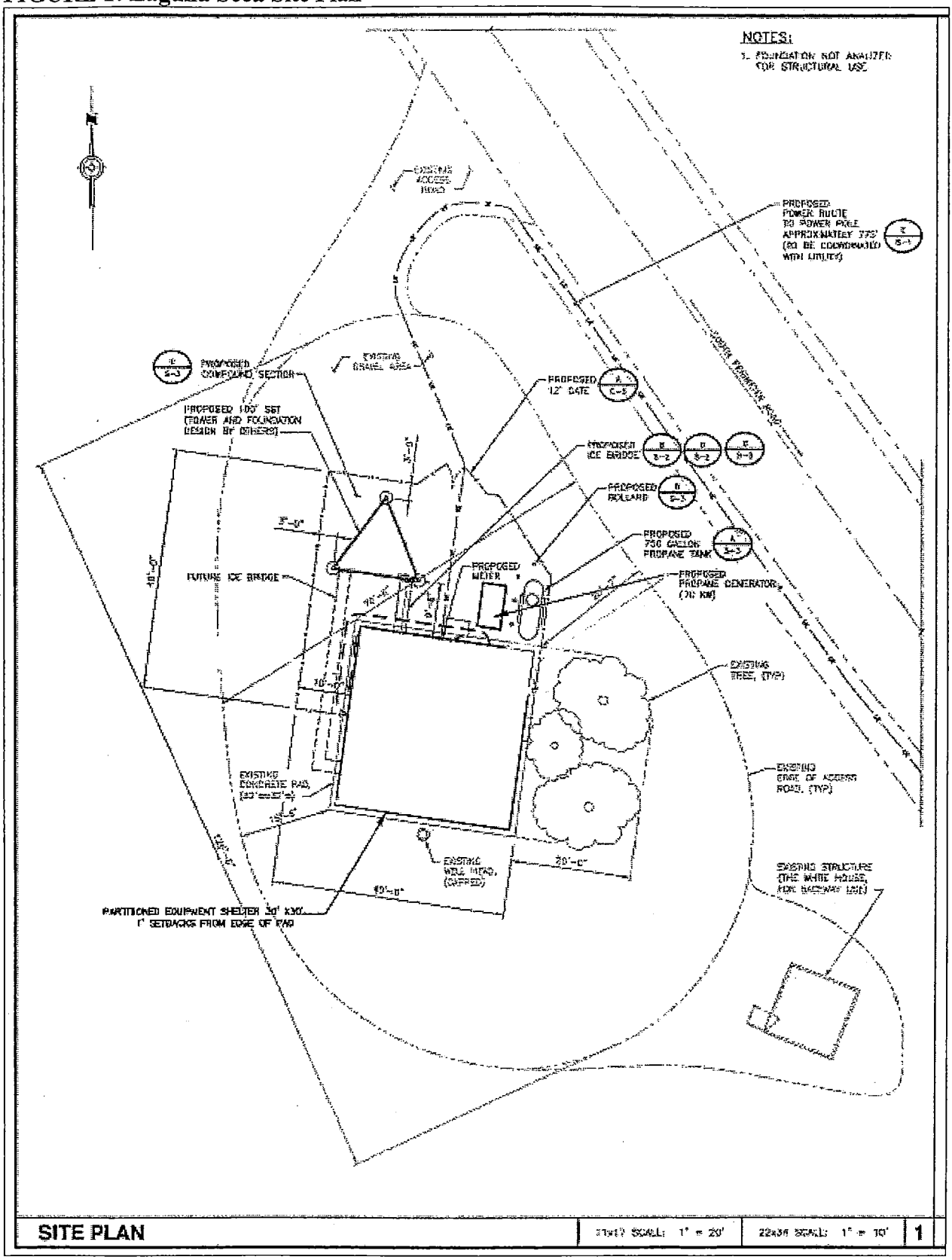
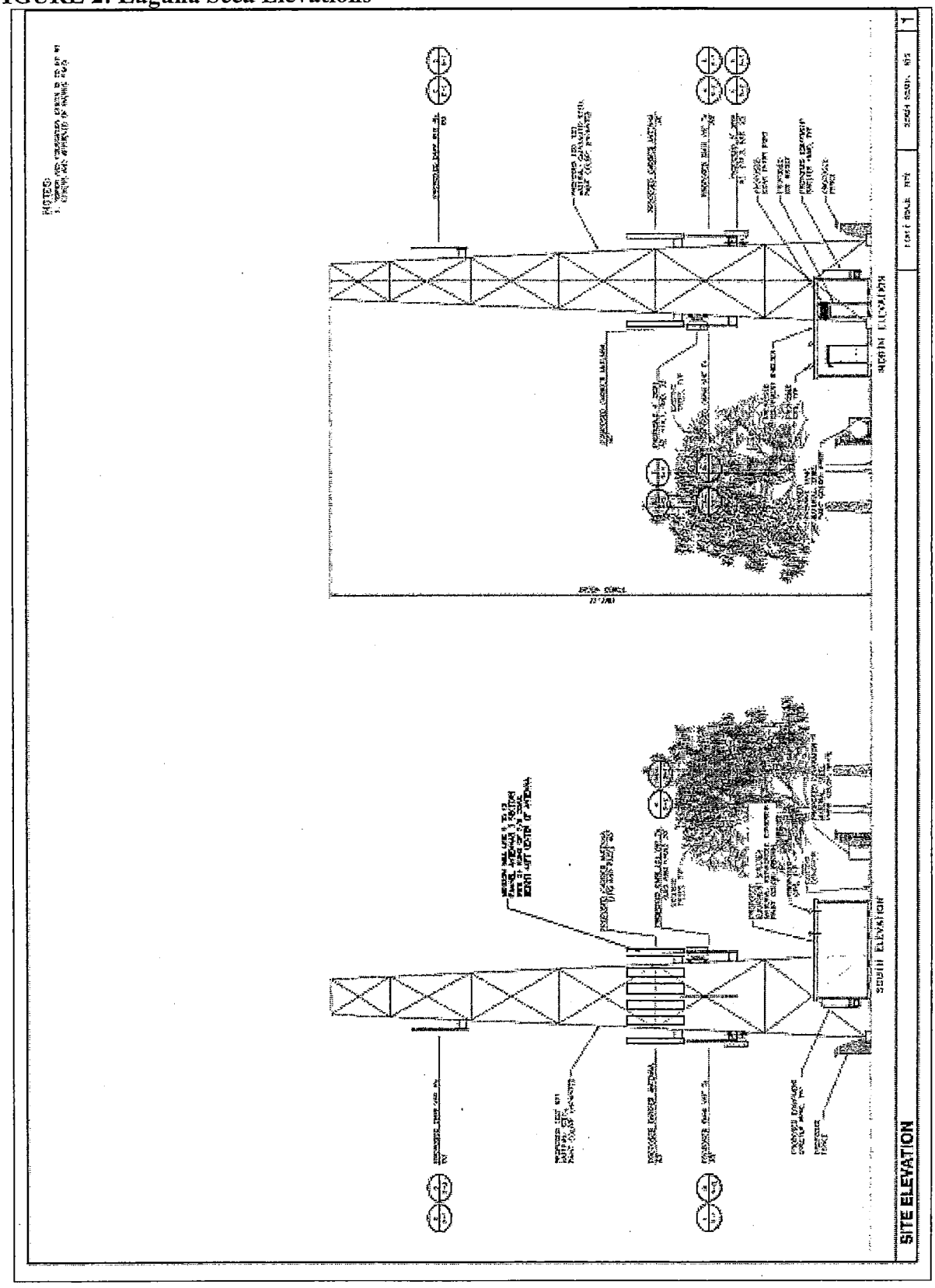
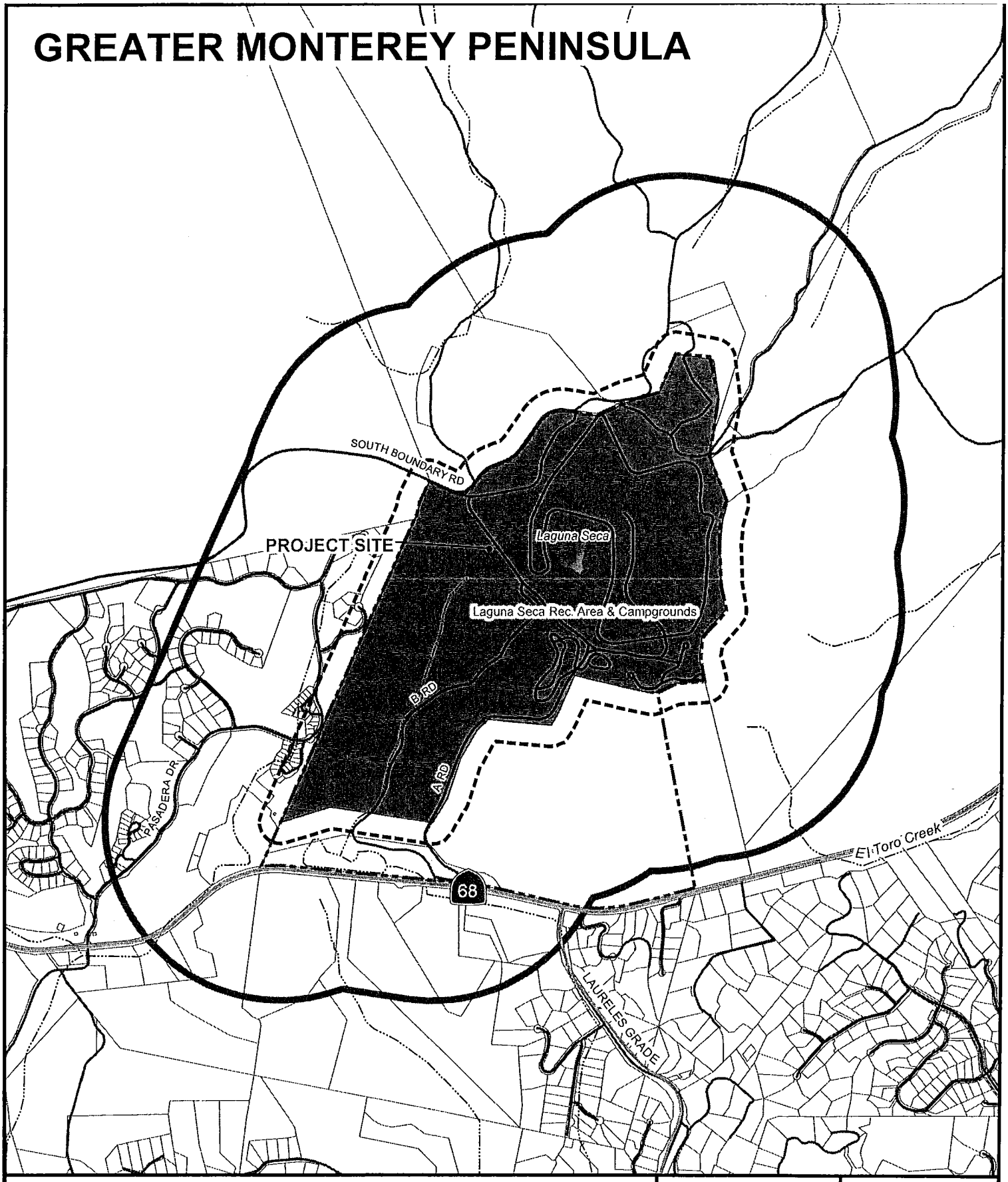


FIGURE 2: Laguna Seca Elevations



GREATER MONTEREY PENINSULA



APPLICANT: COUNTY OF MONTEREY

APN: 173-011-023-000 **FILE #** PLN100502

Water | 2500' Limit | 300' Limit | City Limits

N

0 1,000
Feet

MONTEREY COUNTY CALIFORNIA · 1850 ·

PLANNER: OSORIO