

Exhibit B

This page intentionally left blank.

EXHIBIT B DISCUSSION

PROJECT SITE:

The subject property is located at 457 Carpenteria Road, Aromas, within the North County Area Plan, non-coastal. Zoning on the property is Low Density Residential, 1 acre per unit or “LDR/1.” Existing development on the site consists of a single family dwelling and non-habitable accessory structures. Vegetation consists of sparse trees and grasses. The surrounding areas contains primarily rural residential uses, except for the Aromas Fire Department fire station located across the street.



Figure 1. Project Vicinity

PROPOSED PROJECT:

The applicant, Verizon Wireless, requests to establish a wireless communication facility (WCF) on a 460 square foot leased area on the northwest corner of the property. The WCF consists of:

- A 55-foot tall wireless communications pole disguised as a eucalyptus tree (mono-eucalyptus);
- An equipment shelter containing four cabinets, two of which would be available for future co-location of other wireless providers, upon a concrete pad;
- A Verizon Wireless Intersect Cabinet, Electrical Meter, and Telco Box;
- A 30kw standby diesel generator upon a concrete pad; and
- A 8-foot tall security fence enclosure

23'-0"

NEW VERIZON WIRELESS LEASE AREA

OUTLINE OF NEW VERIZON WIRELESS MONOEUCALYPTUS BRANCHES (SHOWN DASHED FOR CLARITY)

NEW VERIZON WIRELESS 30KW STANDBY GENERATOR (JUL142) ON 6'-0" X 12'-0" CONCRETE PAD

EXISTING TREE TO BE RELOCATED

NEW VERIZON WIRELESS GRAVEL THROUGHOUT EQUIPMENT ENCLOSURE (PARTIALLY SHOWN FOR CLARITY)

NEW VERIZON WIRELESS 4FT WIDE GATE

NEW VERIZON WIRELESS 55'-0" TALL MONOEUCALYPTUS (ANTENNAS NOT SHOWN FOR CLARITY)

NEW VERIZON WIRELESS GPS ANTENNA

NEW VERIZON WIRELESS RAYCAPS, (4) TOTAL, 55' LOCATED AT ANTENNA LEASE AREA, (2) LOCATED AT EQUIPMENT AREA

NEW VERIZON WIRELESS OUTDOOR EQUIPMENT CABINETS ON NEW 4'-0" X 14'-0" CONCRETE PAD

NEW VERIZON WIRELESS CMU RETAINING WALL W/6'-0" TALL CHAIN-LINK FENCE ON TOP

FS = 313 AMSL

-48V PLANT

MISC

FUTURE CAB 1

FUTURE CAB 1

NEW VERIZON WIRELESS INTERSECT CABINET

NEW VERIZON WIRELESS ELECTRICAL METER W/FUSED DISCONNECT ON NEW H-FRAME

NEW VERIZON WIRELESS 24"X24"X12" TELCO BOX

NEW VERIZON WIRELESS ACCESS EASEMENT

NEW VERIZON WIRELESS POWERFIBER ROUTE (LENGTH=2365 FT)

EXISTING SLOPE →

Establishment of the WCF within the Low Density Residential zoning district and the exceedance to the height limitation (see Consistency with Land Use below) require an entitlement for a Use Permit. Pursuant to Section 21.64.340.I.1 of the Monterey County Zoning Ordinance, the Zoning Administrator shall be the Appropriate Authority for applications for new wireless communications facilities which exceed the height limit for the zoning district and have no significant adverse visual impact from any common public viewing area. Removal of the 8-inch oak requires approval of a Tree Removal Permit.

