



## Legislation Details (With Board Report)

**File #:** PC 21-015      **Name:** PLN200073 AT&T MURPHY  
**Type:** Planning Item      **Status:** Agenda Ready  
**File created:** 3/19/2021      **In control:** County of Monterey Planning Commission  
**On agenda:** 3/31/2021      **Final action:**  
**Title:** PLN200073 - AT&T OP MURPHY  
Public hearing to consider the installation of a wireless communications facility consisting of a 125-foot high monopole and a 21' x 28' square foot fenced equipment area and associated equipment, including a walk-in cabinet and diesel generator including a variance for a 210 square foot addition to the building site coverage.  
Proposed Location: 31450 Hwy 101, Gonzales (APN 257-041-012-000)  
Proposed CEQA Action: Categorically Exempt per section 15303 of the CEQA Guidelines

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit A - Draft Resolution, 3. Exhibit B - Vicinity Map, 4. Exhibit C - Electromagnetic Energy Exposure Report, 5. Exhibit D- Photo Simulations, 6. Exhibit E Alternative Locations Information, 7. Exhibit F - Coverage Map, 8. Exhibit G - Agricultural Advisory Committee Meeting Minutes

Date	Ver.	Action By	Action	Result
3/31/2021	1	County of Monterey Planning Commission		

**PLN200073 - AT&T OP MURPHY**

Public hearing to consider the installation of a wireless communications facility consisting of a 125-foot high monopole and a 21' x 28' square foot fenced equipment area and associated equipment, including a walk-in cabinet and diesel generator including a variance for a 210 square foot addition to the building site coverage.

**Proposed Location:** 31450 Hwy 101, Gonzales (APN 257-041-012-000)

**Proposed CEQA Action:** Categorically Exempt per section 15303 of the CEQA Guidelines

RECOMMENDATIONS:

It is recommended that the Planning Commission:

- a. Find the project qualifies for a Class 3 Categorical Exemption per Section 15303 of the CEQA Guidelines and does not meet any of the exceptions under Section 15300.2;
- b. Approve a Use Permit to allow the installation of a 125-foot high communications monopole and a 21' x 28' square foot fenced equipment area and associated equipment, including a walk-in cabinet and diesel generator; and
- c. Approve a variance to allow a 5.81 percent lot coverage.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**).

Staff recommends approval subject to 9 conditions.

PROJECT INFORMATION:

**Planning File Number:** PLN200073

**Owner:** OP Murphy Produce Company Inc. (AT&T)

**APN:** 257-041-012-000

**Agent:** Tom Johnson

**Plan Area:** Central Salinas Valley Area Plan  
**Flagged and Staked:** Photo-simulations provided

SUMMARY:

The applicant proposes to construct a new 125-foot tall cell tower to provide improved service for an approximately 4.75 mile stretch of Hwy 101 and surrounding areas south of the City of Gonzales and north of the City of Soledad. The proposed location is behind an existing agricultural processing plant. The property is currently at the coverage limitation for a Farmland zoned parcel. As such, a variance is required to exceed the 5% coverage limitation and allow a 5.81 percent lot coverage.

DISCUSSION:

Setting

The proposed site is a Farmland zoned property currently developed with a tomato processing plant. A leased area behind the existing building would house the 125-foot-tall tower, a 64 square foot storage cabinet, a generator, and a future transformer area. A 10-foot-wide utility easement would provide maintenance access to the tower. The proposed facility would improve indoor and outdoor coverage for an approximately 4-mile stretch of Hwy 101 and surrounding areas between the City of Gonzales and the City of Soledad. Wireless communications facilities are allowed in the F/40 zoning category with a use permit pursuant to Section 21.64.310.

The applicant conducted a search for colocation opportunities; however, no existing towers were located within a 2-mile radius of the proposed site. The closest towers are 4 and 5 miles away.

