

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: April 18, 2019

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Use Permit Amendment, and a Coastal Development Permit, pursuant to Sections 6500, 6513, and 6328 of the County Zoning Regulations, respectively and Architectural Review, pursuant to Section 261 of the California Streets and Highways Code, to allow the modification of an existing telecommunications facility located on an existing 198-foot tall transmission tower. The site is located at the Seahawk Ranch antenna facility, One Meyn Road, in the unincorporated Half Moon Bay area of San Mateo County. The project is appealable to the California Coastal Commission.

County File Number: PLN 2003-00505

PROPOSAL

The applicant (AT&T Wireless) proposes to modify an existing telecommunications facility located at the Seahawk Ranch antenna facility. The existing facility consists of an equipment shelter area and two sets of panel antennas located on an adjacent 198-foot tall lattice tower (Tower 1). With this modification, the applicant is proposing to remove one set of panel antennas from Tower 1 and place new panel antennas onto another adjacent existing tower (Tower 2), located approximately 200 feet to the southwest of the existing equipment shelter. The new panel antennas are approximately the same dimensions as the antennas to be removed from Tower 1. The new antennas will be placed 172 feet above ground level on Tower 2, which is approximately six feet higher than they were previously located on Tower 1. All necessary power and fiber optic lines for the new antennas will be placed underground within a utility trench, similar to the existing underground utilities to Tower 1. The applicant wishes to modify the existing facility in order to improve signal clarity.

RECOMMENDATION

Approve the Use Permit Amendment and Coastal Development Permit, County File number PLN2003-00505, by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Michael Schaller, Senior Planner, Telephone 650/363-1849

Applicant: Gordon Bell (J5 Infrastructure Partners) for AT&T Mobility

Owner: Seahawk Ranch Corporation

Location: One Meyn Road, South of Half Moon Bay

APN: 066-310-220

Size: 200 acres

Existing Zoning: Planned Agricultural District/Coastal Development (PAD/CD)

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Sphere-of-Influence: none

Williamson Act: Not under Williamson Act contract

Existing Land Use: Cellular and radio antenna farm, agricultural uses (grazing, hay)

Water Supply: No water is required for this use.

Sewage Disposal: No sewage disposal is required for this project.

Flood Zone: Zone X (Area of minimal flooding),
Community Panel Number 06081C0268F, effective August 2, 2017

Environmental Evaluation: Categorically exempt pursuant to Section 15301 of the California Environmental Quality Act Guidelines (Minor alterations to an existing structure)

Setting: The project site is located on the west side of Cabrillo Highway (State Scenic Highway), just south of the town of Half Moon Bay in the vicinity of Martin's Beach. The site consists of an open field covered by tall grasses. This project is located on an "antenna farm" owned by Seahawk Ranch Corporation. The site consists of approximately 30 communication poles/towers ranging in height from 50 feet to 200 feet, located approximately 1/2 mile west of the Highway. The communications facility has operated at this site for over 50 years. The acreage surrounding the actual antenna location is used for grazing and other agricultural uses. The existing Towers 1 and 2 are located on the western portion of the parcel.

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

The proposed amendment is to remove a set of panel antennas from Tower 1 and place new panel antennas of approximately the same size onto an adjacent tower (Tower 2) at roughly the same height. The proposed project conforms to the policies of the San Mateo County General Plan with specific discussion of the following policies: 4.20 (*Utility Structures*) and 4.21 (*Scenic Corridors*).

Policy 4.20 (*Utility Structures*) specifically discusses reducing the adverse visual impact of utility structures and Policy 4.21 (*Scenic Corridors*) discusses the management and appearance of development in order to enhance the visual quality of scenic corridors. The proposed antennas will be located high up on Tower 2 and will be painted a neutral gray-white color, similar to antennas on adjacent towers. Given the distance that the antennas will be viewed from Cabrillo Highway (over a 1/2 mile away), the antennas relatively small size and their color (when viewed against the open sky background), it is staff's position that the antennas will be nominally visible from the Highway and thus will not conflict with the above cited policies.

