



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

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
October 2, 2015	Airlin M. Singewald	Verizon Wireless / Lori Angello	DRC2014-00149
LOCAL EFFECTIVE DATE	(805) 781-5198		
October 16, 2015			
APPROX. FINAL EFFECTIVE DATE	asingewald@co.slo.ca.us		
November 6, 2015			

**SUBJECT**  
A request by **VERIZON WIRELESS & LORI ANGELLO** for a Minor Use Permit/Coastal Development Permit (DRC2014-00149) to allow the construction and operation of an unmanned wireless communications facility, consisting of one new 1'-11.25" tall x 10" wide panel antenna mounted on the top of a new 23' tall replacement light pole, two new Remote Radio Units (RRUs) mounted a maximum height of 5'-10" above ground on the new replacement pole, two new ground-mounted equipment cabinets with heights of 3'-4" and 4'-2" mounted at the base of the replacement pole, and associated utilities, equipment, and hardware. The new replacement pole and ground equipment would be located within an existing 6' tall chain link fenced enclosure, which will screen the base of the replacement pole, RRUs, and ground equipment from public view. The proposed project will result in approximately 25 square feet of site disturbance on a 0.27-acre parcel in the Commercial Retail land use category. The project site is located at 307 Pier Avenue, on the western end of Pier Avenue, in the community Oceano. The site is in the San Luis Bay (coastal) planning area.

**RECOMMENDED ACTION**  
Approve Minor Use Permit DRC2014-00149 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

**ENVIRONMENTAL DETERMINATION**  
A Class 3 Categorical Exemption was issued on September 8, 2015 (ED15-058).

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Commercial Retail	Airport Review, Archaeologically Sensitive, Coastal Appealable Zone, Local Coastal Plan, Visitor Serving Area	061-011-046	4

**PLANNING AREA STANDARDS:**  
Limitation on Uses Within Airport Review Area, Limitation on Uses – Oceano Beach,  
*Does the project meet applicable Planning Area Standards: Yes – see discussion*

**LAND USE ORDINANCE STANDARDS:**  
Coastal Commission Appealable Zone, Archaeologically Sensitive Area, Local Coastal Program, and Telecommunications Facilities  
*Does the project conform to the Land Use Ordinance Standards: Yes - see discussion*

**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.

EXISTING USES: ATV rentals	
SURROUNDING LAND USE CATEGORIES AND USES: North: Commercial Retail / undeveloped, sand dunes East: Commercial Retail / ATV rentals, restaurant South: Commercial Retail / condominiums, restaurant West: Recreation / Oceano Dunes State Vehicular Recreation Area, beach	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Oceano Advisory Council, California Coastal Commission, and Native American Heritage Commission	
TOPOGRAPHY: Nearly level	VEGETATION: None
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Five Cities Fire Authority	ACCEPTANCE DATE: August 18, 2015

## DISCUSSION

### Project Description

Verizon Wireless is proposing to install a new wireless communications facility consisting of an approximately 2' tall cylindrical antenna mounted to a new light 26' standard, which would replace an existing 25' tall light standard, and two equipment cabinets with heights of 3'-4" and 4'-2" mounted at the base of the replacement pole. The project would also consist of two Remote Radio Units (RRUs) mounted on the lower portion of the replacement light standard. The proposed facility would be located within an existing fenced enclosure with the ground equipment and RRUs located below the top of the fence, thus screened from public view.

The proposed project is located in the parking lot of Angello's ATV Rentals, where Pier Avenue dead ends at the Oceano Dunes State Park. The site is developed with a metal warehouse building and is completely paved in asphalt. The facility would be located within a fenced storage area at the southeast corner of the property.

## PLANNING AREA STANDARDS

As described below, the proposed project complies with applicable standards of the San Luis Bay Coastal Area Plan:

### Combining Designations

#### Airport Review Area (AR)

Limitation on Uses Within Airport Review Area. Allowable uses are limited to those designated as "compatible" or "conditionally approvable" by the adopted Oceano County Airport Land Use Plan.

