

Attachment 4



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 October 2, 2015	CONTACT/PHONE Airlin M. Singewald	APPLICANT Verizon Wireless / Lori Angello	FILE NO. DRC2014-00149
LOCAL EFFECTIVE DATE October 16, 2015	(805) 781-5198		
APPROX FINAL EFFECTIVE DATE November 6, 2015	asingewald@co.slo.ca.us		
SUBJECT A request by VERIZON WIRELESS & LORI ANGELLO for a Minor Use Permit/Coastal Development Permit 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 Commercial Retail	COMBINING DESIGNATION Airport Review, Archaeologically Sensitive, Coastal Appealable Zone, Local Coastal Plan, Visitor Serving Area	ASSESSOR PARCEL NUMBER 061-011-046	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: Limitation on Uses Within Airport Review Area, Limitation on Uses – Oceano Beach, <i>Does the project meet applicable Planning Area Standards: Yes – see discussion</i>			
LAND USE ORDINANCE STANDARDS: Coastal Commission Appealable Zone, Archaeologically Sensitive Area, Local Coastal Program, and Telecommunications 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			

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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

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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.

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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.

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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.

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ATTACHMENT 1

EXHIBIT A – FINDINGS DRC2014-00149/ Verizon Wireless and Lori Angello

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the proposed project is minor in nature, involves little site disturbance, will not require the removal of any native vegetation, and will replace an existing light standard of a similar height.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the because the installation and operation of such a facility does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the wireless communication facility will replace an existing light standard of a similar height and will not conflict with the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project, because the project is located on Pier Avenue, a collector constructed to a level able to handle any additional traffic associated with the project

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act because the project would replace an existing light standard of a similar height within an existing fenced enclosure, and would not inhibit access to the coast.

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EXHIBIT B - CONDITIONS OF APPROVAL DRC2014-00149 / Verizon Wireless and Lori Angello

Approved Development

1. This approval authorizes the construction and operation of an unmanned wireless communications facility, consisting of the following improvements:
 - a. Installation of one new 1'-11.25" tall x 10" wide cylindrical panel antenna mounted on the top of a new 23' tall replacement light standard (total height to top of antenna shall be a maximum of 26').
 - b. Installation of two new Remote Radio Units (RRUs) mounted a maximum height of 5'-10" above ground on the replacement light standard. The RRUs shall be completely screened by the existing chain linked fence.
 - c. Installation of two ground mounted equipment cabinets with heights of 3'-4" and 4'-2" mounted to a 3' x 5' concrete slab located near the base of the replacement light standard to be completely screened by the existing chain linked fence.
2. All development shall be consistent with the approved site plan, antenna and equipment layout plan, and elevations.

Conditions required to be completed at the time of application for construction permits

3. **At the time of application for construction permits**, the applicant shall include a "condition compliance" sheet with the construction plans that includes a complete copy of the final conditions of approval for the project.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Conditions to be completed prior to issuance of a construction permit

5. **Prior to issuance of a construction permit**, the applicant shall submit a color board for all proposed improvements (including, but not limited to, the antenna, RRUs, coaxial cables, associated mounting brackets, equipment cabinets, etc.). The replacement light standard, panel antenna, and RRUs shall be painted a matte finish light gray color

Condition Compliance Coordinator

6. **Prior to issuance of a construction permit**, the applicant shall identify a Condition Compliance Coordinator (CCC) to ensure all conditions of approval and mitigation requirements are met. The CCC shall be the County's contact and shall be responsible to ensure all mitigation requirements are met. A pre-construction meeting shall take place between the CCC and the County to review the application and establish the responsibility and authority of the participants.

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Hazards/Hazardous Materials

7. **Prior to issuance of a construction permit**, the applicant shall submit for review and approval a Hazardous Materials Business Plan for the proposed wireless communications facility to the County Environmental Health office for review and approval.

Site Restoration

8. **Prior to issuance of a construction permit**, the applicant shall post a performance agreement and financial instrument with the County in an amount commensurate with the cost of facility removal and site restoration. The performance agreement and financial instrument shall be released by the County at the time the facility is removed and the site is restored.