The Monterey County 2010 General Plan Land Use Policy No. LU-2.6 states that “new land use activities or changes in land use designations that may potentially be nuisances and/or hazards shall be discouraged within and in close proximity to residential areas.” The policy is applicable

to this project as it would establish a WCF in the area. Six members of the public were present at the North County Land Use Advisory Committee and objected to the project; stating that in their opinion, placement of the tower would devalue their property, disrupt their views, and create noise impacts. During the discussion, they also suggested that the project should be relocated to either of the two locations identified in the Alternative Site Location analysis submitted by the applicant. When determining if the project could be inconsistent with this policy, staff compared the opinions of the public with the application materials while considering all other policies and regulations contained in the Monterey County 2010 General Plan (General Plan), North County Area Plan (Area Plan), and the Monterey County Zoning Ordinance (Title 21) applicable to the area and establishment of the proposed use. Consistency with these regulations would ensure the ongoing operation of the project is suitable with the residential land use of the area and any resources that may be impacted be protected. In addition, Title 21 includes specific regulations for WCFs, which will be discussed below.

While the potential to de-value private property may be perceived as a nuisance by the neighbors, there are no policies or standards within the County Code that protect private property values. There are, however, policies that call for the protection of public viewing areas and scenic corridors. Area Plan Policy No. NC-3.1 states that new development in areas designated as Sensitive or Highly Sensitive in Figure 15 – Scenic Highway Corridors & Visual Sensitivity Map, may be permitted if it is located and designed in a manner where public views are not disrupted. However, the subject property is not located within a Visually Sensitive or Highly Visually Sensitive area, nor is it located within an existing or proposed Scenic Highway or Route. Therefore, project implementation would not conflict with policies calling for the protection of the public viewshed in the North County area.

Table S-2 – Land Use Compatibility for Community Noise Table, found in the Safety Element of the General Plan identifies noise exposure levels that would be “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable.” Normally acceptable noise exposure levels for low density residential areas are considered to be 65 decibels or lower for both night and day. Air cooling fans within the equipment shelter and a 30kw standby diesel generator are project components that have the potential to create additional noise impacts in the area. Information provided by the applicant indicates that noise production of the fans would be below 55 decibels, which is a normally acceptable level. The 30kw standby generator will be used only during times of emergency. Based on staff’s research, the average noise output of a 30kw generator would be between 65-68 decibels. Given the rural nature of the project location, it would be a logical assumption that the use of standby generators would be common practice in the area during times of widespread power outage. Further research identified that single family residences between 2,200-2,500 square feet would require a standby generator sized between 22-59kw. Since single family residences within the project’s vicinity are within those size thresholds, noise impacts produced by the generator would be compatible with the surrounding area.

Two alternative sites identified by the public at the LUAC as “more appropriate” were included in the applicant’s Alternative Site Analysis, which showed that at least four alternative sites were explored. The analysis concluded that these sites were either inconsistent with zoning requirements, could not provide site objectives for coverage, or lease options were not available.

WIRELESS COMMUNICATION FACILITY REGULATIONS:

Establishment of the WCF is subject to Chapter 21.64.310 – Regulations for the siting, design, and construction of wireless communication facilities, of the Monterey County Code.

Compliance with this chapter would assure that the integrity and nature of residential, rural, commercial, and industrial areas are protected from the indiscriminate and inappropriate proliferation of WCFs, while also complying with the Federal Telecommunication Act of 1996, General Order 159A of the Public Utilities Commission of the State of California and the policies of Monterey County.

In order for the Zoning Administrator to grant approval of the Use Permit, the following four findings shall be made: 1) The WCF will not significantly affect the public viewshed, scenic corridor, or environmentally sensitive resource; 2) The WCF site is the most adequate; 3) The project complies with all WCF requirements; and 4) The WCF site is in compliance with zoning. Based on the discussion below and findings contained in the draft resolution (**Exhibit C**), the following findings have been made by staff:

- 1. That the development of the proposed wireless communications facility will not significantly affect any public viewshed, scenic corridor or any identified environmentally sensitive area or resource as defined in the Monterey County General Plan, Area Plan or Local Coastal Plan.*

As previously discussed, the subject property is not located within the public viewshed or a scenic corridor. Data contained within the Monterey County Geographic Information System indicates that the site does not support environmentally sensitive habitat. This conclusion was verified by staff's observation of the developed site.

