

## PLANNING AND ZONING

Under the County General Plan Land Use Element, the site is designated as Agriculture (A), which is intended for “productive lands of various types, including crop land, vineyards, and grazing lands” and “allows agricultural support uses, such as processing, wineries, and other necessary public utility and safety facilities and one principal residential dwelling unit per lot.” The site’s zoning district of Agricultural Productive (AP)<sup>1</sup> allows telecommunications facilities with the approval of a conditional use permit.<sup>2</sup>

Wireless facilities are governed by County Code Chapter 7.11, which is intended “to provide ... for the orderly development, operation and maintenance of wireless telecommunications facilities” and “to provide the community with the benefits of this technology without unduly restricting service providers” in accordance with “promot[ing] public health, safety and welfare and the aesthetic quality of the county.”<sup>3</sup> County Code §7.11.016 provides standards for freestanding monopoles and similar structures. New facilities are generally required to be located at least 1,500 feet from schools and 500 feet from residential areas,<sup>4</sup> although in practice the Planning Commission has considered a single residence on the same property as a wireless facility to be acceptable.

The County General Plan also gives policy on wireless telecommunications. General Plan Policy ED-3.4 encourages wireless facilities for economic development purposes. Public Facilities and Services Element Goal PFS-9 envisions that the County will “facilitate the orderly and appropriate development and expansion of telecommunications facilities” and gives policies for encouraging these services and for discretion on proposals to add new facilities.

<sup>1</sup> County Code §25.07.020 *et seq.*

<sup>2</sup> County Code §7.11.006 *et seq.*

<sup>3</sup> County Code §7.11.001.

<sup>4</sup> County Code §7.11.005(A).

## ENVIRONMENTAL EVALUATION

The project is exempt per California Environmental Quality Act (CEQA) Guidelines<sup>5</sup> §15303(d), a categorical exemption allowing for utility extensions, including improvements and modifications more intensive than that proposed by this application. A finding to this effect can be found in the draft resolution, and the proposed condition 6 would require the filing of a Notice of Exemption, an official statement reflecting the application of the categorical exemption to this project.

## STAFF ANALYSIS

General Plan Goal PFS-9, found in the Public Facilities and Services Element, directs the County to “facilitate the orderly and appropriate development and expansion of telecommunications facilities.” Among the policies associated with the goal, Policy PFS-9.1 “support[s] the development and expansion of telecommunication facilities and services to facilitate the use of the best available technology for businesses, households, and government.” General Plan Policy ED-3.4 considers wireless facilities an economic development priority. This tower installation would satisfy these intentions of extending telecommunications services to the public for economic development and other functional benefits.

The facility may further be considered an “agricultural support use” like that mentioned in the Land Use Element definition for the Agriculture (A) district and encouraged by Land Use Element Policy LU-3.6. The first use of the tower, omnidirectional antennas mounted at the top level, would serve interregional and local truck traffic, much of which serving agriculture. Additional antennas co-located on the tower could then serve area residents and industry, including agriculture, with wireless telephone and broadband internet service, fulfilling Policy PFS-9.6 (on co-location) and potentially Policy PFS-9.10 (on rural broadband).

County Code Chapter 7.11 defines standards for wireless facilities, with §7.11.016 specific to freestanding monopoles such as this project. Section 7.11.016(B) addresses visual impacts; although the tower would be visible around the area, including to passing drivers on Route 156, the functional appearance of the tower would relate to the functional appearance of the utilitarian agricultural buildings at its base. Attachment A includes visual simulations together with other project illustrations, and a condition of approval requires that the tower be of a nonreflective finish with a color to match its surroundings. Elsewhere in the chapter, §7.11.004(H) states that a maximum three groupings of antennas for a maximum of three telecommunications carriers may be present unless technological improvements allow additional antennas to appear unobtrusive. In addition to three cell phone antenna groupings, this tower would have its original omnidirectional antennas plus two microwave dishes, types with minor visibility compared to cell phone antennas. As a further requirement, §7.11.005(A) expects that a tower will be at least 500 feet from “residential areas”; an on-site residence may be considered separate from that term and be allowed within 500 feet of the tower, provided the owner express understanding of the requirement and its purpose by a deed restriction.

The nearest wireless communication towers are 2½ miles to the northeast and 3½ miles to the west. The closer tower sits at a similar elevation near Buena Vista Road’s intersection with Route 156 with hills nearby that could limit its function to the area. The westerly tower, on a hill above San Juan Bautista, may be less limited by terrain but less effective for its distance.

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<sup>5</sup> California Code of Regulations Title 14 Division 6 Chapter 3.