2. Conformance with the Local Coastal Program

a. Agriculture Component

Policy 5.10 (*Conversion of Land Suitable for Agriculture Designated as Agriculture*) – this policy requires that public service and facility expansions and permitted uses not impair agricultural viability, including by increased assessment costs or degraded air and water quality. The project is a relatively minor alteration of the existing, permitted cellular communication facility. Moving a set of panel antennas from one existing tower to another existing tower will not convert the underlying agricultural land, which can still be used for cattle grazing. There is no evidence to suggest that construction of the underground conduit will measurably impact air or water quality.

b. Visual Resources Component

Policy 8.5 (*Location of Development*) – This policy requires that new development be located on a portion of a parcel where the development: (1) is least visible from State Scenic Roads, (2) is least likely to impact views from public view points, and (3) best preserves

the visual and open space qualities of the parcel overall. The existing radio towers are visible from Cabrillo Highway, a State Scenic Road. This antenna farm is approximately 50 years old and predates the State's Coastal Act. However, while the towers themselves are visible from the Highway, Staff has confirmed that the panel antennas of the subject cellular facility are not readily visible, due to their small size and distance from the Highway. Additionally, views of the radio towers from the Highway are limited due to intervening vegetation and embankments. Due to the existing development on this parcel, views have already been impacted; thus staff believes the addition of the proposed antennas to Tower 2 will have nominal impacts to the views.

c. Shoreline Access Component

Policy 10.1 (*Permit Conditions for Shoreline Access*) – This policy requires some provision for shoreline access as a condition of granting development permits for any public or private development permits (except as exempted by Policy 10.2) between the sea and the nearest road. The project site is between the sea and the nearest public road, in this case, Cabrillo Highway.

Policy 10.2 (*Definition of Development*) – Subsection C of this policy lists the types of projects that are exempt from the requirement to provide shoreline access, specifically, improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10%, which do not block or impede public access, and which do not result in a seaward encroachment by the structure are exempt from needing to provide shoreline access.

The shifting of one set of panel antennas from Tower 1 to Tower 2 will not appreciably change the intensity of use of the underlying radio tower, nor will it increase the height or bulk of the existing tower. There is no history that staff is aware of, of existing public access to the shoreline through the subject parcel. Regardless, there is no aspect of this proposed use permit amendment that will impede public access if such access were to be created in the future. Finally, there is no component of the project that will encroach closer toward the sea than the existing condition. Based upon this analysis, the project is exempt from providing shoreline access.

3. Conformance with Use Permit Findings

In order to approve the Use Permit Amendment to allow the proposed modification of the existing cellular facility, the Zoning Hearing Officer must make the following findings:

- a. *That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood.*

The AT&T facility has been in operation since 2005 and has remained in compliance with all conditions of approval since its installation. The proposed installation of new panel antennas on Tower 2 will result in a nominal visual impact to the surrounding area. The radio frequency (RF) analysis indicates that the facility continues to comply with the Federal Communications Commission's (FCC) current prevailing standards for limiting human exposure to RF energy. As this is an unmanned communication facility, the operation does not create additional traffic, noise, or intensity of use of the property.

- b. *That the proposed project is necessary for the public health, safety, convenience or welfare.*

The use is for personal telecommunication service. The FCC has established the desirability and need for mobile and wireless telephone service to facilitate communication between mobile units and the existing wire-dependent telephone system. The system can handle a great quantity of calls in a more efficient and flexible manner than existing technology, and therefore is a benefit to both public and private users. The system is considered necessary for public health, safety, convenience and welfare. The applicant wishes to modify the existing facility in order to increase signal clarity and improve the quality of the service they provide to their paying customers.