- 2. That the site is adequate for the development of the proposed wireless communications facility and that the applicant has demonstrated that it is the most adequate for the provision of services as required by the FCC.*

Regulations contained in the Low Density Residential zoning district allows for WCFs provided a Use Permit is granted. The proposed location of the WCF meets the required setbacks for non-habitable accessory structures within the Low Density Residential District. The proposed 55-foot tall wireless communications pole exceeds the maximum height limit of the district; however, approval of the Use Permit entitlement would allow for the exceedance.

The applicant submitted a "Verizon Wireless Cell Site Necessity Case – Aromas," which indicates that there is a gap in coverage for the community of Aromas and residents along Carpenteria Road, Seely Avenue, and Snyder Avenue. The objective of establishing the WCF on this site is to improve service and access for indoor and outdoor users which is consistent with the FCC provisions for wireless facilities. Also submitted was an evaluation of the project's compliance with FCC guidelines for radio frequency (RF) exposure entitled "Proposed Base Station Radio Frequency Compliance Report." The evaluation concluded that the maximum RF exposure level emitted by the proposed WCF is calculated to be

0.032mW/cm² (milliwatts per square centimeter), which is below the applicable public exposure limit of 1.00mW/cm²

3. *That the proposed wireless communication facility complies with all of the applicable requirements of Section 21.64.310 of this Title.*

WCF regulations require that site location and development preserve the visual character and aesthetic values of the specific parcel and surrounding land uses by integrating, to the maximum extent feasible, into to the existing characteristics of the site. Photosimulations (**Exhibit H**) submitted by the applicant included visual scenarios taken from three vantage points where the WCF would be most visible: 1) Carpenteria Road, southeast of the project site; 2) the intersection of Carpenteria Road and Seely Avenue, northeast of the project site; and 3) Arlon Way, south of the project site. Due to topography, assortment of vegetation types, and existing structures, establishment of the WCF would not detract from the neighborhood character when seen from viewpoints 1 and 2. The WCF would be most noticeable when seen from viewpoint 3. However, Arlon Way is a private road not commonly traveled by the general public as it only serves access to four residential lots.

Regulations call for co-location to the maximum extent feasible. If co-location is not available, documentation shall be submitted. Application materials indicate that there are three existing telecommunication towers within the general vicinity of the site. However, those sites are outside (approximately 1.5 – 2 miles) of the area necessary to meet the site objectives for coverage. Alternative sites were also explored. Alternative Site B was found to be a good candidate for meeting site objectives for coverage however establishment of the use was inconsistent with zoning requirements. Alternative Sites C & E were found to be unacceptable in providing site objectives for coverage and were therefore eliminated as possible locations. Alternative Site D was found to be a good candidate however the property owner showed no interest and a lease option was not available.

The proposed height of the WCF will not affect any aircraft zones identified in County Airport Approaches Zoning regulations and will not penetrate a FAR Part 77 Imaginary Surface.

4. *That the subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title and that all zoning violation abatement costs, if any have been paid.*

The subject property and existing development is in compliance with the zoning regulations contained in the Low Density Residential District. There are no known violations on the subject property.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines. This exemption applies to the construction of small facilities or new

structures. The size of the lease area, 460 square feet, and the WCF is considered a small facility and is consistent with this exemption. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project is not located on a hazardous waste site, near a scenic highway or historical resource. The project would not contribute to a cumulative impact as there are no other wireless communication facilities in proximity of the project site.

STAFF RECOMMENDATION:

Based on the project application and proposed conditions of approval, staff finds the project consistent with the applicable policies and regulations contained in the 2010 Monterey County General, the North County Area Plan, and the Monterey County Zoning Ordinance. Issues and concerns expressed by the public were addressed and resolved. Therefore, staff recommends the Zoning Administrator approve the project.