Conditions to be completed during project construction

Fire Safety

9. **During construction**, activities that pose an ignition source will have to comply with fire safety laws. This includes welding activities and use of heavy equipment. All equipment must be in compliance. Consideration of fuel breaks or other treatment shall occur in the construction area. If a fire ignites due to construction activities the responsible party may be liable for suppression costs.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

10. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of approval.
11. The facility shall not be operated until all conditions of approval have been met and all required building permits have received final inspection.

Aesthetic/Visual Resources

12. **Prior to final inspection**, the applicant shall paint all proposed improvements (including, but not limited to the antenna, RRUs, coaxial cables, and associated mounting brackets) the color and finish approved by the Department of Planning and Building. Repainting shall occur as necessary.

Explanatory Warning Signs for Occupational Exposures

13. **Prior to final inspection**, explanatory warning signs* to prevent occupational exposures in excess of the FCC guidelines are to be posted at the site entrance gate and on or at the barrier fence and antennas such that they would be readily visible from any angle of approach to persons who might need to work near the antennas. (*Warning signs should comply with ANSI C95.2 color, symbol, and content conventions. In addition, contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas).

Hazardous Materials

14. **Prior to final inspection**, the applicant shall provide verification from Environmental Health that the Hazardous Materials Business Plan has been implemented.

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Mitigation Monitoring/Condition Compliance

15. **Prior to final inspection**, the CCC will incorporate the findings of the monitoring effort into a final comprehensive construction monitoring report to be submitted to the County of San Luis Obispo.
16. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from the fire department of all required fire/life safety measures.
17. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
18. **Prior to occupancy or final inspection**, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.

On-going conditions of approval (valid for the life of the project)

19. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
20. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.
21. All obsolete or used facilities shall be removed within twelve months of cessation of the applicant's wireless communication operations on the site. The applicant shall be responsible for the removal of such facility and all associated structures and restoration of the site to pre-project condition. Restoration does not include removal of vegetation planted to provide visual screening. At the time the use of the facility is discontinued the owner of the facility must notify the Department of Planning and Building.

Visual/Aesthetic Resources

22. The approved colors shall be maintained for the life of the project. Repainting and maintenance shall occur as necessary.
23. If new technology is developed that reduces the impacts of the proposed project, the applicant agrees to install such improvements within 6 months of notification by the county.