*The proposed project is consistent with this standard since a wireless communications facility is considered a "compatible" use per the Airport Land Use Plan. Also, the project would replace an*

*existing light standard with a new one of a similar height, and therefore would not add a new structure in the airport review area.*

## **Oceano Urban Area Standards**

### Commercial Retail Land Use Category

Limitation on Use – Oceano Beach. Uses allowed by Coastal Table O, Part I of the Land Use Element may be permitted in the Oceano Beach area except: schools; auto, mobilehome and vehicle dealers and supplies; building materials and hardware; furniture; home furnishings and equipment; mail order and vending; and vehicle storage.

*The proposed project is consistent with this standard because a wireless communications facility is listed as an allowed use in Coastal Table O, and is not one of the excluded uses listed in the planning area standard.*

## COASTAL ZONE LAND USE ORDINANCE STANDARDS

### **Section 23.01.043(c)(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)**

The project is appealable to the Coastal Commission because the subject parcel is located between the sea and the first public road paralleling the sea. The project is also appealable because a communications facility is listed as a “Special” use in Table O of Coastal Framework for Planning.

### **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 23.07.140: Archaeologically Sensitive (AS) Area Combining Designation**

The proposed project is located within an Archaeologically Sensitive (AS) combining designation, and is subject to Section 23.07.140 – Archaeologically Sensitive Area.

*This section requires projects within the AS combining designation to include a preliminary site survey for cultural resources. The project complies with this requirement because the proposed development is located in an existing parking lot, which is paved with asphalt, and has a small footprint of approximately 25 square feet. The project is also conditioned to require all construction activities to cease in the event that archaeologically resources are discovered during ground disturbing activities.*

### **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 contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As described below, the proposed project meets these requirements:

### Radio Frequency Analysis

Section 23.08.284(a)(2) 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 requirement 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, Inc.; October 27, 2014), the public exposure RF emissions limit from the proposed facility would be equivalent to 4.4 percent of the applicable public exposure limit. The maximum calculated level of RF emissions at the second-floor elevation of any nearby building (located at least 60 feet away) would be 3.6 percent of the FCC standard. The report concludes that the facility would operate within the FCC standards for RF emissions.*

### Permit Requirements

Section 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. Conditional use permit approval is required for all other communications facilities.

*This project is eligible for Minor Use Permit approval because the proposed antenna is to be mounted on a replacement light standard of a similar height.*

### Development Standards

According to Section 23.08.284(b)(3), the preferred placement for new wireless communications facilities is on existing structures, completely hidden from public view or painted and blended to match existing structures. In addition, 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 proposed project complies with this standard because the proposed facility would be disguised to resemble a light standard. The proposed panel antenna would be incorporated into the top of the light standard and the ground equipment and RRUs would be screened from public view by an existing chain linked fence.*

## COASTAL PLAN POLICIES

Following is a list of the Coastal Plan Policies (discussion of applicable policies following):

Shoreline Access:	N/A
Recreation and Visitor Serving:	N/A
Energy and Industrial Development:	N/A
Commercial Fishing, Recreational Boating and Port Facilities:	N/A
Environmentally Sensitive Habitats:	N/A
Agriculture:	N/A
Public Works:	N/A
Coastal Watersheds: <input checked="" type="checkbox"/>	N/A
Visual and Scenic Resources:	Policy No: 2
Hazards:	N/A
Archaeology:	N/A
Air Quality:	N/A

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

## COASTAL PLAN POLICY DISCUSSION

### **Visual and Scenic Resources:**

*Policy 2: Site Selection for New Development. Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. The proposed project complies with this standard because the proposed facility would be disguised to resemble a light standard. The proposed panel antenna would be incorporated into the top of the light standard and the ground equipment and RRUs would be screened from public view by an existing chain linked fence.*

## COMMUNITY ADVISORY GROUP COMMENTS

The proposed project was referred to the Oceano Advisory Council and no response was received.

### AGENCY REVIEW

Building Division – The project shall comply with applicable building codes and ordinances (see attached response).

Public Works – No concerns.

## LEGAL LOT STATUS

The lot was created by a deed or subdivision when that was a legal method for creating a lot.

Staff report prepared by Airlin M. Singewald and reviewed by Karen Nall.