



# Monterey County

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## Board Report

Legistar File Number: RES 18-092

July 17, 2018

Introduced: 7/6/2018

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Resolution

### **PLN180035 - California-American Water Co. (County of Monterey Information Technology Department)**

Public hearing to consider an appeal by Jameson Halpern from the Planning Commission's approval of an application by the County of Monterey Information Technology Department for a Design Approval to allow the structural reinforcement of an existing 80-foot-tall, 3-leg, communications tower and replacement of 16 tower-mounted antennas with 9 tower mounted antennas.

**Project Location:** 4041 Sunset Lane, Pebble Beach (Assessor's Parcel Number: 008-111-017-000), Del Monte Forest Land Use Plan area.

**Proposed CEQA Action:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines.

#### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Find that the project is a minor alteration to an existing public facility, which qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines; and
- b. Deny the appeal of the Planning Commission's decision to approve the application by the County of Monterey Information Technology Department for a Design Approval allowing structural reinforcement of an existing 80-foot-tall, 3-leg, self-supporting tower and replacement of 16 tower-mounted antennas with 9 antennas in substantially the same location. Proposed structural changes include placement of soil anchors, replacement of diagonal members and tower leg supports, and construction of an elevated metal walkway (ice bridge) attaching the bottom of the tower to the existing antenna equipment shelter at the site.
- c. Approve the Design Approval allowing structural reinforcement of an existing 80-foot-tall, 3-leg, self-supporting tower and replacement of 16 tower-mounted antennas with 9 antennas in substantially the same location. Proposed structural changes include placement of soil anchors, replacement of diagonal members and tower leg supports, and construction of an elevated metal walkway (ice bridge) attaching the bottom of the tower to the existing antenna equipment shelter at the site.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to one condition of approval.

**PROJECT INFORMATION:**

**Owner:** California-American Water Co.

**Agent:** County of Monterey Information Technology (lessor)

**Zoning:** Medium Density Residential, 4 units per acre, with a Design Control Zoning Overlay, in the Coastal Zone (MDR/4-D(CZ))

**Plan Area:** Del Monte Forest Land Use Plan Area

**Flagged and Staked:** N/A

**SUMMARY:**

The County of Monterey, through its Information Technology Department (ITD), is requesting a permit to structurally reinforce an existing 80-foot tall communications tower, construct a new elevated metal walkway known as an “ice bridge” to connect the base of the existing tower to existing equipment shelters (approximately ten feet above grade), and replace 16 structure-mounted antennas with 9 new antennas, resulting in an overall reduction of equipment on the tower. The subject real property is owned by Cal-Am and also currently contains two large water tanks and one additional 80-foot tall communications tower. The County of Monterey leases a portion of the Cal-Am property to operate and maintain one of the two communications towers and associated communications equipment at the site.

The proposed project was reviewed by the Del Monte Forest Land Use Advisory Committee (LUAC) on May 8, 2018. The LUAC recommended approval of the project by a vote of 6-0 (**Attachment F**). One neighbor to the site was present at the hearing. The neighbor expressed concerns about potential harmful effects to people residing near the tower from radio frequency electromagnetic energy exposure. Staff has considered the public comment and verified that the project will remain well under the Federal Communications Commission (FCC) recommended Maximum Permissible Exposure limits for field strength and power density for the transmitters operating at frequencies of 300 kHz to 100 GHz.

The project was originally scheduled for administrative approval by the Chief of Planning, but was elevated to the Planning Commission due to a written request for public hearing and formal objection to the project. On May 9, 2018, the Planning Commission considered the Design Approval application and unanimously recommended approval of the project. The appellant was not present at the Planning Commission hearing; however written objections by the appellant to the Design Approval consideration were attached to the staff report for that hearing.

On May 14, 2018, Mr. Jameson Halpern, on behalf of the Huckleberry Hill Neighborhood Association, filed an appeal of the Planning Commission’s decision to approve the communication tower retrofit. The appeal of the Planning Commission’s decision is attached as Exhibit C. The appeal contains multiple arguments supporting the main contention that a fiberglass tree disguise is required for the tower. The appeal further contends that there was a lack of a fair hearing, that the approval is inconsistent with existing law and policy, that the project is not exempt from CEQA, that the site is not a suitable location, and that flagging and staking was required.

Staff's opinion is that there has been a fair and adequate hearing process, the findings are supported by the evidence as outlined in the attached resolution, and approval of the project is consistent with applicable laws land use regulations.

Fundamentally the project includes reinforcement of an existing tower by adding soil anchors to the foundation and replacing some of the cross supports on the tower. The existing tower is not being demolished or deconstructed and replaced, simply reinforced in place. In addition, the project reduces the number and size of antennas attached to the tower thereby reducing the visual clutter from existing conditions. For these reasons, and as further explained in Exhibit A, staff is recommending that the Board deny the appeal of the Planning Commission's decision and approve the project as proposed.

DISCUSSION:



Detailed discussion is provided in **Attachment A**.

OTHER AGENCY INVOLVEMENT:

The project is proposed by the County of Monterey through its Information Technology Department and has been reviewed by the Resource Management Agency - Planning Division

FINANCING:

Funding for staff time associated with this project is included in the FY18-19 Adopted Budget for RMA-Planning.

Prepared by: Craig W. Spencer, Supervising Planner ext. 5233   
Reviewed by: Brandon Swanson, Planning Services Manager   
Approved by: John M. Dugan FAICP, RMA Deputy Director of Land Use and Development Services

The following attachments are on file with the Clerk of the Board:

Attachment A - Discussion

Attachment B - Draft Board Resolution including

- Conditions of Approval
- Project Plans

Attachment C - Notice of Appeal

Attachment D - Planning Commission Staff Report

Attachment E - Planning Commission Resolution

Attachment F - Del Monte Forest Land Use Advisory Committee minutes

Attachment G - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; Brandon Swanson, RMA Services Manager; California American Water, Owner; County of Monterey Information Technology, applicants; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN180035