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Co-location

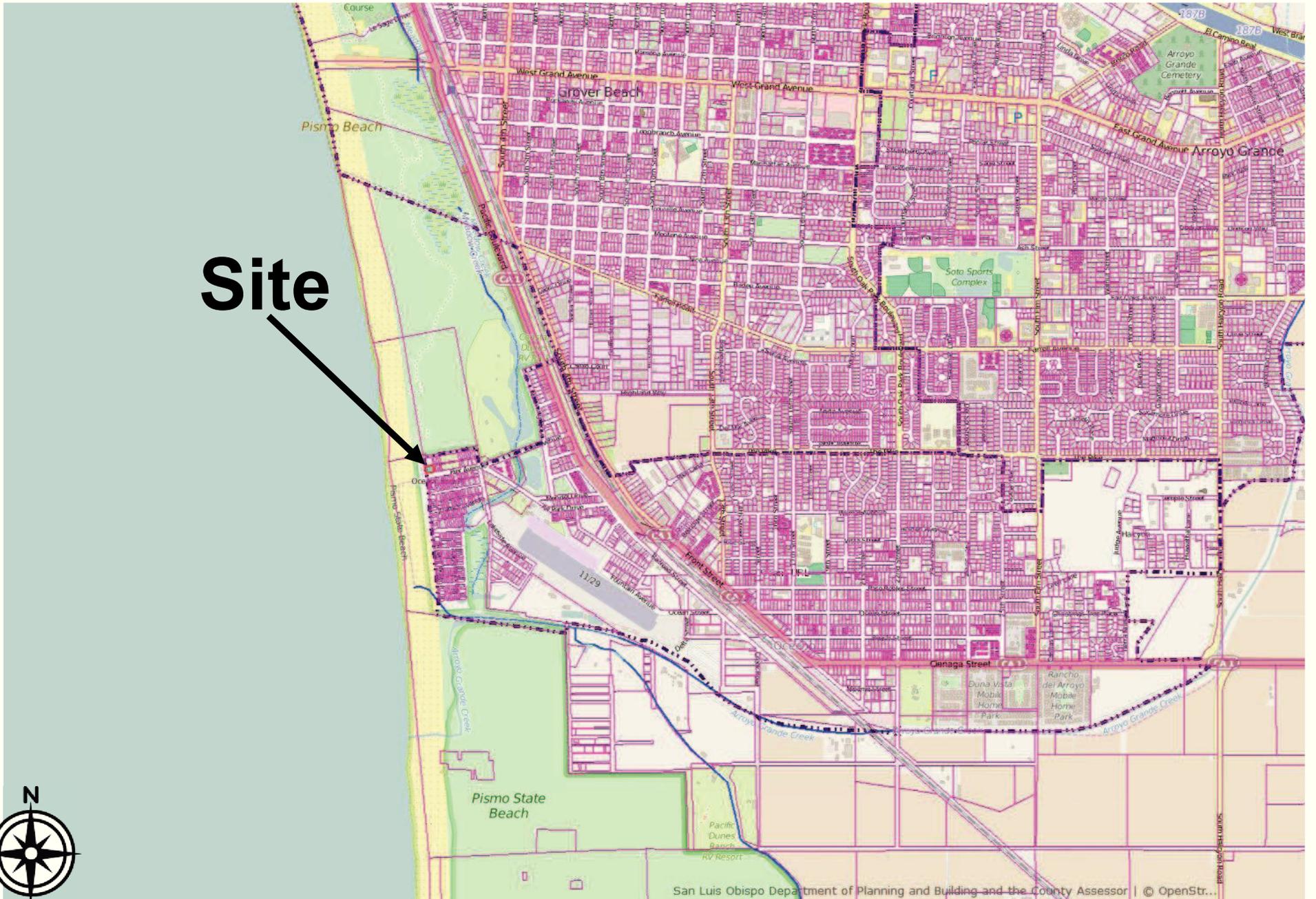
24. For the life of the project, the applicant shall allow other carriers to collocate on the new light standard, if technically feasible.

Electric and Magnetic Fields

25. The facility shall be designed and operated to ensure that power densities received from transmissions, with all transmitters at the site transmitting at full power, will comply with federal law and regulation.

Lighting

26. No exterior lighting is approved for the project.



Site



San Luis Obispo Department of Planning and Building and the County Assessor | © OpenStr...

PROJECT

Minor Use Permit/Coastal Development Permit
Verizon and Angello / DRC2014-00149



EXHIBIT

Vicinity Map



San Luis Obispo Department of Planning and Building and the County Assessor | © OpenSt...

PROJECT

Minor Use Permit/Coastal Development Permit
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EXHIBIT