**STAFF RECOMMENDATION**

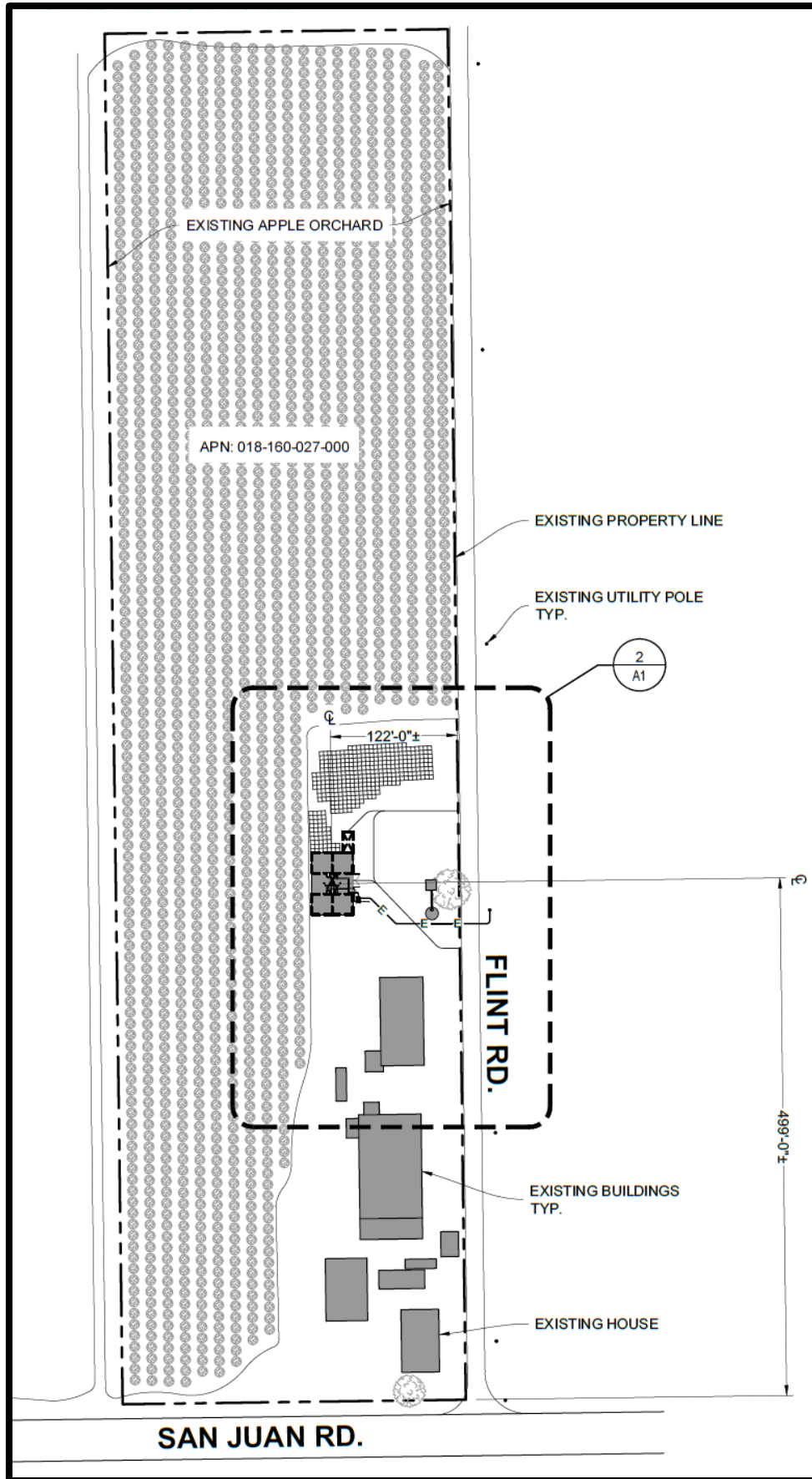
Staff recommends that the Planning Commission review the staff report and review the draft resolution, which includes findings and conditions of approval and is found in Attachment B. Staff further recommends that the Planning Commission make the findings included in the resolution and adopt the resolution to approve County Planning permit PLN180025, subject to the conditions of approval found in the resolution.

**ATTACHMENTS**

- A. Site Plan, Elevations, and Visual Simulation
- B. Planning Commission Resolution 2020-\_\_\_\_ (draft), including
  - Conditions of Approval as Exhibit A to the Resolution

<b>Project Data for PLN180025</b>
Horizon Tower, LLC 10 Flint Road
Project proposal: To construct a 95-foot-tall wireless telecommunications monopole with two omnidirectional antennas for truck transportation communication, two microwave dishes, co-location space for three carriers, a 2,400-square-foot lease area enclosed by a six-foot chain-link fence.
Assessor’s Parcel Number: 018-160-027
Permit Requirement: Use Permit
Zoning: Agricultural Productive (AP)
General Plan: Agriculture (A)
Land Use: Currently orchard with buildings for agricultural packing, plus one residence.
Minimum Building Site Allowed: 5 acres.
Lot Size: 10 acres.
Sewage Disposal: The use permit does not require septic-system disposal.
Water: The use permit does not require water use, but water is to be available for firefighting.
CEQA Determination: Exempt per State CEQA Guidelines §15303(d).
FEMA Flood Zone: Not in a 100-year flood zone per FEMA FIRM panel 06069C0180D (Apr. 16, 2009).
Fire Severity: Non-Wildland/Non-Urban.
Earthquake fault zone: Not within an Alquist–Priolo Earthquake Fault Zone.
Soil: Sorrento silt loam, 0 to 2 percent slopes (Grade 1).
State Farmland Map Designation: Prime Farmland.
Endangered Species: No known species present.
Archeological Sensitivity: Not sensitive.
Williamson Act Contract Area: Not subject to a Williamson Act (Land Conservation Act) contract.
Is the proposal consistent with the General Plan Designation and zoning? The proposed telecommunications facility can be considered supportive to the land uses of the site’s Agriculture (A) district under the General Plan Land Use Element and is permissible under a conditional use permit as presently requested by the applicant.

Attachment A. Site Plan, Elevations, and Visual Simulation







Simulated view from Route 156 looking directly northward at tower site (above) and from Route 156 looking northwestward (below).