4. Conformance with the Wireless Telecommunication Facility Ordinance

Effective January 9, 2009, the San Mateo County Board of Supervisors adopted a Wireless Telecommunication Facility (WTF) Ordinance. Use Permit Amendments for existing facilities constructed prior to the effective date of the Ordinance (which is the case for this facility) are subject to the provisions of Section 6512.4 which states that "applicants shall incorporate all feasible new or advanced technologies that will reduce previously unavoidable environmental impacts, including reducing visual impacts in accordance with Section 6512.2.E."

As discussed previously, Staff does not believe there are any significant unavoidable environmental impacts associated with this Use Permit. The locating of the cellular facility onto the existing radio towers minimized disruption and conversion of agricultural lands in the area. Also, this location effectively eliminates RF exposure issues due to the long distance

of the towers to the nearest residence. The panel antennas will have a negligible visual impact as discussed previously.

B. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 (Class 1), Subsection (b) which allows for the continued operation of existing facilities of both investor and publicly owned utilities that are used to provide electrical power, natural gas, sewerage, or other public utility services, and Subsection (e) - additions to existing structures provided that the addition will not result in an increase of 50% of the floor area (of the structure), or 10,000 sq. ft. whichever is larger.

C. REVIEWING AGENCIES

Building Inspection Section
Coastside Fire Protection District

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Overall Parcel Site Plan
- D. Focused Site Plan
- E. Elevations

MJS:ann – MJSDD0135_WNU.DOCX

County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN2003-00505

Hearing Date: April 18, 2019

Prepared By: Michael Schaller
Senior Planner

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

1. Regarding the Environmental Review, Find:

Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act, consisting of additions to existing structures provided that the addition will not result in an increase of 50% of the floor area (of the structure), or 10,000 sq. ft. whichever is larger.

2. Regarding the Coastal Development Permit, Find:

That the project, as described in the application and accompanying materials required by Zoning Regulations Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program with regards to the protection of agricultural and visual resources.

3. Where the project is located between the nearest public road and the sea, find that the project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Section 30200 of the Public Resources Code). As discussed in the staff report, the project is exempt from providing public access because it does not change the existing intensity, height, or bulk of the underlying radio tower. The project does not affect public access or encroach towards the sea.

4. That the project conforms to specific findings required by policies of the San Mateo County Local Coastal Program, particularly with regards to visual resources and public access.