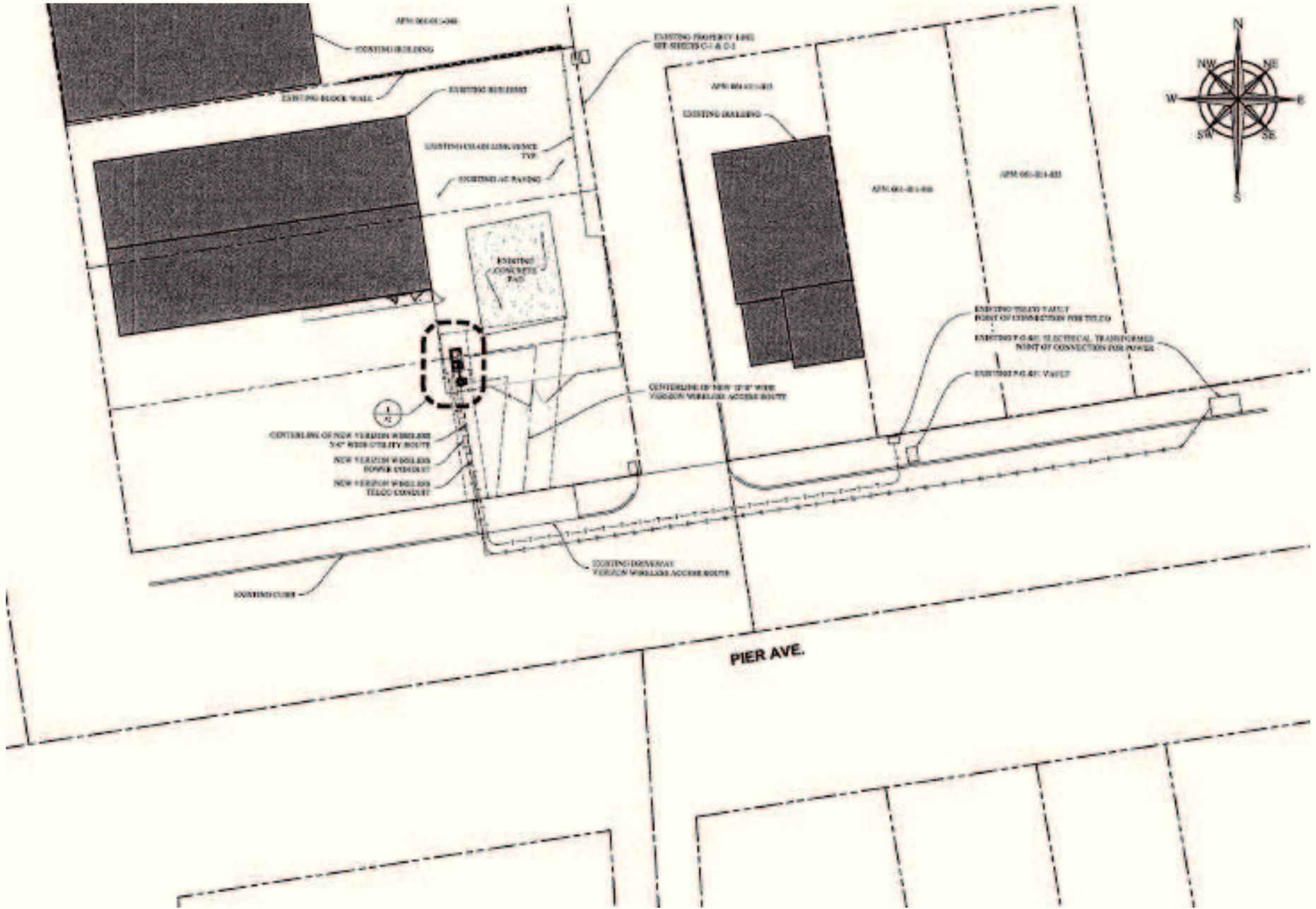
PROJECT

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EXHIBIT