Visual Resources

The subject site is not in a designated visually sensitive area. Visual simulations provided by the applicant show that the tower would be visible from Hwy 101, as the agricultural area has few buildings and natural landforms to provide potential for screening. Although it would be visible to passing motorists, the tower would be approximately 280 feet from the highway and would be located behind an existing building and among existing utility poles, resulting in a less than significant visual interruption. Conditions have been incorporated that require non-glare color treatment, that would reduce the visual impacts in the event of technological advances, and that would require removal and restoration of the site in case of termination of use (Condition Nos. 5 and 7). Alternative designs to the standard monopole were discussed with the applicant, but were not pursued due to the nature of the landscape. The area is generally devoid of tall trees or structures, so any alternative design would presumably draw more attention than the slim monopole design proposed.

Alternative Locations

The project applicant provided records of correspondence with the property owners of five different sites that were identified as potential alternatives to the proposed locations. Alternative locations in this area that would provide the desired coverage are limited because the area consists mostly of large parcels in agricultural operation. Alternatives explored included Soledad State Prison, and additional properties with existing structural development along Hwy 101. The adjacent parcel to the north, APN 257-041-025-000 was considered as a potential site, however, this site was determined not to be a preferred location because the owners were not interested in any location that would necessitate the conversion of crop land. This site would require the tower to be located directly adjacent to Hwy 101. The proposed location is preferable because the existing building will provide some screening from Hwy 101.

Electromagnetic Energy Exposure

The applicant has submitted an Electromagnetic Energy Exposure Report prepared by OSC Engineering. The report finds that the facility will comply with Federal Communications Commission (FCC) standards for limiting public exposure to radio frequency energy.

### Variance Request

The existing coverage on the property is 5.79 percent, which exceeds the 5 percent allowed coverage for the Farmland zoning designation. The proposed tower and associated equipment will add 210 square feet of coverage, which will slightly increase total coverage on the parcel to 5.81 percent. Thus, a variance to exceed the coverage limitations is required to approve the proposed project. The three required findings listed in Section 21.72.040 to approve the variance may be made as follows:

*A. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this Title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;*

At 27 acres, the subject parcel is unusually small as compared to surrounding parcels, most of which are well over 200 acres. The property is also unique in that a significant portion is already developed with an agricultural processing plant, whereas most surrounding properties are strictly in agricultural cultivation. The processing plant has existed longer than any available County records, and existing development places coverage for the property just over the 5 percent coverage limit. The additional coverage of 210 square feet is negligible compared to the size of the property and of the existing building, and the 0.02% increase in lot coverage is infinitesimal.

*B. That the variance not constitute a grant of special privileges inconsistent with the limitations upon other property in the vicinity and zone in which such property is situated;*

Other properties in the vicinity and zone could be developed with a wireless communications tower without the need for a variance because most properties are significantly larger and contain little existing structural development.

*C. A variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regularly governing the parcel of property.*

A wireless communications facility is allowed with a use permit in the Farmlands zoning district pursuant to Section 21.64.310.

### OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Environmental Health Bureau
- RMA-Public Works
- RMA-Environmental Services
- Gonzalez Rural Fire Protection District

The proposed project was not reviewed by any Land Use Advisory Committee because there is no Land Use Advisory Committee established in the Central Salinas Valley area; however, the project was reviewed by the Agricultural Land Use Advisory Committee on June 20, 2020. The committee voted 11-0 to recommend approval of the project.

Prepared by: Cheryl Ku, Senior Planner, 796-6049  
Reviewed by: Craig Spencer, RMA Planning Services Manager  
Approved by: Erik Lundquist, AICP, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan and Elevations

Exhibit B - Vicinity Map

Exhibit C - Electromagnetic Energy Exposure Report

Exhibit D - Photo Simulations

Exhibit E - Alternative Locations Information

Exhibit F - Coverage Map

Exhibit G - Agricultural Advisory Committee Meeting Minutes

cc: Front Counter Copy; Erik Lundquist, Chief of Planning; OP Murphy, Property Owner, AT&T Mobility, C/O Tom Johnson at TSJ Consulting, Inc.; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN200073