5. Regarding the Use Permit Amendment, Find:

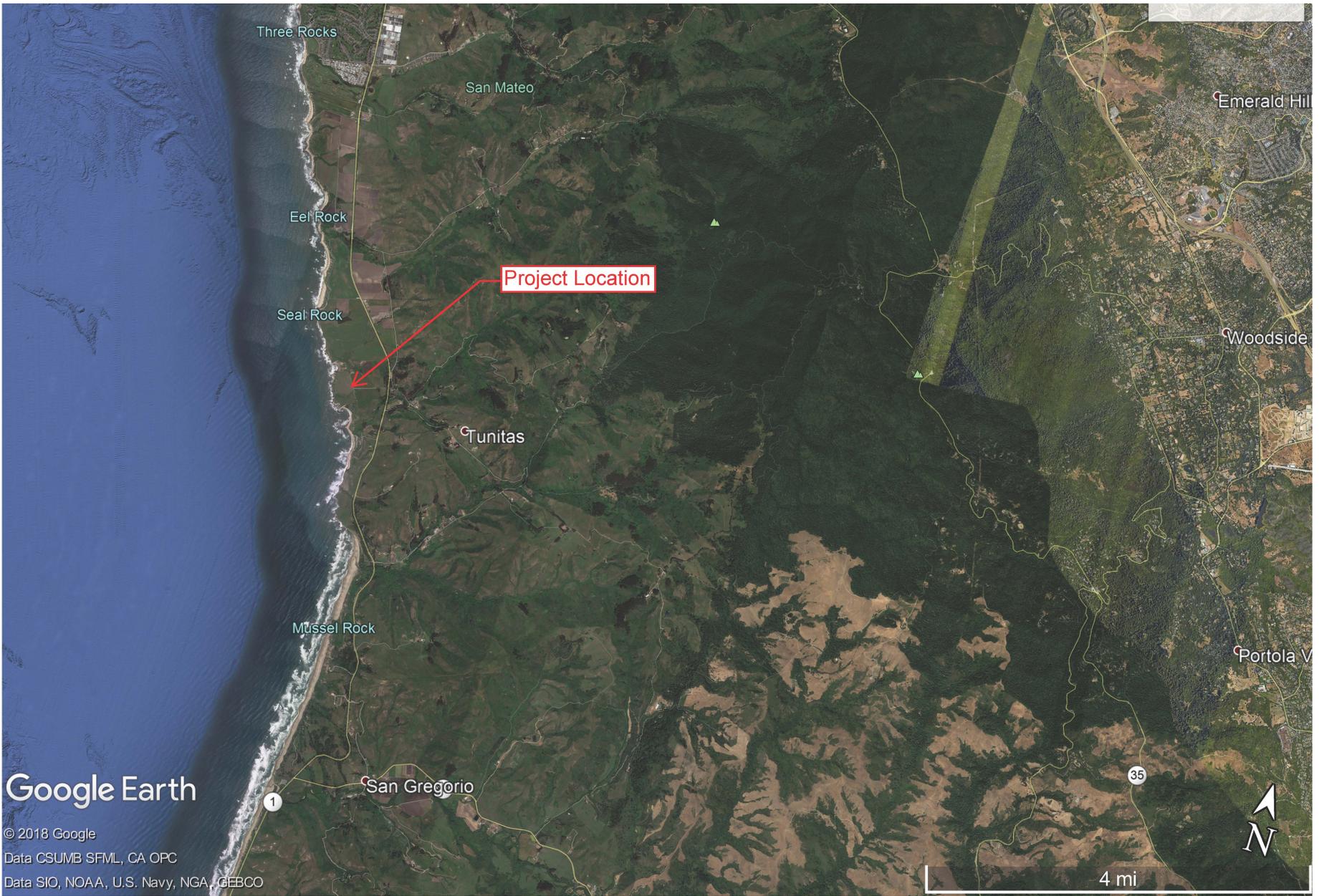
That the establishment, modification, maintenance, and conducting of the use will not, as conditioned, under the circumstances of this particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood because State and Federal RF emissions standards will be met and the project will not present a significant visual impact.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents, and plans described in this report and submitted to and approved by the Zoning Hearing Officer on April 18, 2019. Modifications beyond that which are approved by the Zoning Hearing Officer will be subject to review and approval by the Community Development Director and may require review at a public hearing. Minor modifications that are largely consistent with this approval may be approved at the discretion of the Community Development Director.
2. The installation shall be removed in its entirety at that time when this technology becomes obsolete, when the facility is no longer needed to achieve coverage objectives, or if the facility remains inactive for six consecutive months. If any of these circumstances occur, the entire facility, including all antennas and associated equipment, cables, power supplies, etc., shall be removed and the site returned to its pre-construction state to the extent practicable.
3. The applicant shall not enter into a contract with the landowner or lessee which reserves for one company exclusive use of the tower structure or the site for telecommunication facilities.
4. The applicant shall continue to keep their FCC license active and in good standing throughout the permit's 10-year term. The applicant shall immediately notify the Planning and Building Department if any changes to their license occur.
5. The applicant shall continue to maintain the color of all existing facilities in a manner that is consistent with the color samples on file. All new equipment must match the existing equipment. The applicant shall continue to take all necessary measures to ensure that the site remains consistent with all approved colors.
6. The building permit set of plans shall clearly indicate that all new utility lines to the proposed project shall be installed underground from the nearest existing utility pole. No new utility poles are permitted in the State Scenic Corridor.

7. All construction activity shall be in accordance with the noise standards established under the County Noise Ordinance.
8. The applicant shall apply for and be issued a building permit prior to any construction.