Aerial Photograph



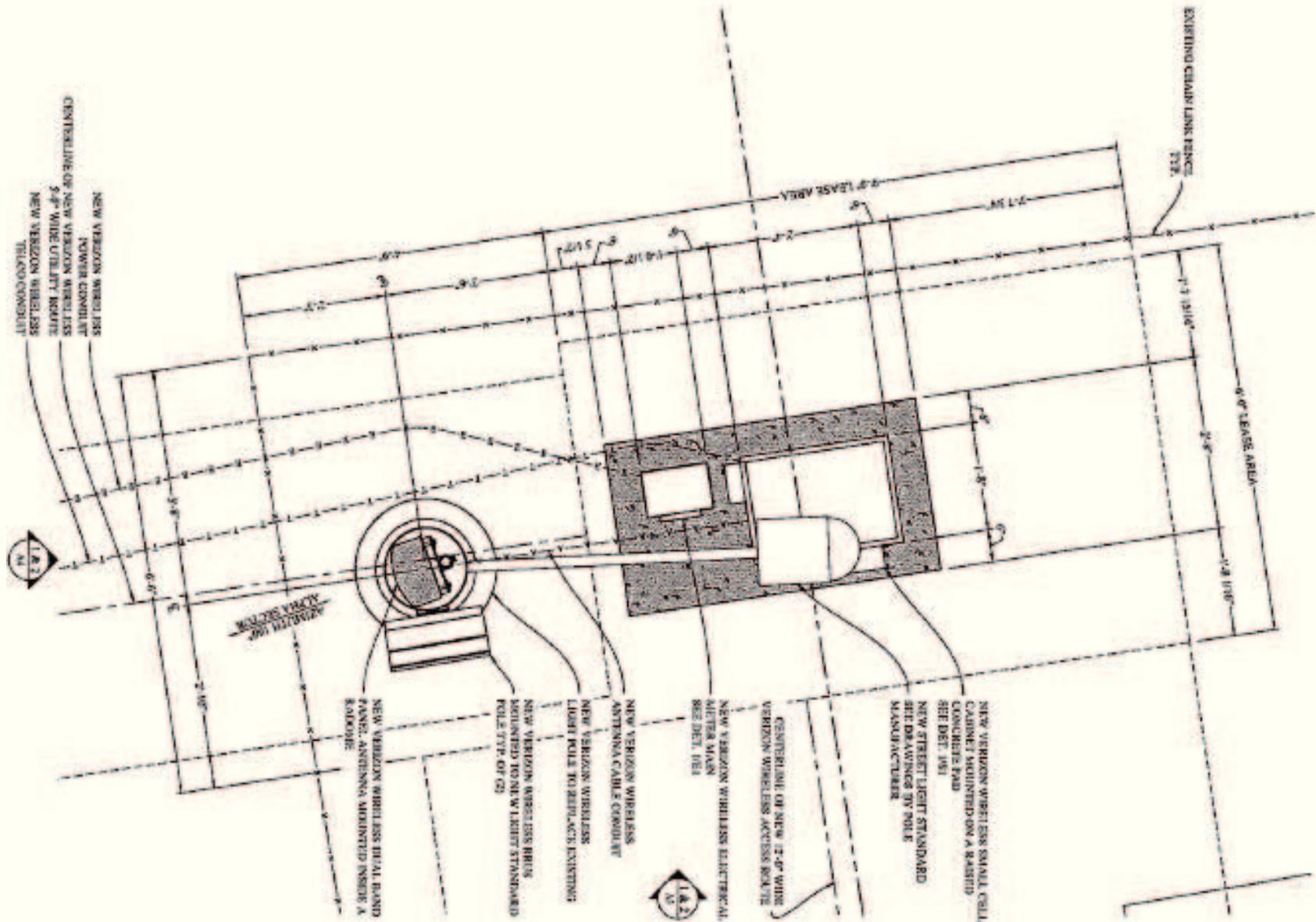
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EXHIBIT

