



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

Promoting the wise use of land

MEETING DATE July 17, 2015 LOCAL EFFECTIVE DATE August 1, 2015 APPROX FINAL EFFECTIVE DATE August 22, 2015	CONTACT/PHONE James Caruso, Project Manager (805) 781-5702	APPLICANT Los Osos Community Services District/Verizon	FILE NO. DRC2014-00119
SUBJECT Hearing to consider a request by LOS OSOS COMMUNITY SERVICES DISTRICT/VERIZON for a Minor Use Permit to allow an unmanned wireless communications facility consisting of: six (6) new six foot LTE panel antennas, six (6) new remote radio units (RRUs) and raycaps mounted on an existing 42' tall water tank, two (2) GPS antennas, outdoor equipment, equipment sunshade and electrical meter. The proposed project would result in minimal disturbance on an approximately 15,625 square-foot parcel in the Residential Single Family land use category. The project site is located at 1316 16 th Street, approximately 50 feet south of Santa Maria Ave, in the community of Los Osos. The site is within the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00119 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption (ED14-228) was issued on April 29, 2015			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archeologically Sensitive, Local Coastal Program	ASSESSOR PARCEL NUMBER 038-251-027	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Setbacks <i>Does the project meet applicable Planning Area Standards: Yes</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Communications Facilities <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

EXISTING USES: Two (2) water tanks for the Los Osos Community Services District, Verizon wireless communications facility	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/single family residences <i>South:</i> Residential Single Family/ single family residences <i>East:</i> Residential Single Family/single family residences <i>West:</i> Residential Single Family/single family residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: County Public Works, Environmental Health, Los Osos Advisory Council, Cal Fire, and the California Coastal Commission	
TOPOGRAPHY: Relatively level to moderately sloping	VEGETATION: Pine trees
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Cal Fire	ACCEPTANCE DATE: April 8, 2014

DISCUSSION

BACKGROUND:

The project site is approximately 15,625 square feet and is located at 1316 16th Street in Los Osos. It is developed with two existing 42' tall water tanks and an approximately 1500 square foot utility building owned by the Los Osos Community Services District. The site is surrounded by residential uses to the north, south, and west, and east.

PROPOSED PROJECT:

The proposed project would be located on two existing water tanks owned by the Los Osos CSD and consists of the following improvements:

- Installation of six (6) new 6' LTE antennas concealed within two (2) 27" x 90" radomes and six (6) new Remote Radio Units mounted on an existing 34' tall water tank;
- Installation of one (1) new equipment shelter with wireless equipment, GPS antenna and electrical meter;
- The site would be accessed from 16th Street and an existing paved driveway. No access road improvements are proposed.

Visual Assessment and Proposed Screening

According to the Coastal Zone Land Use Ordinance (CZLUO), wireless communications facilities shall either be completely screened by natural vegetation and landscaping or disguised to resemble architecture or other features determined to blend with the surrounding area. In addition, the County's Coastal Plan policies (implemented as standards) require new development to be sited and designed to preserve scenic vistas and protect views to and along the ocean and scenic coastal areas.

The applicant submitted photo-simulations of the proposed modifications. Based on these photo-simulations, the proposed antennas will appear as structural elements of the existing

water tanks and will be painted to match. The equipment area including sun shade will be screened by the existing perimeter site fencing.

LAND USE ORDINANCE STANDARDS:

Section 23.07.120 – Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

Section 23.08.284 – Communications Facilities

This Section of the Coastal Zone Land Use Ordinance contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As conditioned, the proposed project meets these requirements:

Permit Requirements

23.08.284(b)(1) requires Minor Use Permit approval for proposed wireless communications facilities that are either a) installed on existing structures, or b) co-located at existing communications facility sites. Development Plan approval is required for all other communications facilities.

This project may be approved by a Minor Use Permit because the proposed project will be installed on existing water tanks.

Application Content

Section 23.08.284(b)(2)(i) requires applications for communications facilities to include information on the proposed rights-of-way, including width, ownership, present land use, slope, soils and vegetation, types of sizes of towers or other structures to be used, proposed screening or other method of finishing so as to be unobtrusive to the neighborhood in which it is located.

The project complies with this standard because the proposed plans describe the topography and vegetation of the site and show the location of existing infrastructure and facilities on the site. The application also describes present ownership and land uses. The water tank mounted antennas will be painted the same color as the water tanks.

Section 23.08.284(b)(2)(ii) requires applications for communications facilities to provide estimates of non-ionizing radiation generated and/or received by the facility. These shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site and the extent that measurable fields extend in all directions from the facility.

The project complies with this standard because the applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (Hammett & Edison; March 4, 2015), the maximum cumulative RF emissions from the proposed project would be equivalent to 5.0 percent of the FCC standard. The report states:

“Due to mounting locations, the Verizon antennas would not be accessible to the general public and so no mitigation measures are necessary to comply with the FCC public exposure guidelines”.

According to Section 23.08.284(b)(2)(iii), if collocation is not proposed, the applicant shall provide information pertaining to the feasibility of joint-use antenna facilities, and discuss the reasons why such joint use is not a viable option or alternative to a new facility. This must evaluate all potential sites where the location and height meet the minimum coverage requirements for the applicant’s network; a lease with the property owner can be obtained; and the property is feasible for the construction of a wireless facility.

The applicant has submitted a Cell Site Necessity Case for this Baywood Park facility. The proposed site is considered the best location for the project and is co-located on an existing water tank.

Development Standards

According to Section 23.08.284(b)(3)(ii), applicants shall pursue placement of facilities on existing structures before proposing facilities at new locations. The intermediate preference for the location of new facilities is atop existing structures with appropriate visual/architectural screening to be completely hidden from public view. The top choice is side-mount antenna on existing structures when integrated into the existing structure, completely hidden from public view or painted and blended to match existing structures. The last preference is new locations.

The proposed project is consistent with this standard because the proposed antennas would be architecturally consistent with and painted to match the existing water tanks, and it would not require the construction of a new antenna support structure.

According to Section 23.08.284(b)(3)(iv), site location and development of wireless communications facilities shall preserve the visual character and aesthetic values of the specific parcel and surrounding land uses and shall not significantly impact public views.

The proposed project is consistent with this standard because the proposed antennas are located on an existing water tank and will be integrated into the existing structures.

According to Section 23.08.284(b)(3)(vi), all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

The project complies with this standard because the proposed antennas will be installed and painted to match the water tanks and will resemble architectural elements of the existing water tanks.

COASTAL PLAN POLICIES:

The following describes the project’s compliance with applicable Local Coastal Plan (LCP) policies:

Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources – This policy states that unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitat are to be preserved protected, and in visually degraded areas restored where feasible.

Policy 2: Site Selection for New Development – This policy requires new development to be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development should emphasize locations not visible from major public view corridors.

The proposed project has been designed to resemble the existing water tanks. These elements of the proposed project will not be distinguishable as a communications facility since the antennas are concealed as part of the water tanks.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned.

AGENCY REVIEW:

Public Works – Project exempt from stormwater management

County Environmental Health – No concerns

Cal Fire – Fire safety plan

California Coastal Commission – No response

Los Osos Citizen's Advisory Council – This project was reviewed by the Los Osos Community Advisory Council on May 28, 2015. LOCAC had no concerns with the project.

LEGAL LOT STATUS:

The single parcel was legally created by a subdivision map at a time when that was a legal method of creating lots.

Staff report prepared by James Caruso and reviewed by Airlin M. Singewald.