San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

Attachment:

File Numbers:

THIS IS NOT A SITE SURVEY
ALL PROPERTY BOUNDARIES, ORIENTATION OF TRUE NORTH AND STREET HALF-WIDTHS HAVE BEEN OBTAINED FROM A TAX PARCEL MAP AND EXISTING DRAWINGS AND ARE APPROXIMATE.



CA-1

EXISTING RAWLAND

(E) KFS WEBSDR HF RADIO RECEIVING SITE

EXISTING RAWLAND

SECTOR "A"
@ 82° AZIMUTH

(E) & (P) AT&T
PROJECT AREA
REFER TO ENLARGED PLAN
ON SHEET A-2

SECTOR "B"
@ 88° AZIMUTH

MEYN ROAD

EXISTING RAWLAND

SECTOR "C"
@ 148° AZIMUTH

1 OVERALL SITE PLAN
1" = 30'-0"

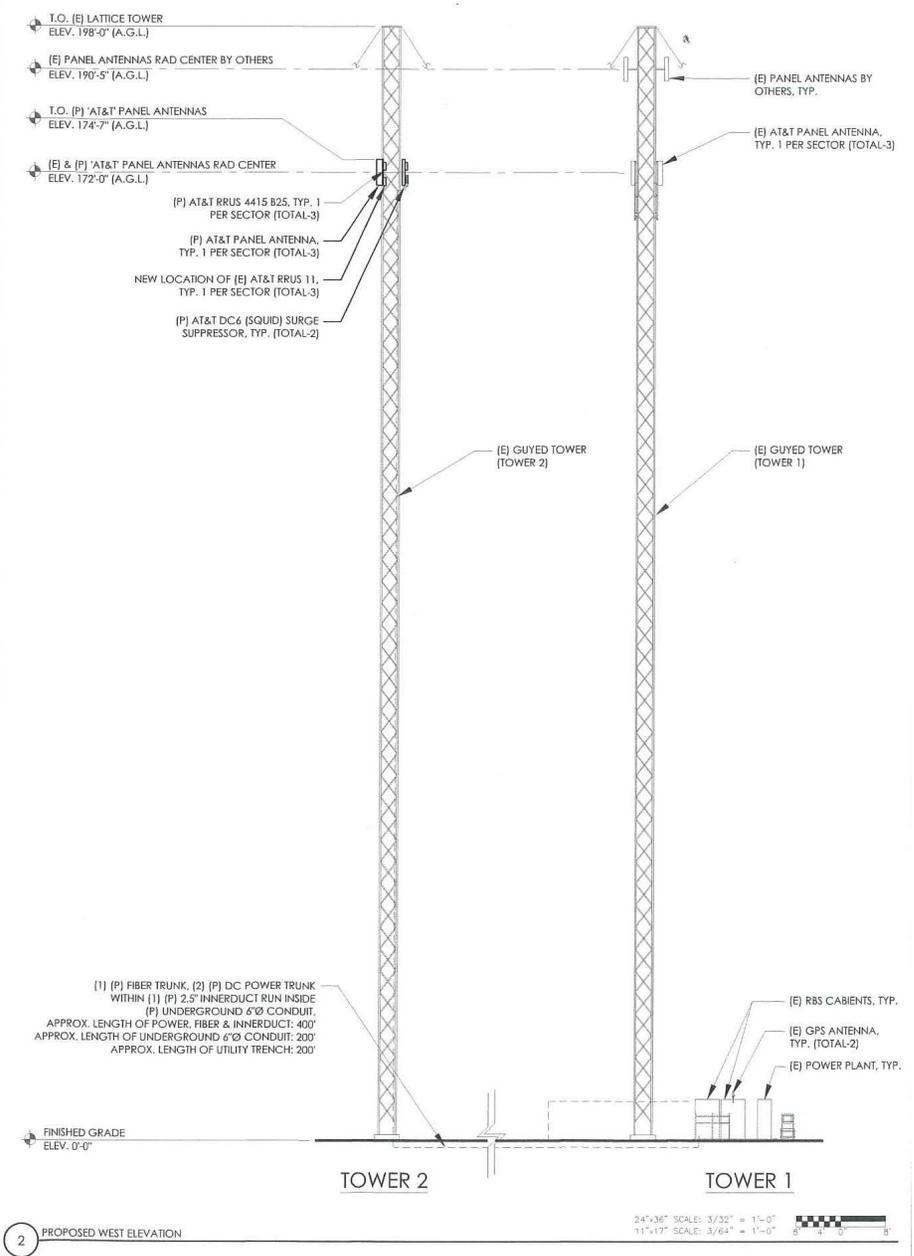
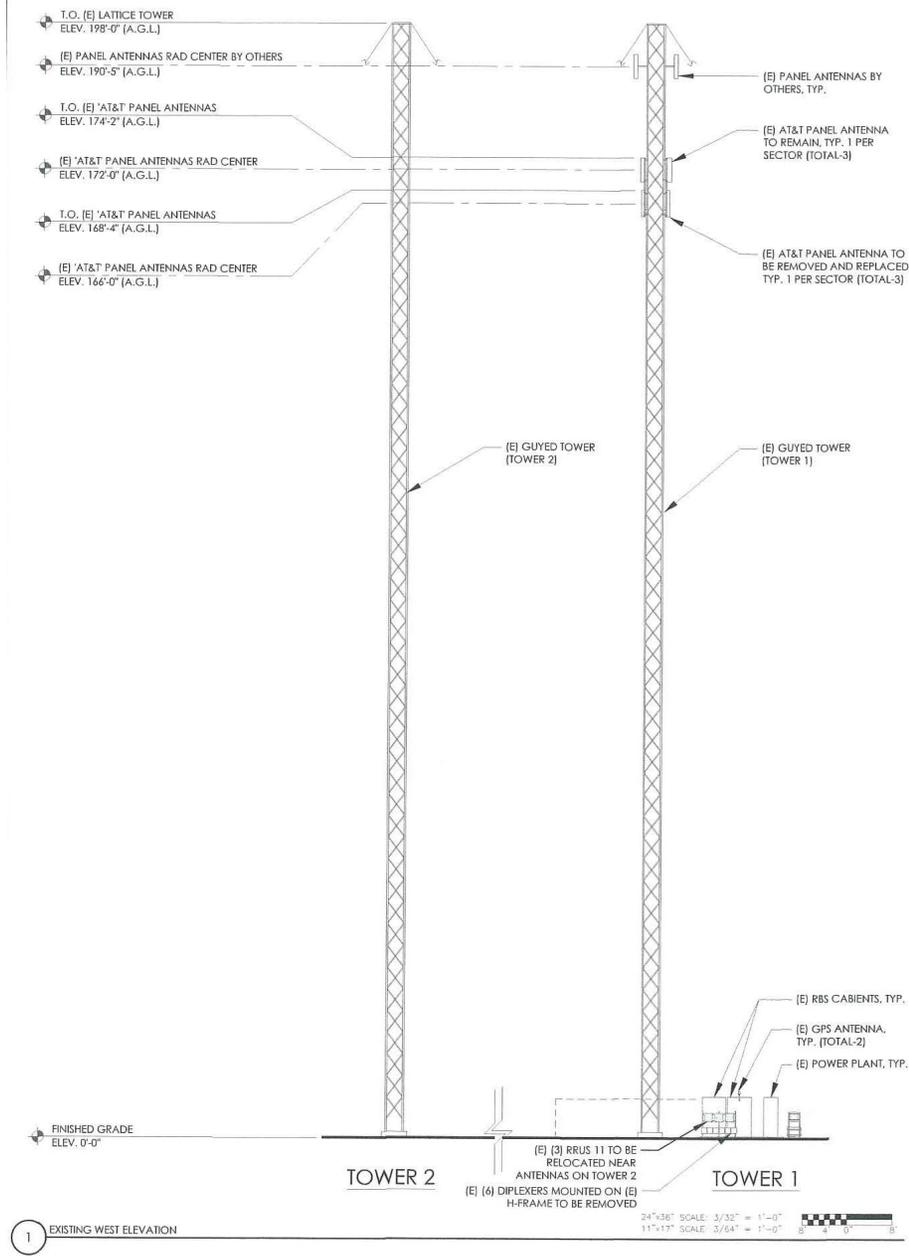
24" x 36" SCALE: 1" = 80'-0"
11 1/2" x 17" SCALE: 1" = 160'-0"
80' 0" 40' 0" 80'