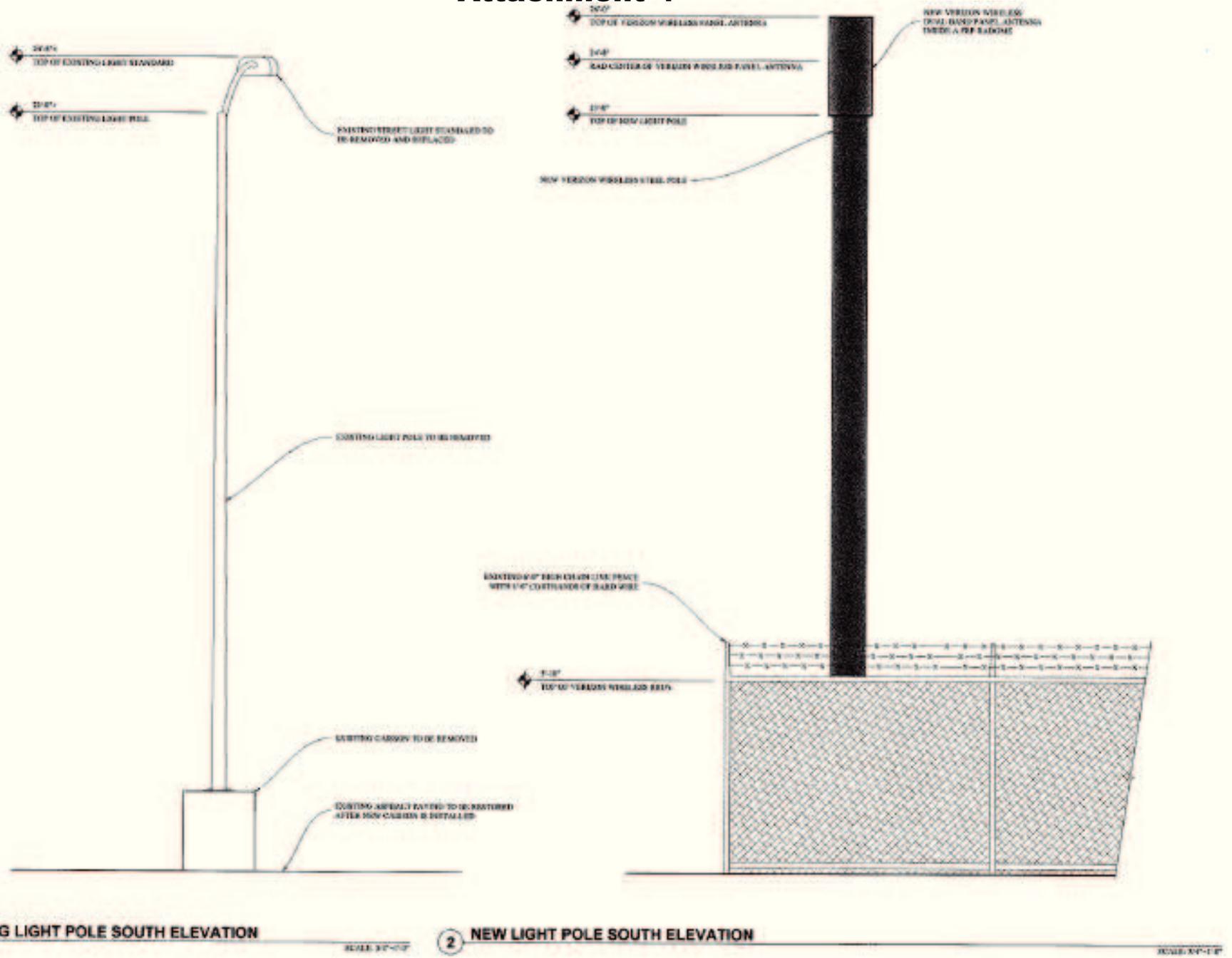
Site Plan



PROJECT
 Minor Use Permit/Coastal Development Permit
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EXHIBIT
 Equipment and Antenna Plan



1 EXISTING LIGHT POLE SOUTH ELEVATION

SCALE: 3/4"=1'-0"

2 NEW LIGHT POLE SOUTH ELEVATION

SCALE: 3/4"=1'-0"

