



## Legislation Details (With Board Report)

<b>File #:</b>	PC 17-045	<b>Name:</b>	PLN150082 - Indian Springs
<b>Type:</b>	Planning Item	<b>Status:</b>	Agenda Ready
<b>File created:</b>	6/19/2017	<b>In control:</b>	Monterey County Planning Commission
<b>On agenda:</b>	6/28/2017	<b>Final action:</b>	
<b>Title:</b>	PLN150082 - INDIAN SPRINGS Public hearing to consider a wireless communication facility, pending amendment of the Conservation and Scenic Easement Deed and consider recommendation to the Board of Supervisors to amend the Conservation and Scenic Easement. Project Location: 22400 Indian Springs Road, Salinas, Toro Area Plan Proposed CEQA Action: Adopt a Negative Declaration		

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Project Discussion, 4. Exhibit C - Draft Resolution, 5. Exhibit D - Toro LUAC Minutes, 6. Exhibit E - 093015 PC Staff Report, 7. Exhibit F - PC Resolution No. 15-049, 8. Exhibit G - Negative Declaration, 9. Exhibit H - FCCC Assessment, 10. Exhibit I - Photo Simulation, 11. Exhibit J - CEQA Comments, 12. Hearing Submittal

Date	Ver.	Action By	Action	Result
6/28/2017	1	Monterey County Planning Commission		

### PLN150082 - INDIAN SPRINGS

Public hearing to consider a wireless communication facility, pending amendment of the Conservation and Scenic Easement Deed and consider recommendation to the Board of Supervisors to amend the Conservation and Scenic Easement.

**Project Location:** 22400 Indian Springs Road, Salinas, Toro Area Plan

**Proposed CEQA Action:** Adopt a Negative Declaration

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- 1) Adopt a Negative Declaration;
- 2) Recommend the Board of Supervisors to:
  - a. Accept the Amended Conservation and Scenic Easement Deed for the Indian Springs Ranch Property Owners Association,
  - b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed, and
  - c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation; and
- 3) Approve a Use Permit and Design Approval, subject to approval of the Amended Conservation and Scenic Easement Deed, to allow a wireless communication facility consisting of:
  - a. construction of a 34-foot tall mono-eucalyptus wireless communications pole
  - b. equipment shelter
  - c. electric meter
  - d. 30-kilowatt standby diesel generator surrounded by an 8-foot tall fence.

The attached draft resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to 16 conditions of approval.

**PROJECT INFORMATION:**

**Agent:** Verizon Wireless

**Property Owner:** Indian Springs RCH Prop Owners

**APN:** 139-111-011-000

**Parcel Size:** 72.67 Acres

**Zoning:** Open Space, Design Control District or “O-D”

**Plan Area:** Toro

**Flagged and Staked:** No

**SUMMARY:**

In January 2015, the applicant, Verizon Wireless, made an application to RMA-Planning to allow the establishment of a wireless communication facility (WCF) within an area owned by the Indian Springs Ranch Property Owners association within the Indian Springs Ranch subdivision. Through staff’s analysis of the project materials, it was identified that the proposed location of the WCF is within an existing Conservation and Scenic Easement.

On August 27, 2015, the RMA Director of Planning notified the project applicant, in writing as a formal interpretation by the Director (see Exhibit E), that the proposed project was not a use allowed within the boundaries of the designated easement area. The project applicant then responded with a request to appeal the Director’s decision to the Planning Commission on September 10, 2015.

The Planning Commission held a public hearing to consider the appeal of an administrative interpretation on September 30, 2015. The Planning Commission denied the appeal (Resolution No. 15-049) and recommended that the applicant either consider modifying the application and relocate the WCF outside of the easement or request an amendment to the Conservation and Scenic Easement to allow placement of the WCF in the boundaries.

The applicant explored available options for co-location and alternative sites and found that there were no known existing facilities within the vicinity of the subject property and lease agreements for the alternative sites could not be obtained.

The applicant now requests the Planning Commission recommend the Board of Supervisors allow an amendment to the Conservation and Scenic Easement to include the WCF and approve the Use Permit and Design Approval to allow establishment of the WCF, consisting of a 34-foot tall mono-eucalyptus with six panel antennas, nine remote radio units, and four surge protectors; an equipment shelter; electric meter; and a 30-kilowatt standby diesel generator surrounded by an 8-foot tall fenced security enclosure. The Use Permit and Design Approval have been conditioned to so that approval of the Planning Commission will not take effect until the amendment is approved by the Board of Supervisors.

Staff finds the project, as proposed and conditioned, consistent with policies and regulations applicable to the subject property. A detailed discussion is provided in **Exhibit B**.

**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  
Water Resources Agency  
Monterey County Regional Protection District  
Toro Land Use Advisory Committee

The proposed project was reviewed by Toro Land Use Advisory Committee (LUAC) on June 8, 2015 and continued due to a lack of design alternatives, flagging, and a detailed site plan. On May 23, 2016, the item was brought back before the LUAC for reconsideration. A motion to support the project with the recommendation to relocate the facility off of the scenic easement was made and the vote consisted of three ayes and three noes with three members absent. The motioned failed resulting in no recommendation by the LUAC. (**Exhibit D**)

FINANCING:

Funding for staff time associated with this project is included in the FY2016-2017 Adopted Budget for RMA-Planning.

Prepared by: Anna V. Quenga, Associate Planner, x5175  
Reviewed by: Brandon Swanson, RMA Services Manager  
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A	Project Data Sheet
Exhibit B	Project Discussion
Exhibit C	Draft Resolution, including: <ul style="list-style-type: none"><li>• Conditions of Approval</li><li>• Project Plans</li></ul>
Exhibit D	Toro LUAC Minutes
Exhibit E	September 30, 2015 Planning Commission Staff Report
Exhibit F	Planning Commission Resolution No. 15-049
Exhibit G	Negative Declaration
Exhibit H	Federal Communications Commission Compliance Assessment
Exhibit I	Photo Simulation
Exhibit J	CEQA Comments

cc: Front Counter Copy; Anna V. Quenga, Associate Planner; Brandon Swanson, RMA Services Manager; Indian Springs RCH Prop Owners, Owner; Verizon Wireless (Tricia Knight), Applicant; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Lorna Moffat, Interested Party; Nina Beety, Interested Party; Project File PLN150082