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

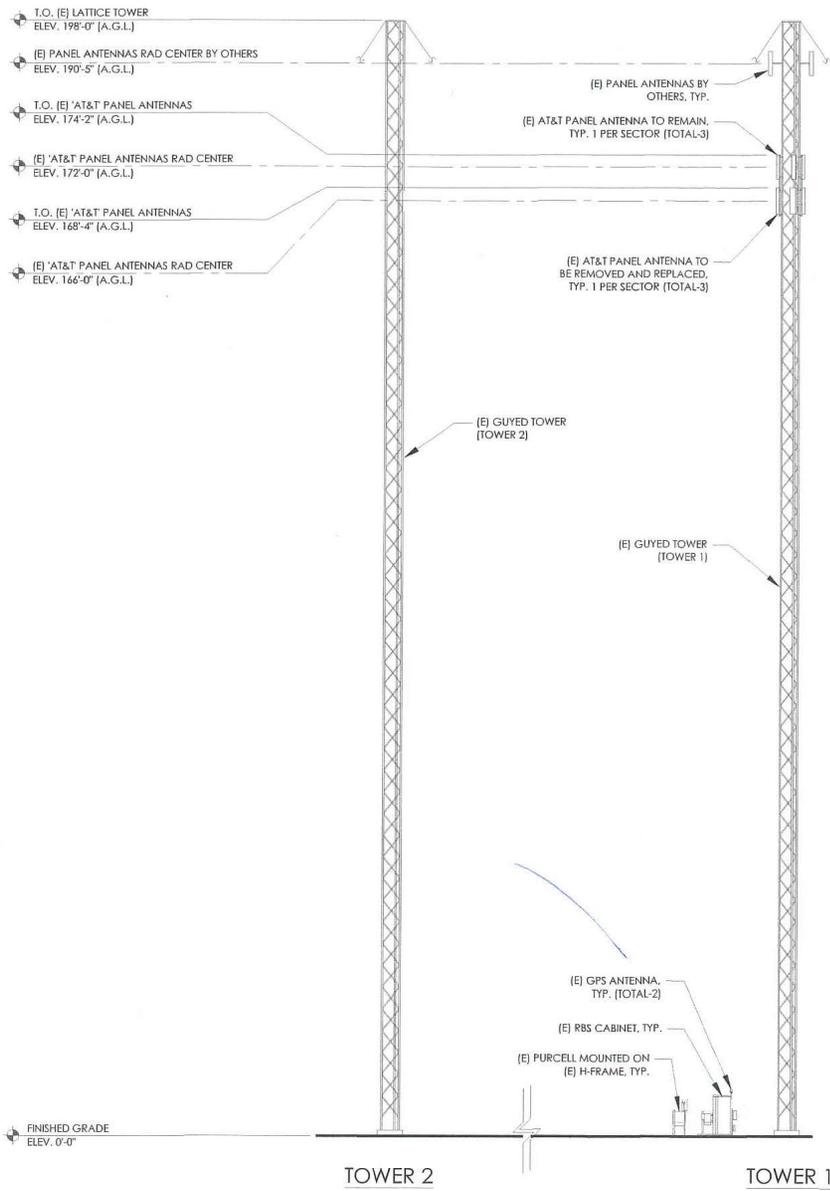


San Mateo County Zoning Hearing Officer Meeting

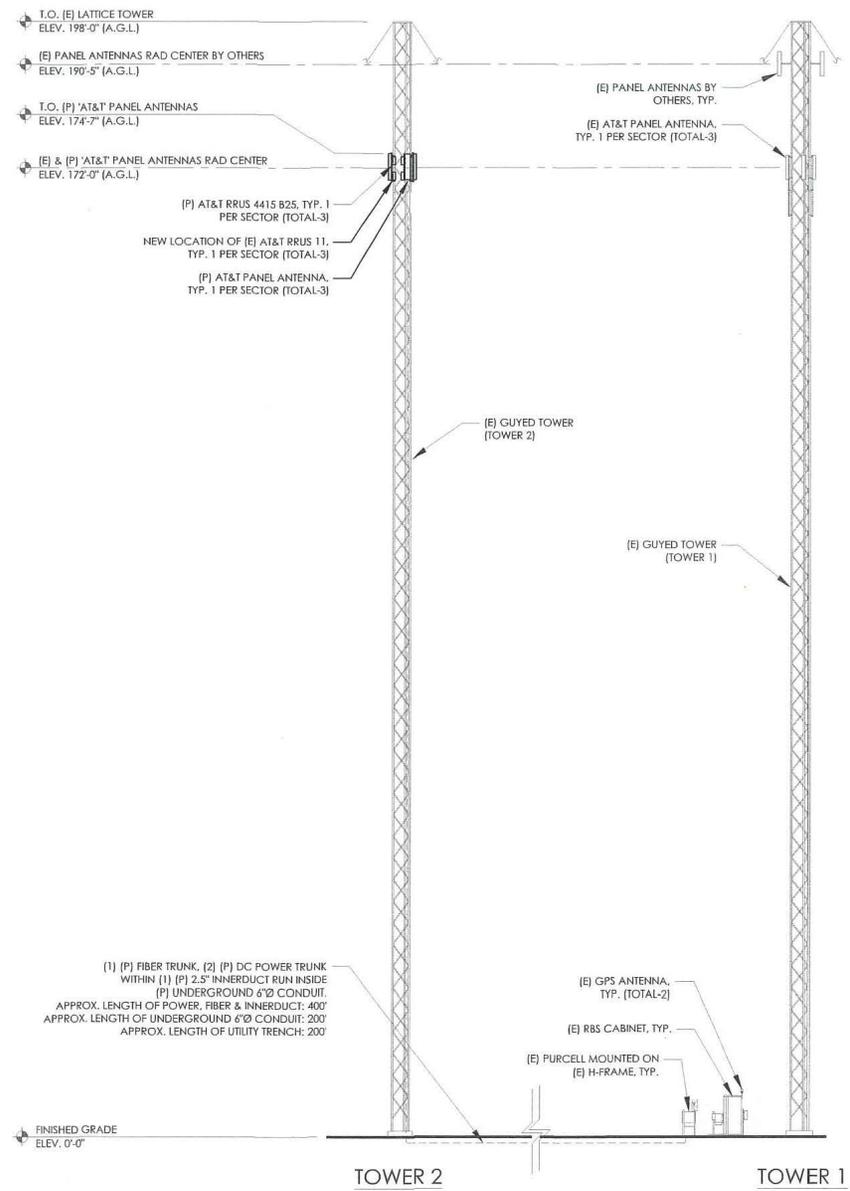
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File Numbers: _____



1 EXISTING NORTH ELEVATION
 24"x36" SCALE: 3/32" = 1'-0"
 11"x17" SCALE: 3/64" = 1'-0"



2 PROPOSED NORTH ELEVATION
 24"x36" SCALE: 3/32" = 1'-0"
 11"x17" SCALE: 3/64" = 1'-0"

San Mateo County Zoning Hearing Officer Meeting

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Attachment: _____

File Numbers: _____