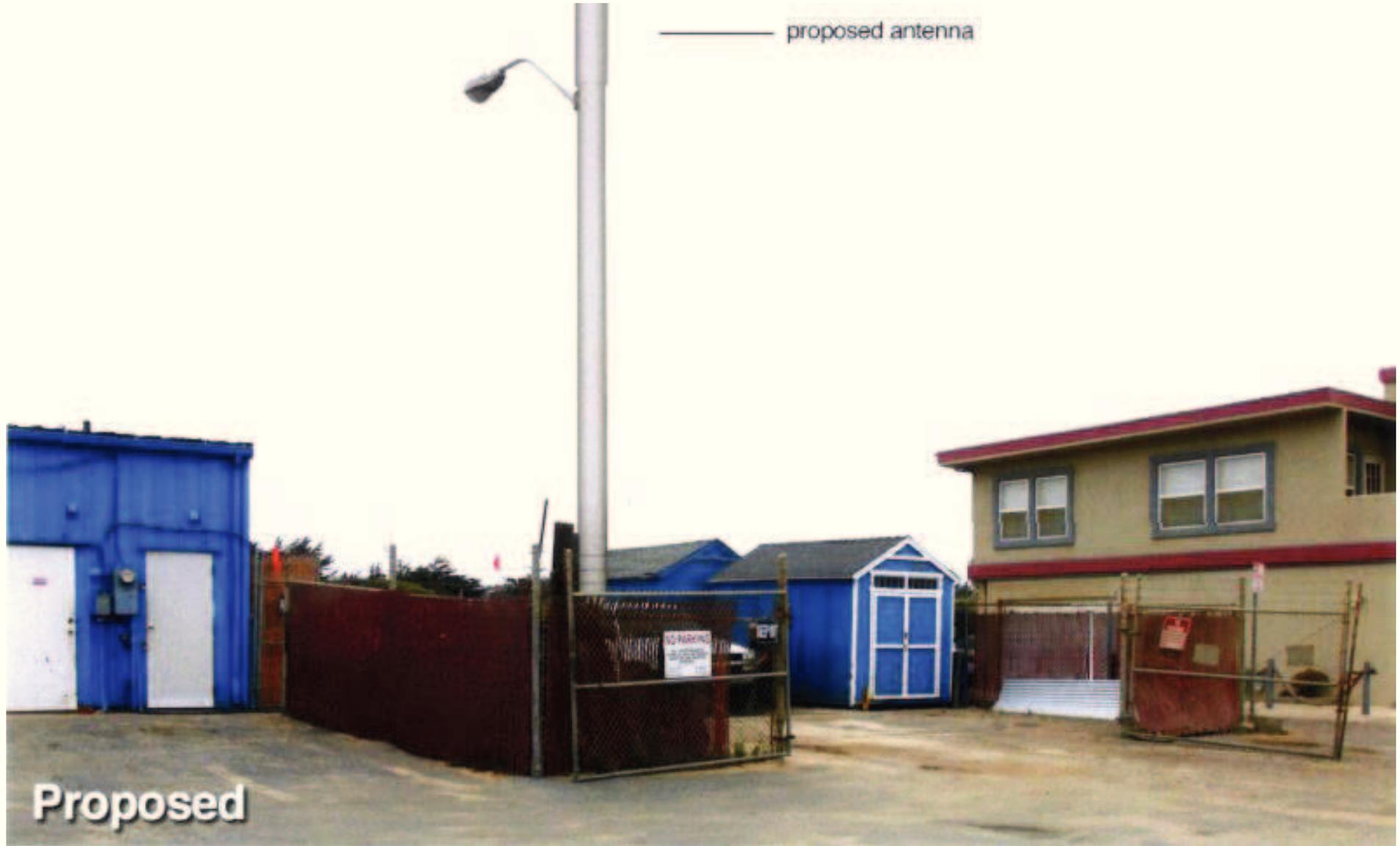
PROJECT

Minor Use Permit
ANGELLO / DRC2014-00149



EXHIBIT

Existing and New South Elevation



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Minor Use Permit/Coastal Development Permit
Verizon and Angello / DRC2014-00149



EXHIBIT

Photo Simulation Looking Northeast



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EXHIBIT

Photo Simulation Looking West from Pier Ave

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Re: DRC2014-00149 ANGELLO, Coastal E-Referral, MUP, Oceano 📎

Michael Stoker to: Airlin Singewald

06/16/2015 12:39 PM

Cc: Cheryl Journey, Stephen Hicks

Airlin,

Please find the building departments comments for DRC 2014-00149 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of a micro cell installation, replacing and existing light pole and adding ground mounted equipment. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (2013 California Building Standards Codes and Title 19 of the SLO County Codes).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

- 1) Provide isometric / single line drawings for the electrical elements to verify compliance with the 2013 versions of the California Electrical Code.
- 2) Provide complete structural plans (foundation, framing, welding, bolt connections, etc) and supporting documentation (calculations, specifications, ICC ES-reports, etc) for the new structures located on the site to verify compliance with the 2013 CBSC and referenced standards.
- 3) Provide details for anchorage for all equipment. For equipment weighing more than 400 lbs, provide calculations for seismic anchorage in accordance with ASCE 7-10, Chapter 13.
- 4) Specify post-installed anchorage (expansion or epoxy anchors). Indicate manufacturer's name and ICC report number. Anchors shall be approved for installation into cracked concrete.
- 5) Provide an equipment schedule on the plans and supporting documentation with approved listings.
- 6) Provide the specification and installation instruction for the generator.
- 7) Provide a list of required special inspection on the cover sheet of the plans as required by CBC, including Chapter 17. Also, the special inspector performing the inspection will need to be listed on the cover sheet and Statement of qualifications provided to the County of San Luis Obispo for review and approval.

Thanks

Michael Stoker
Building Division Supervisor, CASp
805.781.1543